

Comment

Consultee	Roger Blake [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Railfuture
Address	[REDACTED] [REDACTED] London [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Railfuture [REDACTED]
Comment ID	PSLP_1684
Response Date	04/06/21 15:48
Consultation Point	Pre-Submission Local Plan (View)
Status	Processed
Submission Type	Email
Version	0.5
Data inputter to enter their initials here	KH
Question 1	
Respondent's Name and/or Organisation	Roger Blake, Railfuture
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Local Plan (whole Document)

Question 4

Do you consider that the Local Plan:

Is legally compliant	Yes
Is sound	Yes
Complies with the Duty to Cooperate	Yes

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

Railfuture is Britain's leading, longest-established, national independent voluntary organisation campaigning exclusively for a better railway across a bigger network for passenger and freight users, to support economic (housing and productivity) growth, environmental improvement and better-connected communities.

We seek to influence decision makers at local, regional and national levels to implement pro-rail policies in transport and development planning.

We are content that the Pre-Submission Local Plan is compliant with legal and procedural requirements, and from our perspective is sound.

We observe that the new shadow sub-national transport body Transport for the South East (TfSE), which includes Kent and its districts, and Medway, within its regional scope has been developing its 30-year Transport Strategy 2050 in parallel with the new Local Plan for Tunbridge Wells, and secured formal approval by its shadow Partnership Board in July 2020. Since then it has embarked on a number of studies to inform its draft Strategic Investment Plan, one such being the South Central Radial Area study which for the first time accorded TfSE recognition to an 'economic corridor' between the hubs of Royal Tunbridge Wells and Brighton, via Wealden and Lewes Districts.

Whilst acknowledging that the next Local Plan for Tunbridge Wells has a shorter planning horizon than TfSE's Transport Strategy, we nevertheless consider that the latter provides additional strategic context to Local Plan policies. Specifically, the economic corridor may be perceived currently as defined essentially by the road network while across the timespan of TfSE's Transport Strategy the corridor has potential for transformational development of rail links between the hubs at either end. The new Local Plan, and its successors, need in our view to be fully cognisant of the opportunities thereby available for Tunbridge Wells.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

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If responder hasn't ticked an option on this box, data inputter to tick 'not stated' box. Not Stated

Comment

Consultee	Philip Reddy [REDACTED]
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	Philip Reddy [REDACTED]
Comment ID	PSLP_1038
Response Date	03/06/21 11:03
Consultation Point	Policy AL/RTW 14 Land at Tunbridge Wells Garden Centre (View)
Status	Processed
Submission Type	Web
Version	0.3
Question 1	
Respondent's Name and/or Organisation	Philip Reddy
Question 3	
To which part of the Local Plan does this representation relate?	Paragraph(s)
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Garden Centre Eridge Road Tunbridge Wells - paragraph 5.90. AL/RTW 14

Question 4

Do you consider that the Local Plan:

Is legally compliant	No
Is sound	No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound . It is not justified because:

Question 5

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Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

1. The existing access from the site onto the Eridge Road is already dangerous with a steep slope onto a busy bend with restricted visibility. The proposed development will add considerably to the traffic using this access road and so will represent a much greater risk of accident. There is no pedestrian footpath on the garden centre side of the Eridge Road and so the pedestrians from the houses on the development going into town will need to cross a busy road on a dangerous bend.

Therefore:

1) Traffic Safety and Hazard: Vehicle access point on A26 Eridge Road. Road Traffic Safety compromised due to additional vehicle movement volumes; with a traffic hazard as there is restricted line of sight (ref. also 5.94) Note: Existing access considered to be on apex of bend, not as defined above as 'close to the bend'. 2) Pedestrian Safety and hazard: No available pavement on the Common side of the A26 pedestrians will be crossing the A26 at a dangerous busy point

The site was released from the Green Belt, and the Development Strategy Topic Paper and Green Belt studies set out the exceptional circumstances and compensatory improvements to the remaining Green Belt to justify the changes to the boundary in this location. What to date have been the compensatory improvements to the remaining Green Belt? The 2019 Plan describes the site as being part of a Biodiversity Opportunity Area where any development should demonstrate net gains for nature and biodiversity. Reference was also made to the DEFRA "MAGIC" website which described the area as suitable as woodpasture and parkland. Both these descriptions have been removed from the current plan

The development is in a river valley. Under present conditions High Rocks Lane consistently floods as the point where it meets Hungershall Park (and where it is presumed the proposed "emergency exit" will be for the development). As a result the road is almost always under water and in a poor condition with potholes that reappear quickly after frequent repairs. The road at this point is a blind bend with no footpath so pedestrians and cyclists often veer across the roadway to avoid the potholes and create a real danger of accidents to oncoming vehicles. This situation will only get worse once a large area of the valley floor is concreted over as a result of the development.

Proposing a Secondary and Emergency access appears to be a leverage argument to open up the site with another access point thereby ignoring the hazards identified, refer to previous valid refusal rational.

There is a high probability for dangerous additional 'on road parking' at the lower end of Hungershall Park/ corner of High Rocks lane/ Cabbage Stalk Lane. The proposed new developments at Spratsbrook Farm and the old Plant & Tools Hire site by The West Station which is to have access directly on to Eridge Road, will both increase traffic flows along this busy stretch and force drivers to find alternative routes.

Newts and a variety of amphibian wildlife have been seen in the site North aspect / River Grom area of this location. Along with numerous bats, badgers and voles and many birds. This area of land forms a wildlife corridor from the common down to the woods and along to the bird sanctuaries towards

Groombridge. It is a unique habitat, a small area of land which has been untouched for many years that supports vast numbers of insects and the other species mentioned before.

The plan shows a green space buffer running alongside Cabbage Stalk Lane. The current woodland buffer is substantial and therefore the developer is likely to bulldoze and excavate as much as is feasible subject to ground stability and the preservation of valuable and species trees etc. The trees provide cover and privacy for wildlife and seclusion for walkers and local residents but are not in themselves wonderful specimens but are nevertheless very important to the semi rural nature of the area. The retention of as much tree cover as possible is very important.

Site East West access – Cabbage Stalk Lane will cause additional volume of use. This poses the following problems: 1) Compromise to safety and hazard as now a designated cycle path. Several near misses have already occurred with current multi-use volumes; as the majority of cyclists appear to disregard this lane as being a shared facility with pedestrians, pedestrians and dog walkers, plus vehicular access traffic.

2) Cyclists coming out of the new development will generally turn right into Cabbage Stalk Lane, adding to the volumes of cyclists using that lane. Furthermore, this will surely add to the number of cyclists on the Common who increasingly seem to be ignoring the “no cycling” rule there.

3) For those who might turn left into High Rocks Lane, this would add to the number of cyclists on this narrow lane with blind corners and numerous potholes - adding yet further risk to themselves, pedestrians and cars.

4) This is likely to further increase the volume of cyclists coming down the hill in Hungershall Park and towards the proposed development. Residents are increasingly concerned about the number of cyclists coming around the corner at very high speed and oblivious to the blind entrance several drives. There have been near misses recently and including one cyclist who recently came off his bike near the entrance to the drive at no. 12

The development will inevitably destroy and erode an established valuable bio-diverse habitat in a unique rural area.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

Comment

Consultee	Susan Reddy [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] Tunbridge Wells [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Susan Reddy [REDACTED]
Comment ID	PSLP_935
Response Date	02/06/21 13:29
Consultation Point	Policy AL/RTW 14 Land at Tunbridge Wells Garden Centre (View)
Status	Processed
Submission Type	Web
Version	0.3
Question 1	
Respondent's Name and/or Organisation	Susan Reddy
Question 3	
To which part of the Local Plan does this representation relate?	Paragraph(s)
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Wyedale Garden Centre - Eridge Road Tunbridge Wells.	
AL/RTW 14	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	No

Is sound

No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because: . It is not justified

Question 5

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The existing access from the site onto the Eridge Road is already dangerous with a steep slope onto a busy bend with restricted visibility. The proposed development will add considerably to the traffic using this access road and so will represent a much greater risk of accident. There is no pedestrian footpath on the garden centre side of the Eridge Road and so the pedestrians from the houses on the development going into town will need to cross a busy road on a dangerous bend.

erefore:

1) Traffic Safety and Hazard: Vehicle access point on A26 Eridge Road. Road Traffic Safety compromised due to additional vehicle movement volumes; with a traffic hazard as there is restricted line of sight (ref. also 5.94) Note: Existing access considered to be on apex of bend, not as defined above as 'close to the bend'. 2) Pedestrian Safety and hazard: No available pavement on the Common side of the A26 pedestrians will be crossing the A26 at a dangerous busy point

5.92 The site was released from the Green Belt, and the Development Strategy Topic Paper and Green Belt studies set out the exceptional circumstances and compensatory improvements to the remaining Green Belt to justify the changes to the boundary in this location. What to date have been the compensatory improvements to the remaining Green Belt?

The 2019 Plan describes the site as being part of a Biodiversity Opportunity Area where any development should demonstrate net gains for nature and biodiversity. Reference was also made to the DEFRA "MAGIC" website which described the area as suitable as woodpasture and parkland. Both these descriptions have been removed from the current plan. why?

The development is in a river valley. Under present conditions High Rocks Lane regularly floods as the point where it meets Hungershall Park (and where it is presumed the proposed "emergency exit" will be for the development). As a result the road is always in a poor condition with potholes that reappear quickly after frequent repairs. The road at this point is a blind bend with no footpath so pedestrians and cyclists often veer across the roadway to avoid the potholes and create a real danger of accidents to oncoming vehicles. This situation will only get worse once a large area of the valley floor is concreted over as a result of the development.

There is a seasonal flooding issue in that area, as referred to above in the 2017 flooding report.

The proposed development is in a river valley. Under present conditions High Rocks Lane almost constantly floods as the point where it meets Hungershall Park (and where it is presumed the proposed "emergency exit" will be for the development). As a result the road is often under water and always in a poor condition with potholes that reappear quickly after frequent repairs. The road at this point is a blind bend with no footpath so pedestrians and cyclists often veer across the roadway to avoid the potholes and create a real danger of accidents to oncoming vehicles. This situation will only get worse once a large area of the valley floor is concreted over as a result of the development.

The only change since 1990 is higher volumes of traffic on High Rocks Lane and Hungershall Park.

No known local precedents have been set for a requirement of a secondary and/or an emergency access. Example: The existing adjacent large estate has no secondary or emergency access.

Access: The suggested 'North' secondary and emergency access point will:

- . Destroy a Bio Diverse habitat, impacting the natural rural dynamic .
- . By default the access point becomes a tacit 'extra access' immediately opening onto High Rocks Lane with hazardous restricted/limited line of sight which is onto a speed de-restricted area and is a width constricted lane, plus opposite another lane entrance point; as highlighted in the council's planning permission access refusal 1990.
- . There is a high probability for this access to become a local shortcut

Proposing a Secondary and Emergency access appears to be a leverage argument to open up the site with another access point thereby ignoring the hazards identified, refer to previous valid refusal rational.

In traffic management terms an emergency exit in High Rocks Lane would require either traffic light control, or a roundabout (taking up additional land) further eroding the natural character of the area.

There is a high probability for dangerous additional 'on road parking' at the lower end of Hungershall Park/ corner of High Rocks lane/ Cabbage Stalk Lane. The proposed new developments at Spratsbrook Farm and the old Plant & Tools Hire site by The West Station which is to have access directly on to Eridge Road, will both increase traffic flows along this busy stretch and force drivers to find alternative routes

This is a wildlife corridor between The Common, the woodland and the RSB sanctuary running down to Groombridge. It is a unique are, undisturbed for many years. I have seen Newts and a variety of amphibian wildlife have been seen in the site North aspect / River Grom area of this location. Also badgers, bats and voles and a wide range of native birds live in this woodland and pasture. It is almost a wetland type pasture in some spots.

The plan shows a green space buffer running alongside Cabbage Stalk Lane. The current woodland buffer is substantial and therefore the developer is likely to bulldoze and excavate as much as is feasible subject to ground stability and the preservation of valuable and species trees etc. The trees provide cover and privacy for wildlife and seclusion for walkers and local residents but are not in themselves wonderful specimens but are nevertheless very important to the semi rural nature of the area and its diverse wildlife.

The River Grom flows along the Southern boundary of the plot alongside the railway line. The woodland and the river provide a habitat for deer and other wild animals. It would be desirable if the western end of the plot be preserved for wildlife, not be built upon and not used for vehicular access.

If the access point is allowed to the north, then the suggested access is onto a hazardous speed de-restricted and width restricted lane. This was one of the reasons the previous planning for access was refused. This would also create a safety hazard for pedestrians as there is no pavement from the suggested access secondary/emergency point towards Cabbage Stalk Lane.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . Yes, I wish to participate in hearing session(s)

Question 7a

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If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

In order that local residents are heard

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Supporting Information File Ref No: SI_154a-b

Comment

Agent	Miss Judith Ashton ([REDACTED])
Email Address	[REDACTED]
Company / Organisation	Judith Ashton Associates
Address	Maytham Farmhouse Maytham Road Cranbrook TN17 4QA
Consultee	([REDACTED])
Company / Organisation	Redrow Homes Ltd and Persimmon Homes South East
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Redrow Homes Ltd and Persimmon Homes South East (- [REDACTED])
Comment ID	PSLP_2159
Response Date	04/06/21 09:43
Consultation Point	Policy STR 1 The Development Strategy (View)
Status	Processed
Submission Type	Email
Version	0.8
Files	PSLP_2159-2198_Judith Ashton Ass for Redrow Homes (1) PSLP_2159-2198_Judith Ashton Ass for Redrow Homes
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Redrow Homes Ltd & Persimmon Homes South East
Question 2	
Agent's Name and Organisation (if applicable)	Judith Ashton Associates

Question 3

To which part of the Local Plan does this representation relate? Policy

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR 1 The Development Strategy

[TWBC: this representation has been input against Policies STR 1, STR 4, STR 5, STR/SS 1, STR/PW 1, EN1, EN2, EN3, EN9, EN13, H3, H6 and H9 – see Comment Numbers PSLP_2159, PSLP_2165, PSLP_2166, PSLP_2167, PSLP_2173, PSLP_2179, PSLP_2182, PSLP_2186, PSLP_2189, PSLP_2191, PSLP_2194, PSLP_2197 and PSLP_2198. See Supporting Information for representation in full]

Question 4

Do you consider that the Local Plan:

Is sound No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because: . It is not positively prepared . It is not effective

Question 5

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I write with reference to the above. As you will be aware, I act for both Redrow Homes Limited and Persimmon Homes South East who have various interests in Tunbridge Wells, including those east and south east of Paddock Wood (SHLAA sites '20', '374', '371', '344' and '376'), (LPA sites PW 1_7, 1_9, 1_11 and 1_12), (parcels 7, 9, 11 and 12).

Whilst, having regard to the above, Redrow and Persimmon both support the Reg 19 Plan in principle, especially the proposed allocation of the land at Paddock Wood (policies STR/SS1 and STR/PW1), they do have specific concerns about certain aspects of policies STR/SS1 and STR/PW1 and the evidence base underpinning the plan.

In saying this we acknowledge that the Strategic Sites Topic Paper (March 2021) provides a detailed critique of the rationale behind the proposed allocation of the land at Paddock Wood and Capel, with section 8 explaining how the development looks to address the requirements of para 72 of the NPPF; and the plan and its associated evidence as a whole looks to demonstrate why the proposed allocation is justified, is deliverable and will be effective in meeting the requirements of the plan and national government guidance.

1 The Housing Requirement, Supply and Trajectory.

a) The Requirement

1.1 Para 4.10 of the Reg 19 Plan indicates that the standard method housing need figure for the borough is 678 dwellings per year; and that over the full plan period 2020 to 2038, this equates to a need of some 12,204 dwellings. It also acknowledges that national policy clarifies that this would be a minimum target.

1.2 Para 3.3. of the Housing Land Supply and Trajectory Topic Paper indicates that this is based upon the standard methodology (2014 based household projections (published July 2016)), projected household growth in Tunbridge Wells for the period 2020-2030 and the affordability ratios for 2018 (See appendix 1 of the Housing Needs Assessment Topic Paper - Feb 2021).

1.3 Policy STR1 should in setting out the development strategy for the plan identify the local housing need figure. In addition, the housing trajectory contained within the Housing Land Supply and Trajectory Topic Paper should be set out in the plan itself – as an appendix so it is clear upon adoption what it is the authority are seeking to rely upon.

b) Whether the plan should provide for more than the minimum local housing need figure

1.4 As acknowledged in the Reg 19 Plan and its supporting evidence base, the plan should, given ID: 2a-010-20190220 of PPG, consider whether it might be appropriate to plan for a higher housing need figure than the standard method indicates given issues such as local affordability.

1.5 The Housing Needs Assessment Topic Paper summarises the findings of recent housing needs surveys; the 2015 SHMA identified a need for 341 affordable homes per annum, the 2018 HNS a need for 443dpa and the recent review of affordable housing needs in the context of first homes (2021) a need for around 323dpa. As acknowledged in the Housing Needs Topic Paper this demonstrates a substantial need for affordable housing in the borough. This is supported by the affordability ratios published in March 2021, which indicate that the ratio of lower quartile house price to lower quartile gross annual workplace-based earnings by local authority district, England and Wales, 1997 to 2020, had in Tunbridge Wells increased from 9.58 in 2010, to 10.51 in 2015 and 12.8 in 2020; the ratio of median house price to median gross annual workplace-based earnings by local authority district, England and Wales, 1997 to 2020 being 9.91 in 2010, 10.98 in 2015 and 13.27 in 2020.

1.6 Whilst policy H5 looks to deliver 40% affordable provision on all greenfield sites of 9 (+) dwellings, not all sites provide affordable housing, thus, in order to meet 100% of the affordable requirement of 443 dpa one would conservatively need to deliver circa 1,107 dpa over the plan period. Even if one takes the affordable requirement to be 323 dpa, the borough would need to be delivering 807dpa. In both instances this is significantly greater than the figure generated by the standard method, (678dpa).

1.8 To this end we note that whilst the Icen Review of Local Housing Needs (dec 2020) suggests at para 1.11 that the data underpinning trends and projections in Tunbridge Wells would not identify an exceptional circumstance that would justify moving away from the Standard Method, it also acknowledges in the preceding paragraph that: *'The PPG makes clear that one of the reasons why an affordability uplift is applied in the standard method is that past housing supply may have constrained the ability of people to move to an area. The influence of historical supply on the population and household projections justifies the inclusion of an uplift to the household projections. The extent to which this will improve affordability in Tunbridge Wells will be influenced by the extent to which housing supply and delivery is increased across the wider region as well as London. It seems unlikely that if Tunbridge Wells BC increased supply on its own that this would have a material effect on affordability given the clear inter-relationship in market terms between the Borough and surrounding areas and its broader relationship to London. There are also wider macro-economic factors that will influence overall housing affordability and demand including wider economic trends, interest rates and access to mortgage finance. A material change in the supply-demand dynamic across the wider South East is necessary; but Government policy requires each authority to play its part in this (whilst achieving sustainable development).'*

1.9 Having regard to the above we note that the Inspector at the Mid Sussex Local Plan examination sought to increase the OAHN to address the affordability issues in the district (See paras 19), and whilst that examination was predicated on the 2012 NPPF, not the standard methodology, it does demonstrate the need to consider affordability in areas such as this in detail when determining the local housing needs figure.

1.10 In the context of the above we also note that the figure of 678dpa is the minimum local housing need figure. It is capped at 40%. The uncapped figure is in fact 741dpa(See para 2.15 of the Housing Needs Topic Paper). This figure would better be described as the actual housing need, with 678dpa simply being the minimum Local Housing Need figure defined by the standard method. Whilst we note that the SA does test the effects of looking to meet the uncapped housing needs within growth strategies 10 and 11, and that the SA concluded that they were not pursued any further given their perceived environmental impacts; the Icini report accepts that the higher, uncapped need may be achievable from a market capacity perspective notwithstanding this would involve a further significant increase over recent building rates.

1.11 Whilst we will return to this point when commenting upon the SA, in terms of the overall housing requirement the evidence base has in our opinion to be more explicit as to why meeting the uncapped need was so readily dismissed. Table 12 (p51) of the SA appears to dismiss option 10 (uncapped need) on the basis that it was assumed that it would lead to further development across settlements, including in the AONB. At only 63dpa more than planned for (1,260 dwelling across the plan period) there are in our opinion options, given the findings of the SHLAA that could accommodate this level of additional growth without harm to the AONB. The Borough Council thus need to explain how this conclusion has been reached and the evidence base needs to address this to ensure the chosen option is justified.

1.12 Finally, there is, as acknowledged at para 4.12 of the Reg 19 Plan, the issue of the unmet housing needs from neighbouring areas, especially those within the same housing market area. As set out in the Duty to Cooperate (DTC) Statement (March 2021) these include Sevenoaks District Council (SDC) and Tonbridge and Malling Borough Council (TMBC) but extends to include Rother District Council (RDC) and Wealden District Council (WDC). The DTC statement indicates that SDC is the only neighbouring authority who have indicated they do not expect to meet their LHN. SDC, according to para 4.18 of the DTC statement made a request to TWBC and other neighbouring authorities as to whether they could assist in meeting any of its unmet need of 1,900 dwellings in April 2019. The DTC statement goes on to explain that whilst TWBC considered if it could meet some of SDCs unmet need (see para 4.19), it concluded for the reasons contained within the DTC statement (see para 4.20) that it could not.

1.13 Whilst noting the 2 reasons given, we also note that the Icini Review of Local Housing Needs has, as indicated above suggested that higher, uncapped need may also be achievable from a market capacity perspective. Furthermore, in considering a growth option that encompasses SDC's unmet need (option 11), table 12 (p52) of the SA appears to dismiss this option on the basis that it was assumed that the additional 1,900 dwellings would essentially result in further housing in the AONB as well as the loss of more Green Belt, including losses around RTW/Southborough. Whilst some may say this is self-evident it is not clear within the evidence base how this conclusion has been reached and the evidence base needs to address this to ensure its rational is clear and that the chosen option is justified.

c) Supply and Trajectory

1.14 Whilst not commenting upon the supply in detail, in reviewing the findings of the Housing Supply and Trajectory Topic Paper (Feb 2021) on housing delivery phasing and build out rates, we note that the supply sources the Council relies upon in the trajectory for the plan are summarised in Table 3 (p36) of the plan as:

1

Housing need 2020 – 2038

12,204

18 yrs. x 678

2

Extant Planning Consents as at 01 April 2020

3,313

See HS&T TP

3

Windfall allowance small sites

1,310

See HS&T TP/ BL TP

4

Windfall allowance large urban sites

360

See HS&T TP/ BL TP

5

Outstanding Site Allocations (from extant Local Plan)

276

See HS&T TP

6

New Housing Allocations proposed in the Plan

6,945

Row 1 minus rows 2 -5 -

7

Minimum Total allocations

7,221

1.15 Taking these in turn, we note that:

(i) Extant Planning Consents as at 01 April 2020

1.16 Whilst the Reg 18 Plan provided a 10% buffer for non delivery (See Para 13, bullet point three on P4 of 5-year Housing Land Supply 2018/19 – June 2019) of small sites (1-9 units) no such buffer is proposed in the Housing Supply and Trajectory Topic Paper (Feb 2021). To support a sound trajectory TWBC need to justify why a buffer is no longer considered necessary. Unless the council can demonstrate why a 10% buffer is no longer necessary we would recommend it is reinstated to ensure a robust evidence base.

1.17 In the context of the above, we note, having reviewed the Five-Year Housing Land Supply 2019/2020 (September 2020), Position as at 1 April 2020 it appears from appendix 1 that circa 630 of the extant consents are small site – which with a 10% discount would suggest the need to find land to deliver a shortfall of circa 60 dwellings.

1.18 We would also suggest that where large sites with full planning permission have not yet started, evidence is submitted to support their inclusion within the trajectory. Some sites such as the former ABC cinema (which has consent for 108 dwellings) have a long history of non delivery and in order to demonstrate a robust evidence base it is imperative that TWBC demonstrate this site can now deliver what is expected from it.

1.19 In addition to the above we note from the Five-Year Housing Land Supply 2019/2020 that 247 of the extant consents are in fact outline consents, whilst the Five-Year Housing Land Supply 2019/2020 seeks to justify the inclusion of these sites in the commitments table, we would question this, especially the land at Brick Kiln Farm as the reserved matters application has been withdrawn. Unless clear evidence can be provided to justify the inclusion of these outline consents within the commitments, and the 5 year HLS we would suggest they are all deleted. This would suggest the need to find land to deliver circa 250 dwellings.

1.20 Finally in reviewing this cohort we would question the 3,313 figure as the Five-Year Housing Land Supply 2019/2020 only suggests 3,213 in appendix 1, and table 9 of the Housing Supply and Trajectory Topic Paper only adds up to 3,161 (767+932+854+369+239 = 3161). To this end it would also be helpful if the trajectory placed those allocations that are now within its commitments within

the commitments part of their trajectory table/ annotated the table to show this was the case – rather than have a '0' against them as this is we have to say somewhat confusing.

(ii) Windfalls

1.21 Table 16 of the Housing Supply and Trajectory Topic Paper indicates that windfalls at 1,670 dwellings amount to 12.6% of the overall supply across the plan period, and more importantly over 16.7% of the supply when existing commitments are taken into consideration. We note the overall windfall figure is over double that set out in the evidence base to the Reg 18 Plan (which suggested 700 windfalls over the plan period) and that the annual windfall rate of 122dpa from 2023 is also over double that suggested at Reg 18 (50dpa). The Housing Supply and Trajectory Topic Paper suggests that 1,232 of these will be from small sites (1 – 9 units) with the remaining 336 from large sites.

1.22 Whilst we accept that changes to permitted development rights and the likes of office to resi conversions will help sustain windfall rates within the borough for the short term, we would question whether the increased reliance on this source is justified.

1.23 Not only does the Brownfield and Urban Land Topic Paper accept that this resource is finite, and recommends a small sites windfall allowance of 80% below the average supply for the first 7 years (from 2023/24) to avoid double counting with extant permissions, followed by another 80% below that for the remainder of the plan period i.e.: $122 \times 80\% = 98$ dwellings pa $\times 7$ years = 686 dwellings $98 \times 80\% = 78$ dwellings pa $\times 7$ years = 546 dwellings. It also recommends that the proposed allowance for large scale windfalls is set 80% below the average number of completions since adoption of the Core Strategy (i.e. from 2011 onwards) which results in an annual average of 24 dpa over 14 years of the plan period, or a total of 336 dwellings over the plan period (i.e. 24 dwellings pa $\times 14$ years = 336 dwellings).

1.24 Para 4.40 of the Brownfield and Urban Land Topic Paper acknowledges that: *'an allowance for larger brownfield/urban sites has not previously been provided for (in the Draft Local Plan) and that their delivery may still not be as regular or frequent as smaller sites'*

1.25 Given the above we would caution against assuming the average will continue long term and would question whether assuming an 80% allowance of the average is justified. Why 80%, why not 75% or 50% so as to be robust and provide a suitable buffer to non delivery of the strategic sites? As an authority with a 5 year HLS deficit at present TWBC should in our opinion be looking to ensure that they allocate enough and provide enough of a buffer to ensure a rolling 5 year HLS moving forward. Relying on windfalls, especially within the 5 year housing land supply is not in our opinion helping in this regard and, despite the Brownfield and Urban Land Topic Paper there is no compelling evidence, as required by para 70 of the NPPF to include windfalls in the 5 year HLS.

1.26 We would thus recommend windfalls are removed from the 5 year HLS and the overall level of provision is reduced to 102dpa max from 2025/26. This would reduce the figure to 1,326 dwellings – i.e... circa 10% of the total supply/ 13.3% of the supply after accounting for extant permissions – which is still in our opinion a significant figure. This would generate a need to find land to accommodate a further 344 dwellings.

(iii) Outstanding Site Allocations

1.27 Of the 276 dwellings identified in this cohort, we note that certain sites, such as the former gas works on Sandhurst Road (170 dwellings) have a long history, having been identified in the former TWBLP 1996 such that we would question whether they are truly deliverable. If TWBC are to rely on them then clear evidence of deliverability needs to be provided.

(iv) New Housing Allocations proposed in the Plan.

1.28 Turning to the trajectory for the new housing allocations proposed in the Reg 19 Plan, we are concerned that the majority of the evidence base concentrates on the period from the grant of planning permission to first completion's and both peak and average build out rates. The time taken to prepare and submit planning applications and the length of the determination period are also crucial to the councils proposed trajectory. To this end we welcome the council's commitment to the implementation of PPA's for the determination and delivery of strategic sites, and the discharge of planning conditions on small, medium, and major sites, all of which will, as para 4.18 of the Housing Supply and Trajectory Topic Paper says, help create an environment to accelerate housing delivery.

1.30 To whit we note that table 9 of the Housing Supply and Trajectory Topic Paper suggests that STR/SS1 (Paddock Wood and Capel) will be delivering 300dpa from 2025/26 i.e. 4 years from now.

1.31 As you will be aware, a PPA has been agreed with those promoting the land to the east of Paddock Wood, which lies outside the Green Belt, which looks to the developers of this site (Redrow and Persimmon) to submit 2 x hybrid planning application which combined will provide for approximately 1,200 dwellings and related amenities facilities with an overarching Masterplan and EIA in Autumn 2021. Work on this submission is already well underway with a scoping application due to be submitted imminently, an initial meeting held with Design South East and various other meetings taking place with statutory consultees and key stakeholders – including the Town Council.

1.32 On this basis, and as we are also looking to progress discussions with the Borough Council on Framework Masterplan (SPD) concurrently with the submission of the hybrid applications, and agree a PPA which looks to facilitate the determination of the applications with 12 months (including s106), and to agree discharge of pre commencement conditions in a timely fashion, our projected trajectory is:

[TWBC: See attached supporting information for table]

1.33 Whilst we acknowledge that the above, is ambitious, and less than the average time taken from gaining consent to first completions as set out in Lichfields Start to Finish (Second Edition (Feb 2020)), we believe, given the proposed PPA, and the commitment of both parties to the delivery of this site, that it is achievable.

1.34 Turning to the proposed build out rates, those cited above are comparable to those found in Figure 7: Lichfields Start to Finish (Second Edition (Feb 2020) which suggest build-out rates of 107dpa for sites of 1,000-1,499, and 120 dpa for sites of 1,500 -1,999 (NB Table 4: of Lichfields Start to Finish (Second Edition) indicates that mean delivery rates by site sizes, within their first edition were 117dpa for sites of 1000- 1449 dwellings).

1.35 Given the above, and having regard to discussions with those promoting the other parcels west of Paddock Wood we believe the strategic allocation at Paddock Wood could given the number of national housebuilders involved, deliver the following:

[TWBC: See attached supporting information for table]

1.36 Given the above, whilst the councils trajectory is we feel a tad overambitious, the reality is, with the lead in times and different timetables being adopted by the developers promoting the land that falls within the STR/SS1 factored in, the combined delivery rates will within the middle part of the plan period be delivering more than envisaged the Housing Supply and Trajectory Topic Paper, given the various outlets that will by then be delivering. Either side of this there will be a gradual increase from 60dpa in yr.3, to 120 in year 5, 213 in yr. 6 and 320 in year 7 and then 390dpa thereafter, until in year 12 delivery rates will begin to fall to 365, 315, 230 and then 162dpa in year 15. As a result of the above we would suggest that the trajectory in the Housing Supply and Trajectory Topic Paper is reviewed This will also have knock on implications for the 5 year housing land supply and should be factored into said assessment when the plan is submitted for examination.

1.37 As to whether the overall requirement for STR/SS1 will be met, we note that the policy suggests a range of 3,490 – 3,590 houses. The above suggests circa 3,305 – 3,405 which is circa 5% less than proposed within the policy. Whilst this may well be delivered longer term, we would suggest that provision is made to address this shortfall through a small allocation of circa 100 dwellings elsewhere within the borough.

1.38 Turning to the proposed new settlement in Tudeley we note that the Housing Supply and Trajectory Topic Paper suggests the delivery of 150dpa from 2025/26, rising to 200dpa in 2035/36.

1.39 Unlike the proposed expansion of Paddock Wood, Tudeley Village is an entirely new settlement wholly constrained by the Green Belt that is being promoted by Hadlow Estate. We are not aware that any national house builders are involved. None is mentioned in the site promoter's promotion material –Tudeley Village Delivery Strategy – December 2020

(<https://en.calameo.com/read/005138646e3c91ce5482a?authid=ofMfwz3z9AB7>). Furthermore, we note that whilst the front page of the web site suggests that should the Tudeley village proposal form part of the adopted local plan construction would follow with a first phase of 360 dwellings completed in 2024/25, the Tudeley Village Delivery Strategy indicates that the build out rates are as recommended by the Borough Council and recites those set out in the Housing Supply and Trajectory Topic Paper.

1.40 No evidence is proffered in the Housing Supply and Trajectory Topic Paper to support the delivery strategy, and we note that the Tudeley Village Delivery Strategy makes it clear at p64 that the Hadlow

Estate will control how land is released for development as part of its role as master developer, and that during the life of the development, the estate will deliver serviced land parcels that will be bought to the open market and offered to selected housebuilders for development. This and the design coding strategy set out in the Tudeley Village Delivery Strategy suggests that whilst an outline consent, together with detailed infrastructure provision will follow the adoption of the Local Plan, the actual design of the development parcels will follow a ridged serviced land sales strategy, which will inevitably delay housing delivery as each parcel is sold and developers advance an application for reserved matters. To this end we note that para 3.1.2 of the Local Plan Viability Assessment (Stage 2) indicates that the Tudeley development is expected to run on beyond that at Paddock Wood and is likely to continue after the end of the emerging Local Plan period (so to 2038 and beyond).

1.41 Given the above we are not convinced delivery will commence in 2025/26. With no evidence to the contrary we believe the council have no option but to revert to the empirical evidence set out by Lichfields in Start to Finish (Second Edition (Feb 2020), which at Figure 4: Average timeframes from validation of first application to completion of the first dwellings, suggests that on sites of 2,000(+) the average timeframes from validation of first application to completion of the first dwellings is 8.4 years, which assuming an application is submitted in the monitoring year 2022/23 would suggest first completions in 2030/31. Whilst we appreciate the fact the borough council are adopting the use of PPAs to help accelerate the planning process, which will help reduce the timescales set out by Lichfields in Start to Finish, there will, as set out above, still be a need to approve the Design Code and Masterplan following the hybrid infrastructure and outline application consent. Then when the land parcel sales have been marketed and agreed, those parcels will need individual RMs – this will not be a quick process. Furthermore, its highly unlikely the site would deliver 150dpa on yr. one – there will be a gradual build up as the site progresses with we would suggest circa 40 in year 1, 120 in year 2 and then 150 (+) a year thereafter – dependent upon the number of outlets running in parallel.

1.42 The above will clearly have an impact on the housing trajectory and the number of houses that are delivered from this site in the plan period. We believe the trajectory is more likely to be along the following lines, which suggests that it is likely that land will have to be found for circa 660 dwellings to address the shortfall.

[TWBC: See attached supporting information for table]

d) The need for a Buffer

1.43 The plan looks to deliver 13,250 dwellings over the plan period, some 8.6% above the requirement of 12,204. As, as indicated above we do not believe the trajectory will deliver as predicted, we believe a higher buffer needs to be introduced, to both address any delay in the delivery of sites/ non delivery of sites, and to try and help address the acute affordable housing needs within the borough.

1.44 Given the above, and as the plan should in our opinion test the trajectory on the basis of a 10% buffer to accord with para 73(b) of the NPPF if it wishes to fix its 5 year HLS upon adoption, we believe the buffer should as a minimum be 10%, but more realistically, given our comments above, and the constraints imposed by both the Green Belt and AONB across the borough, and the issues of unmet needs arising in both Sevenoaks and Rother, be circa 20%. Such a buffer would provide sufficient flexibility to enable the plan to adapt to rapid change as required by para 11 of the NPPF.

Table 4: Summary of Affect of 20% Buffer on Total Supply over the Plan Period

Supply Source

Council

JAA

LHN for Plan Period 678 dpa

12,204

12,204

Supply Identified

13,257

11,943 *

LHN with 20% Buffer for Plan Period

14,645 (814dpa)

14,645 (814dpa)

Additional Allocations Required

1,388

2,702

* 13,257 minus 1,314 (660 (Tudeley) +344 (windfalls) + 310 (non delivery of extant consents)) = 11,943

e) 5 year HLS

1.45 The Council's housing trajectory set out in the Housing Supply and Trajectory Topic Paper does not provide a rolling 5-year supply calculation so it is not possible to ascertain whether the Plan will deliver and maintain a 5-year supply as required by the NPPF.

1.46 The only 5-year supply calculation provided by the Council is set out in the Five-Year Housing Supply 2019/20 Position Statement. This indicates at Table 1 on P7 that the Council do not currently have a 5-year housing land supply, rather they have 4.83 years (a shortfall of -120 dwellings). Given our comments above, we consider this to be optimistic conclusion and that with adjustments is more likely to be circa 4.67 years.

[TWBC: See attached supporting information for table]

1.47 Whilst we note some of the smaller allocations are shown to deliver within the first five year of the plan, we have, given our own position on the housing trajectory no comments to make on this, other than to question the inclusion of AL/CRS 3 – land at Turned Farm as we note the associated application has been the subject of a call in, with a PI due to open on the 21 September 2021. This sites ability to deliver as planned is thus called into question, and the 5 year trajectory when published needs to take this into account.

1.48 Given the above we have to call into question whether, despite table 9 and figure 3 of the Housing Land Supply and Trajectory Topic Paper, there is a rolling 5 year HLS, and would recommend that the council undertake this assessment and submit it with the plan to help address this issue and demonstrate a sound plan that is planning positively for the area and will help significantly boost the supply of housing in accordance with para 59 of the NPPF.

2 Duty to Cooperate.

2.1 Having reviewed the DTC Statement of March 2021, we note that housing is seen as a cross boundary strategic issue and that para 4.15 indicates that: *'TWBC has been working closely with other authorities in discussions on meeting their objectively assessed housing need, including those identified through the Council's Strategic Housing Market Assessment (SHMA) as being within the same housing market area, namely the 'West Kent Housing Market Area' (HMA), which includes SDC, TMBC and TWBC and extends to include parts of WDC and RDC'.*

2.2 We also note that of TWBC's neighbouring LPAs only SDC has either not produced a local plan which looks to fully meet their own housing needs or has indicated that they do not expect to be able to meet their local housing needs.

2.3 In the context of the above we note that whilst SDC made a formal request to TWBC and other neighbouring LPAs as to whether they could meet any of its unmet need in April 2019, Para 4.18 of the DTC statement indicates that *'It does not have any arrangement in place to meet this unmet need at the present time, and the (SDC) strategy which resulted in the unmet need has not been subject to Examination.'*

2.4 Its clear from the evidence base that TWBC has considered if it could meet SDC's unmet need, both through its plan and with other LPA's (see para 4.23), and not only has TWBC own SA indicated the adverse impacts of assisting SDC, but SDC's plan has been found unsound, and the Inspector has directed SDC to look to address its HLS shortfall within the district before looking to others to assist.

2.5 Whilst an updated SoCG has been delayed because of ongoing legal action by SDC in connection with the LP Inspector's decision, (see p18) we note that the previous version (May 2019) (appendix A1), advises at paras 2.18. and 2.19 that:

2.1.8 *It is understood that, at present, TWBC is unable to assist SDC with unmet housing need, due to the constraints on both local authorities, and their inability to meet housing needs beyond their own, irrespective of unmet needs elsewhere.*

2.1.9 *Consequently, both councils will continue to work together and identify the position as both TWBC and SDC prepare to review their Local Plan every 5 years.*

Actions

. TWBC and SDC will engage through the wider Duty to Cooperate forum with other neighbouring authorities outside the West Kent housing market area in relation to housing related matters, including unmet need, five year housing land supply, best fit HMAs, affordability, London's growth, large scale developments and opportunities for meeting any unmet needs elsewhere.

. TWBC and SDC to each undertake a 5 year review of their respective Local Plans.

2.6 We trust that the updated SoCG will demonstrate constructive, active and on an ongoing engagement has continued and that some clarity is provided on how the unmet needs of the HMA are to be addressed.

2.7 Within this context we do however note that it appears that TWBC have sought, since SDC initial indicated a potential issue in their ability to meet their housing needs when consulting on their issues and options Reg 18 plan in 2017, to actively engage in resolving this matter. TWBC letter of the 21st Sept 2017 (app B1 (p271) being clear in that:

Given the level of Objectively Assessed Need (OAN) identified by our own SHMA, and having regard to the nature and extent of planning constraints impacting on Tunbridge Wells borough, there is a reasonable possibility that the issue of some development need to be accommodated within an adjoining authority area is likely to be raised in the case of our own new Local Plan.

Without prejudging the outcome of our local plan work there should be no presumption that there is capacity within Tunbridge Wells borough to accommodate unmet development need from another authority area. We would ask that you take account of this when considering the representations made to the Issues and Option consultation and in confirming your development strategy for the Sevenoaks district.

Tunbridge Wells Borough Council would suggest therefore that there is a need for, and merit in, more focussed discussions about the implications of delivery of full objectively assessed needs within the respective west Kent local authority areas having regard to the environmental and other constraints that exist across these areas and wider afield.

Given that each west Kent authority has now reached at least Issues and Options stage in the plan making process there is an opportunity to agree an approach and strategy to take forward Duty to Cooperate work that meets the requirements of the National Planning Policy Framework, the National Planning Practice Guidance and other best practice.

2.8 Given the above, and the substance of the DTC statement it would appear to us that there has been constructive, active and on an ongoing engagement with SDC, and that TWBC have tried to address SDC unmet needs but demonstrated through the SA why they are unable to do so.

2.9 With the exception of Rother DC, all remaining SoCG are relatively new, being signed in February 2021 and March 2021, and all indicate that the respective authorities are looking to meet their LHN in their entirety; and will continue to engage with each other and other relevant authorities in relation to strategic housing matters.

2.10 The SoCG with Rother DTC is dated Oct 2020 and indicates at para 2.10 that at the time of writing, RDC does not know if it will be able to plan to meet its own local housing need through development within its own administrative boundary as it is too early in the stage of undertaking its housing evidence base for the Local Plan. To this end we note that the Rother LP was adopted in 2014 and is thus now out of date. As a result, using the standard method we understand the shortfall over the next 5 years to be in excess of 1000 dwellings. Whilst no requests have we understand been made by RDC to TWBC for the latter to assist in meeting its LHN, this matter none the less needs to be addressed, and we note that para 2.17 of the SOCG between RDC and TWBC indicates that both RDC and TWBC will continually consider their positions on capacity to meet housing needs as they progress their respective Local Plans.

2.11 We also note that the strategic sites at Paddock Wood and Tudeley are identified as key cross boundary issue affecting both TMBC and MBC.

2.12 The SoCG with MBC (March 2021) indicates that TWBC has worked closely with MBC to develop its plans for Paddock Wood, with MBC being a stakeholder in the TWBC Strategic Sites Working Group; and that they agree to continue to work closely together on this matter going forward. Whilst the memorandum of understanding with TMBC is not as explicit, we note that para 4.29 of the DTC Statement makes it clear that given the proximity of the sites at Paddock Wood and Tudeley to Tonbridge & Malling Borough, there has been regular dialogue with TMBC, as articulated in the Appendix C of the DTC statement, as well as in the Strategic Sites Topic Paper; and that at para 4.4.2 the DTC highlights the fact that a Strategic Sites Working Group ('SSWG') was established in July 2019, following the finalisation of the Regulation 18 Draft Local Plan which set out the approach to growth around Paddock Wood and east Capel, and Tudeley Village; that the SSWG provides a forum that facilitates collaborative working in the delivery of the two strategic sites; and that a range of interested parties are members of this group, including representatives from Tonbridge & Malling BC (Policy Manager) and Maidstone BC (Principal Policy Officer) as the two boroughs are in close proximity to the strategic sites. Meetings are held monthly, providing a forum to update and discuss key items in progressing the strategic sites through the Local Plan and beyond.

2.13 In the context of the above we note that the penultimate paragraph of policy STR/SS 1 indicates that the delivery of the infrastructure for the strategic expansion of Paddock Wood should be through ongoing discussions with relevant stakeholders, including Tonbridge & Malling and Maidstone Borough Councils.

4 The Infrastructure Delivery Plan

4.1 The Infrastructure Delivery Plan (IDP) March 2021 has been drafted to support the Reg 19 Plan and sit alongside the Strategic Sites Masterplanning and Infrastructure Study and the Viability Study.

4.2 With this in mind we note that Table 8 in reviewing the summary of health needs for the settlements within the borough suggests that within Paddock Wood there is a need for one new medical centre to serve this area and land is allocated within Paddock Wood and east Capel for this; and an additional satellite medical centre within Tudeley Village to be considered. Conversely the Strategic Sites Masterplanning and Infrastructure Study at table 11 indicates that a medical facility is to be provided in Tudeley. Only if Paddock Wood and Capel were to proceed alone does the Strategic Sites Masterplanning and Infrastructure Study suggest that a new medical facility would be provided within Paddock Wood. This apparent discrepancy between the 2 reports needs to be resolved.

4.3 Similarly we note that Para 3.220 of the IDP suggests that the 10ha sports hub "could" incorporate a 25m pool, whilst the Strategic Sites Masterplanning and Infrastructure Study at para 4.8 and 4.101 and the Strategic Sites Topic Paper at para 6.26 make it clear the sports hub will include a swimming pool, and as set out below, the viability assessment appears to have assessed the provision of sports facility that includes a swimming pool given the values attributed to it reflect the Sport England Affordable Sport Centre model taken from Sport England 2nd Quarter 2020 Update which includes a swimming pool (This could we assume explain the difference in the costings set out in the IDP (£14,460,000 for "one new sports hall" and £3,207,611 for swimming pool) and the VS (£10,840,000 for an indoor sports hub)). This situation is complicated still further by table 14 (p98) of the IDP referring to the possibility of *'improvements to Putlands Leisure Centre as a new indoor sports hub with new public swimming pool'*. Again, this apparent discrepancy between the reports needs to be resolved.

4.4 Likewise, when addressing the issue of primary educational needs, the IDP in table 6 suggest the need for 6FE Primary provision (2 of which will be provided at St Andrew's Primary School), such that as per p130 in appendix 1 the need is said to be 2 new 2FE primary schools, which correlates with tables 11 and 13 of the Strategic Sites Masterplanning and Infrastructure Study; whilst the Viability Study refers to 8FE primary in the detailed appraisals of Paddock Wood. We assume the latter is incorrect and that the Viability Study needs to be updated accordingly. We would also question whether the IDP is correct as it is addressing Paddock Wood and Tudeley – unlike tables 11 and 13 of the Strategic Sites Masterplanning and Infrastructure Study. Again, this apparent discrepancy between the reports needs to be resolved.

4.5 Finally, in noting that appendix 1 of the IDP sets out the full extent of the infrastructure requirements that will be sought from the development in and around Paddock Wood/ Capel, some of which it acknowledges will also be connected to the development of the new settlement at Tudeley, we have to say that the indicative costs of some of these infrastructure works vary significantly; that it is not clear how the costs of these works will be divided between the various parts of the Paddock Wood/ Capel allocation; and that some of the costs attributed to various works in appendix 1 of the IDP are

hard to tally with the S106 costs identified in the Viability Study, such that clarity needs be provided that like for like information and assessments are being used/ undertaken.

4.6 We also believe it would be expedient if those assisting the Council on matters such as transport infrastructure could meet with those promoting the land at Paddock Wood/ Capel so that the practicalities of some of the proposed works could be discussed further. We say this as, by way of example, Table 3 of the IDP (Transport needs for the settlements within Tunbridge Wells borough) indicates on p39 that the masterplan for Paddock Wood and Capel plan should provide for 'Upgrade Hop Pickers Line to Horsmonden/Goudhurst. The route of the old Hop Pickers Line passes through land in my client's control and whilst they are more than happy to integrate this into their scheme, they clearly have no control over the council's ability to provide this through other third-party land. Thus, TWBC need to clarify how they see this being delivered in its totality so that people's expectations are managed accordingly.

4.7 Similarly, whilst the IDP highlights at para 3.14 that Junction improvements at B2017 Badsell Road / B2160 Maidstone Road / Mascalls Court Road and the A228 / B2017 roundabout are to be "...funded as part of approved residential developments at Church Farm, Mascalls Farm & Mascalls Court Farm" we note that the IDP suggests in appendix 1 (p130) that a further upgrade to the B2017 Badsell Road / B2160 Maidstone Road / Mascalls Court Road junction to traffic signals could cost up to £1m. Whilst my clients are happy to contribute to any such upgrades, they would ask whether any design work has been carried out on this junction to date and question the extent to which any additional highway land is available to facilitate further improvements. These may in our opinion require cooperation with Mascalls School, which we assume TWBC will liaise with KCC highways and education alike on, rather than look to initiate CPO powers?

4.8 We also note the IDP identifies additional future requirements for bus infrastructure including a 'Demand-responsive urban bus service' linking residential development to the town centre and rail station within Paddock Wood. Again, whilst I can confirm that my clients are happy to contribute to any such upgrades, they believe further liaison is required with KCC Public Transport officers and operating companies to agree the specification of any such service provision, especially as Church Road is the key sustainable transport corridor between their land and the town centre / rail station.

5 The Viability Appraisal

5.1 We note that the Viability Appraisal (VA) stage 2 of Feb 2021 is based upon the following assumptions:• Market revenues at £420 per sqft (£4500 per sqm)• Profit margins at 17.5%• Benchmark Land values of £100k per gross acre (250k per gross hectare)• Site specific infrastructure costs of £270k per acre (£665k per gross hectare)• A static 40% affordable housing level

5.2 As you will be aware we have concerns as to the robustness of these figures and the associated effects this then has on the infrastructure contributions being sought from the strategic sites at Paddock Wood and Capel

5.3 As is clear from table 17 of the Strategic Sites Masterplanning and Infrastructure Study changing these assumptions even slightly can impact upon the viability of the project such that we would ask that the council undertake further sensitivity testing to address our concerns and strengthen the evidence base.

5.4 In doing so we would also ask that the discrepancies between the figures used to assess the viability of the strategic sites in the Viability Appraisal and the IDP are resolved as the latter appears to have somewhat different figures on the costs of for example the proposed sports facility than the former, the former suggesting £10,840,000 (which equates to a Sports England benchmark figure) and the latter £6,015,611. The two should be aligned and based on a recognised cost comparable/ benchmark.

6 The Strategic Sites Masterplanning and Infrastructure Study Feb 2021

6.1 In noting the content of the proposed Structure Plan and the various other options considered, we have no detailed comments other than to reiterate the need for policy STR/SS1 to make it clear that the Structure Plan is intended to provide guidance as to how the sites are to be brought forward, and that future applications can, subject to reasoned justification, vary from this. We say this as detailed site investigations associated with site promotions will inevitably bring to light matters that were not known to DLA whilst doing their desk top work, and because as discussions with various statutory consultees evolve so will the future scheme. Thus, it would be counterproductive to suggest that the proposed Structure Plan is the only option that can be taken forward. As long as the principles enshrined

in the Strategic Sites Masterplanning and Infrastructure Study are adhered to / addressed then there should be scope for variations from the proposed Structure Plan and policy STR/SS 1 should be clear in this regard – as should the Strategic Sites Masterplanning and Infrastructure Study. We note that para 8.12 of the Strategic Sites Topic Paper appears to acknowledge this, advising that the Structure Plan prepared by DLA for Paddock Wood and east Capel, is not a fixed blueprint for the developments; rather it establishes the critical elements which should be secured through the delivery of these strategic settlements.

6.2 In the context of the above we note that the Strategic Sites Masterplanning and Infrastructure Study in chapter 6 identifies the infrastructure framework for the proposed strategic sites at Paddock Wood and Capel and Tudeley Village. This indicates that:

- The proposed Colts Hill Bypass is recommended for growth scenarios 1 and 2 (See para 6.32. Para 6.2 of the Strategic Sites Masterplanning and Infrastructure Study indicates that these are: i. Paddock Wood and east Capel, and Tudeley Village both going forward. ii. Paddock Wood and east Capel only. iii. Tudeley Village only).

It is not clear why this would not be required for growth scenarios 3 or whether the on line improvements would be sufficient to address the impact of the expansion of Paddock Wood and Capel in isolation. This is a matter we believe the study should address, should for any reason the Tudeley development be rejected/ set back (whilst para 6.17 of the Strategic Sites Topic Paper reiterates the fact that the provision of the Local Colts Hill Bypass would be required should Paddock Wood and east Capel scheme come forward, with or without the development at Tudeley Village, it does not explain why, or address the point made above). • The Five Oaks Green bypass is related to the Tudeley development only – see para 6.34. • The combined sports fields and sports facility are related to both the expansion of Paddock Wood and Capel and Tudeley village (see para 6.43). Again, the Strategic Sites Masterplanning and Infrastructure Study does not address the impact of just the Paddock Wood and Capel development and what would be required to address the effects of this alone. This is a matter we believe the study should address for completeness. • The infrastructure phasing categories in table 10 do not appear to relate to the infrastructure phasing assumptions in table 9 – clarity is required on what is required when and how this relates to the build out of sites.

6.3 Having regard to the above there appear to be inconsistencies between policy STR/SS1 and the Strategic Sites Masterplanning and Infrastructure Study as to what is required of the Paddock Wood and Capel development. Part 3, section 7 of policy STR/SS1 appears to require developer contributions to the Five Oak Green bypass which the Strategic Sites Masterplanning and Infrastructure Study clearly suggests is for the Tudeley development alone. The same is true of policy STR/SS1 part 15 (a) (ii). Likewise, criterion 2(d) of STR/SS1 needs to make it clear that the funding of the new sports and leisure hub is not to come solely from the Paddock Wood and Capel development but that at Tudeley/ needs to indicate what is required on the Paddock Wood and Capel development in isolation. See comments below on policy STR/SS1.

6.4 Turning to viability testing, whilst noting paras 6.89 – 6.92 and table 17 of the Strategic Sites Masterplanning and Infrastructure Study, we have, as indicated above, a number of concerns about the assumptions made in the viability assessment and the need for further sensitivity testing. To this end we note that table 17 of the Strategic Sites Masterplanning and Infrastructure Study highlights the effects any changes in the assumptions made has on the viability of the project, and that para 6.94 acknowledges that a small change in one assumption can have a relatively large impact on the outcome / result (This is reiterated in para 7.4 of the Strategic Sites Topic Paper).

6.5 Finally in noting the delivery strategy set out in section 7 of the Strategic Sites Masterplanning and Infrastructure Study, we agree with the principles set out on para 7.16, especially that each development must be able to proceed independently at its own speed and that where possible, shared infrastructure should be monetized to enable equalisation/equitable contributions. To this end we also agree that in order to address any short-term infrastructure funding gaps it may be sensible, as suggested in para 7.14 to seek funding from central Government, for example through the Housing Infrastructure Fund, to ensure new homes can be delivered alongside necessary infrastructure. Overall, we fear there are mixed messages arising from the IDP, VA and Strategic Sites Masterplanning and Infrastructure Study such that it is not clear what is needed, where and when, how much it is expected to cost, who is contributing towards it, and when is it to be provided. A simple table of priorities showing what is to come forward first when would we believe be more user friendly for all concerned. This could we are sure be resolved by way of a detailed review of all three as its imperative for all concerned to know and understand this and for the implications to be assessed accordingly. To this end we would suggest

that in addition to reviewing/ updating all three reports, the council liaise with those promoting the strategic sites at Paddock Wood (including land at east Capel) and Tudeley Village and look to produce Statements of Common Ground in advance of the Local Plan examination to address this point.

Overall, we fear there are mixed messages arising from the IDP, VA and Strategic Sites Masterplanning and Infrastructure Study such that it is not clear what is needed, where and when, how much it is expected to cost, who is contributing towards it, and when is it to be provided. A simple table of priorities showing what is to come forward first when would we believe be more user friendly for all concerned. This could we are sure be resolved by way of a detailed review of all three as its imperative for all concerned to know and understand this and for the implications to be assessed accordingly. To this end we would suggest that in addition to reviewing/ updating all three reports, the council liaise with those promoting the strategic sites at Paddock Wood (including land at east Capel) and Tudeley Village and look to produce Statements of Common Ground in advance of the Local Plan examination to address this point.

7 Local Plan Transport Assessment

7.1 The Transport Assessment Report Update (TARU) (March 2021) provides traffic simulation modelling for Paddock Wood and the surrounding highway network and has identified specific highway mitigation schemes for delivery. Subject to detailed modelling and liaison with the Highway Authority our client is agreeable to addressing and mitigating highway impacts, through the identified schemes (or otherwise), where this is directly related to the scale of development proposed.

7.2 The TARU references the provision of the Hop Pickers heritage route. The provision of this route is wholly supported by our client, the first phase of which could be facilitated through their land. We support the sustainable principles of the TARU and Local Cycle and Walking Infrastructure Plan (LCWIP) where we have the ability to deliver pedestrian / cycle infrastructure within our site to deliver and make linkages to the key routes identified by PJA. Our client could also help to deliver the Paddock Wood circulate cycle route as identified in the Tunbridge Wells Borough Cycle Strategy 2016-2020.

7.3 Our client fully embraces the Local Plan and its Evidence Base aims to reduce highway network congestion through the delivery and integration of sustainable travel infrastructure in existing and proposed settlements to drive modal shift away from private car travel.

8 Strategic Policies

Policy STR1

8.1 Whilst supporting the proposed growth strategy we believe policy STR1 should, for the reasons set out above, identify the local housing need figure. In addition, given our concerns over the scale of development being promoted over the plan period, we would suggest that policy STR1 should refer to an overall housing requirement of 14,645 dwellings. This would ensure a positively prepared and effective plan, consistent with national government guidance.

Whilst many of our comments on the strategic and development management policies are, we believe, capable of resolution by simple rewording/ a review of the evidence base so as to justify the position being advocated, we are concerned that the extent of repetition between policies is leading to misrepresentation; and would recommend that the policy approach is reviewed with a view to being more succinct and direct in what it is seeking to achieve. This will we believe assist everyone concerned in the development process, and is something we, as inducted above, would be happy to talk to the borough council about, especially in terms of compiling a Statement of Common Ground to address the policy requirements for the land east of Paddock Wood.

To conclude, whilst we support the Reg 19 Plan and the proposed allocation of the land at Paddock Wood for strategic scale expansion, we do have a number of concerns about the overall housing supply and trajectory, the rationale behind the assessment of the reasonable alternatives assessed in the Sustainability Appraisal, and alternatives assessed; the consistency in the infrastructure requirements being sought from the development of the land at Paddock Wood in the IDP, VA and Strategic Sites Masterplanning and Infrastructure Study; the actual requirements for the land east of Paddock Wood – in terms of what, when and how much; some of the assumptions used in the VA; the wording of policies STR/SS1, STR/PW1 and justification for some of the criteria contained therein; and the wording of policies EN1, EN2, EN3, EN9, EN13, H3, H6, and H9 and justification for some of the criteria contained therein.

We look forward to talking to you further about the above.

Question 7

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Question 7a

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If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Redrow and Persimmon have an interest in land east of Paddock Wood – part of STR/SS1, one of the main strategic allocations in the Plan. They are also active elsewhere in the Borough and have an interest in ensuring the legality and soundness of the Local Plan. They therefore wish me to participate in the examination

Question 8

If you have any separate comments you wish to make on the accompanying Sustainability Appraisal, please make them here.

3 The Sustainability Appraisal (SA)

3.1 Chapter 6 of the February 2021 SA reviews the spatial development strategy. It looks to summarise the options considered and their associated impacts in table 12. This demonstrates the significant impact that would occur on the AONB, the sustainable pattern of growth and the existing employment allocations if TWBC looked to meet their capped local housing needs and not progress with the strategic allocations at Paddock Wood – see options 5, 6, 7, 8 and 9. Whilst the SA thus supports the strategic allocations at Paddock Wood as providing the most sustainable reasonable alternative to the growth strategy when looking at the capped need, we do not believe that the scoring of options 10 and 11 necessarily represent the only reasonable alternative when looking to meet the uncapped need/ the uncapped need and unmet need. Indeed, proffering only 1 option each when considering these 2 alternatives, when there are 7 that look at the options for the capped need seems somewhat dismissive of the potential merits of meeting the uncapped need/ the uncapped need and unmet needs.

3.2 As set out above the evidence base has in our opinion to be more explicit as to why meeting the uncapped need was so readily dismissed. Table 12 (p51) of the SA appears to dismiss option 10 (Uncapped need) on the basis that it was assumed that it would lead to further development across settlements, including in the AONB. At only 63dpa more than planned for (1,260 dwelling across the plan period) there would surely given the findings of the SHLAA be options available to the council to consider that could accommodate this level of additional growth without harm to the AONB. The Borough Council thus need to justify their conclusions in this regard. We would in addition invite them to consider a further option, that which provides for a 20% buffer on the LHN – i.e. 814 dpa as set out above (an additional 136dpa), which would also fall part way between the scale of development proposed in options 10 and 11, and could in our opinion given the finding of the SHLAA be accommodated through an adaptation to the proposed strategy, with additional growth in more sustainable settlements, including Tunbridge Wells and Southborough so that the additional growth is not all directed to the larger settlements within the AONB.

3.3 Having reviewed the scoring on options 3 – 11 (as set out in comparison terms in table 26 of the SA), it is clear that whilst option 3 (the reg 18 LP option), clearly scores the post positives, and least negatives, the uncapped growth option does not generate a significantly poorer result, despite what

is said at para 6.2.6 of the SA. Whilst para 6.2.16 explains how the growth strategy evolved as a result of the SA process and the effects of the different distribution strategies on social, economic and environmental factors (as set out in paras 6.2.8 – 6.2.15) resulting in option 13, the Reg 19 strategy, we note that as far as the options 10 and 11 were concerned, para 6.2.7 indicates that; 'it is not appropriate to conclude that positive effects cancel out negative effects as the importance of each objective needs considering in its own right. Instead, the sustainability appraisal process recognises the interdependence of the three strands of sustainable development and the weight given nationally to the most highly affected environmental objectives and recommended that Growth Strategies 10, 11 and 12 were not pursued further.'

3.4 Notwithstanding the above it is in our opinion clear that the difference between options 10 and 13 are not so substantial as to dismiss them without further consideration given the significant benefits option 10 would bring about in terms of social and economic advantages. Thus, the means by which the council weighted these against the environmental impacts needs greater clarity so as to justify the chosen option (13).

3.5 Turning to the options for the garden settlement and urban extension, of the options put forward, and set out in figure 5 and table 27, its clear why, given the accessibility and landscape impacts of the other sites, the land at Capel and Paddock Wood was deemed to be the most appropriate option to take forward for further consideration.

3.6 As to the options for the expansion of Paddock Wood, as set out on figures 7 and 8, these ranged from 1,500 to 4500 dwellings (plus the 1000 dwellings from the existing SALP). Whilst option 2 (3,500 dwellings (plus the 1000 dwellings from the existing SALP)) was deemed the most appropriate option to take forward the difference in scores between this and other options such as option 5 was not we note significant and could in our opinion have been overcome if required. Which given figure 13 and the reasonable alternative sites assessment around Paddock Wood, highlights the fact the only reasonable alternatives were situated further to the east than the chosen strategy for the expansion of Paddock Wood. Thus, if the housing requirement is revised, it would appear from the SA that there are further options available within Paddock Wood – if required.

3.7 Finally, we note that the SA at table 112 in assessing the options considered for gypsy and traveller accommodation identify the chosen option as one that looks to focus on intensification / extension of existing sites, rather than new allocations, which given the provisions of Policy H9 and STR/SS1 is somewhat confusing. Indeed, the accompanying text makes no reference to provision on the proposed strategic allocations at Paddock Wood, such that the SA does in our opinion need to be revisited in this regard/ the need for the proposed pitches on STR/SS1 justified.

Future Notifications

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Yes, I wish to be notified of future stages of the Local Plan

Supporting Information File Ref No: SI_154a-b

Comment

Agent	Miss Judith Ashton ([REDACTED])
Email Address	[REDACTED]
Company / Organisation	Judith Ashton Associates
Address	Maytham Farmhouse Maytham Road Cranbrook TN17 4QA
Consultee	([REDACTED])
Company / Organisation	Redrow Homes Ltd and Persimmon Homes South East
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Redrow Homes Ltd and Persimmon Homes South East (- [REDACTED])
Comment ID	PSLP_2165
Response Date	04/06/21 09:43
Consultation Point	Policy STR 4 Ensuring Comprehensive Development (View)
Status	Processed
Submission Type	Email
Version	0.5
Files	PSLP_2159-2198_Judith Ashton Ass for Redrow Homes (1) PSLP_2159-2198_Judith Ashton Ass for Redrow Homes
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Redrow Homes Ltd & Persimmon Homes South East
Question 2	

Agent's Name and Organisation (if applicable) Judith Ashton Associates

Question 3

To which part of the Local Plan does this representation relate? Policy

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR 4 Ensuring Comprehensive Development

[TWBC: this representation has been input against Policies STR 1, STR 4, STR 5, STR/SS 1, STR/PW 1, EN1, EN2, EN3, EN9, EN13, H3, H6 and H9 – see Comment Numbers PSLP_2159, PSLP_2165, PSLP_2166, PSLP_2167, PSLP_2173, PSLP_2179, PSLP_2182, PSLP_2186, PSLP_2189, PSLP_2191, PSLP_2194, PSLP_2197 and PSLP_2198. See Supporting Information for representation in full]

Question 4

Do you consider that the Local Plan:

Is sound No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not effective
- . It is not justified
- . It is not consistent with national policy

Question 5

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Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

I write with reference to the above. As you will be aware, I act for both Redrow Homes Limited and Persimmon Homes South East who have various interests in Tunbridge Wells, including those east and south east of Paddock Wood (SHLAA sites '20', '374', '371', '344' and '376'), (LPA sites PW 1_7, 1_9, 1_11 and 1_12), (parcels 7, 9, 11 and 12).

Whilst, having regard to the above, Redrow and Persimmon both support the Reg 19 Plan in principle, especially the proposed allocation of the land at Paddock Wood (policies STR/SS1 and STR/PW1), they do have specific concerns about certain aspects of policies STR/SS1 and STR/PW1 and the evidence base underpinning the plan.

In saying this we acknowledge that the Strategic Sites Topic Paper (March 2021) provides a detailed critique of the rationale behind the proposed allocation of the land at Paddock Wood and Capel, with section 8 explaining how the development looks to address the requirements of para 72 of the NPPF;

and the plan and its associated evidence as a whole looks to demonstrate why the proposed allocation is justified, is deliverable and will be effective in meeting the requirements of the plan and national government guidance.

8 Strategic Policies

Policy STR4

8.2 Whilst not objecting in principle to policy STR4, we believe, for the reason set out in our response to policy STR/SS 1 that any SPD has, in the context of the development at Paddock Wood and Tudeley, to be agreed concurrently with any future applications so as to ensure there are no unnecessary delays in the delivery of these sites. This is, as set out below, implicit within para 5.93 of the Reg 19 Plan and para 8.19 of the Strategic Sites Topic Paper, and should we believe be acknowledged within policy STR4/ the preamble to this policy. This would ensure a positively prepared and effective plan, consistent with national government guidance.

Whilst many of our comments on the strategic and development management policies are, we believe, capable of resolution by simple rewording/ a review of the evidence base so as to justify the position being advocated, we are concerned that the extent of repetition between policies is leading to misrepresentation; and would recommend that the policy approach is reviewed with a view to being more succinct and direct in what it is seeking to achieve. This will we believe assist everyone concerned in the development process, and is something we, as inducted above, would be happy to talk to the borough council about, especially in terms of compiling a Statement of Common Ground to address the policy requirements for the land east of Paddock Wood.

To conclude, whilst we support the Reg 19 Plan and the proposed allocation of the land at Paddock Wood for strategic scale expansion, we do have a number of concerns about the overall housing supply and trajectory, the rationale behind the assessment of the reasonable alternatives assessed in the Sustainability Appraisal, and alternatives assessed; the consistency in the infrastructure requirements being sought from the development of the land at Paddock Wood in the IDP, VA and Strategic Sites Masterplanning and Infrastructure Study; the actual requirements for the land east of Paddock Wood – in terms of what, when and how much; some of the assumptions used in the VA; the wording of policies STR/SS1, STR/PW1 and justification for some of the criteria contained therein; and the wording of policies EN1, EN2, EN3, EN9, EN13, H3, H6, and H9 and justification for some of the criteria contained therein.

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Question 7

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Question 7a

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Supporting Information File Ref No: SI_154a-b

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Consultee	([REDACTED])
Company / Organisation	Redrow Homes Ltd and Persimmon Homes South East
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Redrow Homes Ltd and Persimmon Homes South East (- [REDACTED])
Comment ID	PSLP_2166
Response Date	04/06/21 09:43
Consultation Point	Policy STR 5 Infrastructure and Connectivity (View)
Status	Processed
Submission Type	Email
Version	0.4
Files	PSLP_2159-2198_Judith Ashton Ass for Redrow Homes (1) PSLP_2159-2198_Judith Ashton Ass for Redrow Homes
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Question 1	
Respondent's Name and/or Organisation	Redrow Homes Ltd & Persimmon Homes South East
Question 2	
Agent's Name and Organisation (if applicable)	Judith Ashton Associates

Question 3

To which part of the Local Plan does this representation relate? Policy

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR 5 Infrastructure and Connectivity

[TWBC: this representation has been input against Policies STR 1, STR 4, STR 5, STR/SS 1, STR/PW 1, EN1, EN2, EN3, EN9, EN13, H3, H6 and H9 – see Comment Numbers PSLP_2159, PSLP_2165, PSLP_2166, PSLP_2167, PSLP_2173, PSLP_2179, PSLP_2182, PSLP_2186, PSLP_2189, PSLP_2191, PSLP_2194, PSLP_2197 and PSLP_2198. See Supporting Information for representation in full]

Question 4

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Is sound No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because: . It is not effective
. It is not justified

Question 5

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I write with reference to the above. As you will be aware, I act for both Redrow Homes Limited and Persimmon Homes South East who have various interests in Tunbridge Wells, including those east and south east of Paddock Wood (SHLAA sites '20', '374', '371', '344' and '376'), (LPA sites PW 1_7, 1_9, 1_11 and 1_12), (parcels 7, 9, 11 and 12).

Whilst, having regard to the above, Redrow and Persimmon both support the Reg 19 Plan in principle, especially the proposed allocation of the land at Paddock Wood (policies STR/SS1 and STR/PW1), they do have specific concerns about certain aspects of policies STR/SS1 and STR/PW1 and the evidence base underpinning the plan.

In saying this we acknowledge that the Strategic Sites Topic Paper (March 2021) provides a detailed critique of the rationale behind the proposed allocation of the land at Paddock Wood and Capel, with section 8 explaining how the development looks to address the requirements of para 72 of the NPPF; and the plan and its associated evidence as a whole looks to demonstrate why the proposed allocation is justified, is deliverable and will be effective in meeting the requirements of the plan and national government guidance.

8 Strategic Policies

Policy STR5

8.3 Whilst agreeing in principle to the need for all new development to be supported by the provision of the necessary infrastructure, services, and facilities that have been identified to serve the needs arising from new development in a timely way, we are concerned as to how the requirements set out in policy STR5 are being arrived at. This policy appears, given paras 4.94 – 4.95 to be based upon the Infrastructure Delivery Plan (IDP), yet as set out above the IDP appears to be at odds with the infrastructure requirements identified in the Strategic Sites Masterplanning and Infrastructure Study and the Viability Appraisal Stage 2 assessment, such that the necessary infrastructure, services, and facilities required to meet the needs of the proposed developments needs to be clarified and policy STR5 and its preamble clarified so there is no ambiguity, and the plan requirements are both justified and effective.

Whilst many of our comments on the strategic and development management policies are, we believe, capable of resolution by simple rewording/ a review of the evidence base so as to justify the position being advocated, we are concerned that the extent of repetition between policies is leading to misrepresentation; and would recommend that the policy approach is reviewed with a view to being more succinct and direct in what it is seeking to achieve. This will we believe assist everyone concerned in the development process, and is something we, as inducted above, would be happy to talk to the borough council about, especially in terms of compiling a Statement of Common Ground to address the policy requirements for the land east of Paddock Wood.

To conclude, whilst we support the Reg 19 Plan and the proposed allocation of the land at Paddock Wood for strategic scale expansion, we do have a number of concerns about the overall housing supply and trajectory, the rationale behind the assessment of the reasonable alternatives assessed in the Sustainability Appraisal, and alternatives assessed; the consistency in the infrastructure requirements being sought from the development of the land at Paddock Wood in the IDP, VA and Strategic Sites Masterplanning and Infrastructure Study; the actual requirements for the land east of Paddock Wood – in terms of what, when and how much; some of the assumptions used in the VA; the wording of policies STR/SS1, STR/PW1 and justification for some of the criteria contained therein; and the wording of policies EN1, EN2, EN3, EN9, EN13, H3, H6, and H9 and justification for some of the criteria contained therein.

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Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Redrow Homes Ltd and Persimmon Homes South East (- [REDACTED])
Comment ID	PSLP_2167
Response Date	04/06/21 09:43
Consultation Point	Policy STR/SS 1 The Strategy for Paddock Wood, including land at east Capel (View)
Status	Processed
Submission Type	Email
Version	0.5
Files	PSLP_2159-2198_Judith Ashton Ass for Redrow Homes (1) PSLP_2159-2198_Judith Ashton Ass for Redrow Homes
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Question 2	

Agent's Name and Organisation (if applicable) Judith Ashton Associates

Question 3

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Question 3a

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Policy STR/SS 1 The Strategy for Paddock Wood, including land at east Capel

[TWBC: this representation has been input against Policies STR 1, STR 4, STR 5, STR/SS 1, STR/PW 1, EN1, EN2, EN3, EN9, EN13, H3, H6 and H9 – see Comment Numbers PSLP_2159, PSLP_2165, PSLP_2166, PSLP_2167, PSLP_2173, PSLP_2179, PSLP_2182, PSLP_2186, PSLP_2189, PSLP_2191, PSLP_2194, PSLP_2197 and PSLP_2198. See Supporting Information for representation in full]

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Question 4a

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I write with reference to the above. As you will be aware, I act for both Redrow Homes Limited and Persimmon Homes South East who have various interests in Tunbridge Wells, including those east and south east of Paddock Wood (SHLAA sites '20', '374', '371', '344' and '376'), (LPA sites PW 1_7, 1_9, 1_11 and 1_12), (parcels 7, 9, 11 and 12).

Whilst, having regard to the above, Redrow and Persimmon both support the Reg 19 Plan in principle, especially the proposed allocation of the land at Paddock Wood (policies STR/SS1 and STR/PW1), they do have specific concerns about certain aspects of policies STR/SS1 and STR/PW1 and the evidence base underpinning the plan.

In saying this we acknowledge that the Strategic Sites Topic Paper (March 2021) provides a detailed critique of the rationale behind the proposed allocation of the land at Paddock Wood and Capel, with section 8 explaining how the development looks to address the requirements of para 72 of the NPPF; and the plan and its associated evidence as a whole looks to demonstrate why the proposed allocation

is justified, is deliverable and will be effective in meeting the requirements of the plan and national government guidance.

8 Strategic Policies

Policy STR/SS 1

8.4 In noting the requirements of policy STR/SS 1, we would: a) question whether it would be preferable that rather than deal with east, west, north, and central Paddock Wood as a single entity to have specific policies for each area, as defined on map 27, so that it is clear to all concerned what is required of each area. b) question the wording of [parts 2 (a, b, c, d, f, and k), 3, 4, 7, 8, 11, 12, and 15 (a(ii)) of policy STR/SS1.

8.5 Policy STR/SS 1 looks to address the development issues affecting the development of the land within east, west, north, and central Paddock Wood. These areas have, in many instances very different policy aspirations and requirements for instance the wetland park to the west and the links between the town centre and the employment areas to the north. Rather than dealing with these in an overarching policy, it would in our opinion be more appropriate to have specific policies relating to each development area, with an overarching set of guiding principles and infrastructure requirements. Attached at appendix a is our interpretation of what is required on the land to the east, which is provide without prejudice to our comments below about certain aspects of the policy currently worded. We believe an appropriate form of words could be agreed with those promoting the various areas in advance of submission/ via a Statement of Common Ground to be presented to the EIP.

8.6 Turning to the specific wording of policy STR/SS 1 as drafted we have the following comments/ concerns:

2 (a) the approximate level of development. 3,490-3,590 houses is in our opinion going to be difficult to achieve. Whilst DLA in the Strategic Sites Masterplan and Infrastructure Study refers at para 5.63 to a development of circa 3,450 homes based on an average density of between 35-38dph, we believe more detailed site assessments will see this figure reduce. To this end we note that table 7 of the strategic sites masterplan and infrastructure study suggests 1300 -1330 dwellings on land to the east, compared to the promoter's proposals for 1250. As set out above we now believe this figure to be 1200 max. Whilst others may be able to increase their overall level of provision relative to what is set out in the Strategic Sites Masterplan and Infrastructure Study we would raise a word of caution about the figures suggested and the associated impact on the housing land supply/ scale of proposed allocations.

2(b) the proposed neighbourhood centres which are to provide around 2,000sqm commercial floorspace (Class E) in total: one in each of the key development parcels as outlined on Map 27. Whilst the draft Structure Plan (map 28) provides an indicative location for the three local proposed centres, including the one to the east of Paddock Wood we would suggest that policy STR/SS 1 needs to be clear in that the location and size of this facility is not fixed, and will be subject to a retail impact assessment to demonstrate that there will be no significant adverse impact on Paddock Wood town centre / that such a facility is a viable proposition within this location (We note that para 4.21 of the Strategic Sites Topic Paper is a lot more prescriptive as to what is required and where and would suggest that this needs to be factored into policy STR/SS 1 or the supporting text).

2(c) the need for the two two-form entry primary schools: one in the western parcel (edged in blue on Map 27), and the second in the eastern parcel (edged in yellow on Map 27) needs to be fully justified by KCC and trigger dates relative to housing delivery agreed, as we understand that the provision on the current Mascalls Court Farm development is now being reviewed.

2 (d) the mechanisms for the delivery of the new sports and leisure hub on the western parcel (edged in blue on Map 27), and the manner in which this ties in with the housing trajectory needs to be clarified so as not to prejudice housing land supply.

2 (f) the provision of 'three-pitch gypsy/traveller site (to include one mobile home and one touring caravan per pitch).' on the western parcel (to the north of the railway line) and eastern parcel as shown on Map 27 has not in our opinion been justified. Annex 1 of the Housing Supply and Trajectory Paper identifies a number of gypsy/traveller sites located in close proximity to the eastern parcel, including Lucks Lane (p19), Mile Oak Stables (p27), Pearsons Green Road (p37), Vines Farm (p43), and Willow Stables (p47). The need for another facility in this area is thus questionable, especially when it is also clear from para 6.59 of the Housing Supply and Trajectory Paper that there are in fact sufficient sites to meet the need without requiring any provision on the STR/SS1 sites.

In addition, we note that Map 28 – the Paddock Wood and East Capel Structure Plan appears to suggest that the proposed site on the eastern parcel is located rear of Ledgers Cottage's and the former Ledgers Commercial Motor Services site on Queen Street, within what is SHLAA site 47, which whilst identified in the SHLAA as forming part of Local Plan Allocation STR/SS 1, does not fall within the land being promoted by Redrow and Persimmon and is not, as far as we are aware being actively promoted by anyone else. Whilst the deliverability of this facility could thus be called into question, we would also highlight the fact that initial masterplanning for the wider east of Paddock Wood site has no direct access onto Queen Street and as such is not well positioned to accommodate a gypsy/traveller site. Furthermore para 6.390 of the pre submission plan is clear in terms of site suitability and layout for gypsy/traveller sites, making it clear that, in setting out their policy, TWBC have had to have regard to the potential for noise and other disturbance from the movement of vehicles to and from the site, the stationing of vehicles on the site and on-site business activities; and that proposals should not detract from the amenities or privacy of neighbouring uses. Whilst the indicative location shown on Map 28 may have been able to meet these criteria, we do not believe placing such a facility within the heart of the wider development will contribute to the garden settlement principles and design objectives policy STR/SS1 looks to promote for the land east of Paddock Wood.

In the context of the above we note that the Strategic Sites Masterplanning and Infrastructure Study Feb 2021 at para 5.60 suggest that:

'Draft policy also requires provision of a serviced Gypsy & Traveller site of 3 pitches. Location of this facility remains flexible within the Structure Plan, however the following assumptions about location have been made:• Travelling (transitory) pitches should be located adjacent to the A228, ideally in the northwestern parcel• Permanent pitches should be located in the south-east of the site, adjacent to Church Lane'

The area identified on map 28 does not reflect the above. Which, given our comments about the SA (above), only adds to the confusion as to what is required, and the associated justification for it.

2 (k). a community hub. No indication is given as to what this means, how it will be defined/ quantified and where it is to be positioned. Is it the community hub referred to at point 6 of policy STR/PW1 at the Memorial Fields? The council need to clarify this point and justify its requirement.

3. the provision of a mix of housing types, size, and tenure to ensure a balanced, inclusive, and accessible community, the exact mix to be agreed with the Local Planning Authority at the planning application stage having regard to prevailing market conditions. 40% affordable housing should be provided on-site and phased through the development in line with Policy H3. Whilst not opposing this requirement per say we do feel it needs to be linked to the requirements within policy H3 that make it clear that a policy compliant level of affordable housing will not be required where this makes a development unviable – please see our comments on the VA above.

4. the provision of accommodation to deliver mixed communities, including provision for those with different accommodation needs, including those of older people; with at least one sheltered and one extra care housing scheme provided within the strategic site. Again, whilst not opposing this requirement per say we do feel that greater clarity needs to be provided on the scale of the sheltered and extra care provision that is being sought and where in terms of the areas defined on map 27 it is to be located. as at present this is not at all clear. Furthermore, a justification for what is ultimately required needs to be provided.

7. the phased delivery of highway and transport infrastructure, including on and off-line improvements to the A228 around Colts Hill and the provision of a new highway which bypasses Five Oak Green, as shown on Maps 29 and 33. The extent to which these relate to the proposed developments in and around Paddock Wood, relative to that at Tudeley needs to be clarified, the justification for the contributions provided and the triggers for delivery established relative to the development proposed on map 27. To this end, as highlighted in our comments on the Strategic Sites Masterplanning and Infrastructure Study it is not clear why the proposed Colts Hill Bypass is required for the expansion of Paddock Wood and Capel in isolation/ whether the on line improvements would be sufficient to address the impact of the expansion of Paddock Wood and Capel in isolation; and it is very clear that the Five Oaks Green bypass is only related to the Tudeley development. Thus, the justification behind criterion 7 needs to be provided/ the policy wording amended to reflect the evidence base.

8. provide new and improved bus connections to directly link the planned new residential areas with Paddock Wood town centre and the employment areas to the north of the railway line. The use of bus gates should be considered. Again whilst not opposing this requirement, we would suggest that in

order to safeguard the links identified on the draft Structure Plan as shown on map 28, a safeguarding policy is introduced actively highlighting these routes and making it clear that the land identified for safeguarding has been safeguarded to support the delivery of the strategic allocations, that if necessary, the Council will use Compulsory Purchase Powers to enable delivery of these routes to support the delivery of the strategic allocations, and that any proposals for development that may reasonably be considered to impact the delivery of the identified safeguarded routes will be required to demonstrate the proposal would not harm their delivery/ that planning permission will not be granted for development that would prejudice the construction or effective operation of the proposed safeguarded routes (Whilst para 4.27 of the Strategic Sites Topic Paper indicates that Countryside is working with TWBC to seek to achieve a bus and active travel link through its site towards the land being promoted by Redrow to ensure the network of bus links is complete, we consider this matter has to be addressed in the strategic policy to ensure delivery).

11. Consider the potential for mineral deposits on the land edged in blue and yellow on Map 27, and any viably workable minerals should be extracted prior to development commencing on the site; this clause has to have regard to the implication's minerals extraction could have on final build platforms, and the housing trajectory. As such we would suggest it is made clear that minerals extraction will only be encouraged prior to non-mineral development taking place, where this is practical and environmentally feasible. This reflects the approach adopted at the recent South Oxfordshire examination and may help address any potential impact on the housing trajectory.

12. Incorporate zero and low carbon energy production, in line with the requirements of Policy EN3, during early design stages to provide an exemplar scheme with climate change mitigation and adaptation measures and sustainable development principles fundamental to the design, construction, and operation stages; given our comments on policy EN3 below, we do not believe policy EB3 as drafted to comply with national government guidance and that as such this part of policy STR/SS1 needs to be revised to reflect what is justifiable in the context of national government guidance; and that the cost implications of what is proposed are borne in mind in the viability appraisal.

15. Secure developer contributions towards the strategic growth of this area and Tudeley Village, either in kind (normally land) and/or financial, as set out in the Strategic Sites Masterplanning and Infrastructure Study (February 2021) (or a version of this document as amended), to include:

a. highway improvements and mitigation measures, including:i. on- and off-line works to the A228;ii. new bypass around Five Oak Green;As with our comments on point 7 above, the extent to which these relate to the proposed developments in and around Paddock Wood, relative to that at Tudeley needs to be clarified, the justification for the contributions provided and the triggers for delivery established relative to the development proposed on map 27.

In addition, we are concerned about the reference to the Strategic Sites Masterplanning and Infrastructure Study February 2021 (or a version of this as amended). It is this latter comment that concerns us – it needs to be clear that any amendments to this document would be subject to consultation with all relevant parties – TWBC cannot unilaterally change the requirement without establishing the implications of doing so with those promoting these sites/ ensuring the local community have a chance to have their say on what is being amended and why.

Finally in terms of the proposed Structure Plan document and Framework Masterplan SPDs. The policy needs to make clear that these will be brought forward in tandem with any future applications so as to sense check what is being proposed is deliverable and to ensure that the housing trajectory is not prejudiced by additional adoptions procedures. At present the LDS seems to suggest that a draft of the Structure Plan document will not be prepared until January 2022, consulted upon in July 2022 and adopted in Oct 2022, with the Framework Masterplan SPDs running concurrently. As the Strategic Sites Masterplanning and Infrastructure Study Feb 2021, presents the Structure Plan for Paddock Wood (See para 3.14 of The Strategic Sites Masterplanning and Infrastructure Study Feb 2021), and the draft Structure Plan is included within the Reg 19 Plan (map 28), we do not see why a draft Structure Plan cannot be produced until Jan 2022 as this work has already in effect be undertaken to support the Reg 19 Plan. To this end we also note that para 5.93 of the Reg 19 Plan and para 8.19 of the Strategic Sites Topic Paper make it clear that the SPD's should be published ahead of planning permission being granted, not applications being submitted. The terminology used in policy STR/SS1 thus needs to be amended to reflect this position.

Whilst many of our comments on the strategic and development management policies are, we believe, capable of resolution by simple rewording/ a review of the evidence base so as to

justify the position being advocated, we are concerned that the extent of repetition between policies is leading to misrepresentation; and would recommend that the policy approach is reviewed with a view to being more succinct and direct in what it is seeking to achieve. This will we believe assist everyone concerned in the development process, and is something we, as inducted above, would be happy to talk to the borough council about, especially in terms of compiling a Statement of Common Ground to address the policy requirements for the land east of Paddock Wood.

To conclude, whilst we support the Reg 19 Plan and the proposed allocation of the land at Paddock Wood for strategic scale expansion, we do have a number of concerns about the overall housing supply and trajectory, the rationale behind the assessment of the reasonable alternatives assessed in the Sustainability Appraisal, and alternatives assessed; the consistency in the infrastructure requirements being sought from the development of the land at Paddock Wood in the IDP, VA and Strategic Sites Masterplanning and Infrastructure Study; the actual requirements for the land east of Paddock Wood – in terms of what, when and how much; some of the assumptions used in the VA; the wording of policies STR/SS1, STR/PW1 and justification for some of the criteria contained therein; and the wording of policies EN1, EN2, EN3, EN9, EN13, H3, H6, and H9 and justification for some of the criteria contained therein.

We would however like to highlight Redrow Homes and Persimmon South East's desire to continue to work with Tunbridge Wells Borough Council on the delivery of the proposed strategic allocation at Paddock Wood and to this end would welcome the opportunity to meet with officers to discuss our comments on the Reg 19 Plan, and our suggested Statement of Common Ground addressing the policy issues highlighted as well as the proposed phasing strategy for the delivery of the land east of Paddock Wood as soon as is practically possible.

Our Concept Plan for Land East of Paddock WoodAs you will be aware we are currently in the process of preparing an application for EISA screening, our proposals for the land east of Paddock Wood being well advanced. A copy of the illustrative masterplan that has been drawn up by the consultant team, which includes FPRC (urban design and landscape architects), Milestone (transport planners), Stantec (drainage engineers), EPR (ecologists), Keen Consulting (arboriculturists) and RPS (heritage consultants); and following detailed site assessment work is attached. This seeks to demonstrate how the land to the east and south of Paddock Wood, especially that within parcels 7, 9, 11 and 12 could be developed. This shows:

- . A development of circa 1,200 dwellings;
- . A development that looks to provide a sustainable corridor/ demand responsive bus route to the site;
- . A development that encompasses the historic route of the Hop Pickers Trail as a green corridor/ ped/ cycle link;
- . A development that is permeable and provides for enhancements to existing pedestrian/ cycle links to Paddock Wood town centre/ train station, as well as new routes to the town centre/ train station;
- . Junction improvements to the Church Road/ Pearsons Green Road/ Queen Street T junction;
- . Junction improvements to the B2160 Maidstone Road/ B2017 Badsells Road/ Mascalls Court Road traffic signals;
- . A development that provides for the further expansion of the Mascalls school site and a potential primary school (if required);
- . A development that respects the fluvial flood plain, by ensuring all development is within flood zone 1, and utilises land to the north as a surface water attenuation zone that will be planted to reflect landscaped floodplain characteristics and include wet meadows with grassland and structural planting that will be managed for biodiversity and amenity benefits;
- . A surface water drainage strategy that looks to incorporate SuDs features to provide for flood storage, attenuation, and mitigation areas so as to address the effects of the proposed development – including a 40% allowance for climate change and help reduce flood risk elsewhere;
- . A development that looks towards an integrated landscape, drainage and ecological strategy that protects wildlife corridors, links existing corridors, and creates new corridors, so as to create biodiversity net gains;
- . A development that retains and protects existing ponds and provides suitable buffers to these and areas of ancient Woodland that fall within the area;

- . A development that is landscape led – retains existing trees and hedgerows where possible and provides for generous structural planting and landscape buffers to soften the edge of the new settlement / protect the setting of the High Weald AONB to the south;
- . A development that provides a generous amount of good quality green space, including open space, youth and children's play areas, sports and other recreational facilities;
- . A development that provides for a local centre, allotments, and community orchards;
- . A development that looks to protect the setting of heritage assets and local views and remove jarring features - such as overhead lines.
- . A development that seeks to preserve the character of Queen Street as a rural lane and the setting of the historic farmsteads within the local area;
- . A development that provides for suitable buffers around existing properties so as to retain their character and amenity; and
- . A development that is set back from the railway and thus railway noise.

The above and attached clearly demonstrates a scheme that can accommodate the requirements of policies STR/SS1 and STR/PW1 and the aims and aspirations for the site as set out in the Strategic Sites Masterplanning and Infrastructure Study, IDP, VA and TARU.

We believe that the development of the land to the south and east of Paddock Wood can come forward in a timely way, as part of a comprehensive suite of sites in and around Paddock Wood, to help accommodate the housing needs of the area. Predicated on the emerging Structure Plan and associated Framework Masterplan SPDs the strategic scale expansion of Paddock Wood can provide tangible benefits for the local community in terms of improvements to the strategic highway network, as well as local routes, improvements to public transport provision, enhanced pedestrian and cycle links, reduced flood risk, expansion to the local primary and secondary education provision, new sports facilities, new play facilities, new health and medical facilities, a new community hub and new social and leisure facilities. Said development will also provide for much needed family sized housing, affordable housing and starter homes without any adverse environmental or landscape impacts. Indeed, as set out in the Reg 19 Plan, the strategic scale expansion of Paddock Wood provides an opportunity to provide for significant landscape and environmental improvements.

We look forward to talking to you further about the above.

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan 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.

Proposed Policy Wording – SSR/SS1a – The Strategy for Land East of Paddock Wood

The development strategy for Land East of Paddock Wood is to: 1. With Policies STR/PW 1 (the Strategy for Paddock Wood (parish) and STR/CA 1 (the Strategy for Capel parish), set provisional Limits to Built Development for Paddock Wood and east Capel on the Policies Map (Inset Map 4) as a framework for the provision of an extended settlement over the plan period and beyond. This is facilitated through the release of Green Belt land; 2. Provide for the expansion of Paddock Wood to the east, which will deliver the following, on the broad locations as identified at Map 28: a. approximately 1,200 dwellings; b. a neighbourhood centres providing around 700sqm commercial floorspace (Class E). The broad location of the neighbourhood centres will be defined through the Framework Masterplans, and should be located to maximise accessibility by foot from the new dwellings to serve local shopping needs; c. a two-form entry primary schools; d. a system of paths and cycle routes, linking out of the town to nearby villages and leisure routes, such as the Hop Pickers Trail; 3. Provide a mix of housing types, size, and tenure to be provided to ensure a balanced, inclusive, and accessible community, the exact

mix to be agreed with the Local Planning Authority at the planning application stage. Forty percent affordable housing should be provided on-site and phased through the development in line with Policy H3, unless otherwise agreed in accordance with the proviso's set out in Policy H3;4. Provision to be made for accommodation to deliver mixed communities, including provision for those with different accommodation needs, including those of older people;5. Be developed to a high standard of design and layout. Particular attention to be paid to layout, scale, height, design, and massing to ensure that the development is of a high quality design responding to local character. Planning applications for development should be assessed by a Design Review Panel, at least once at pre-application stage and once following submission of a planning application;6. Ensure the development embeds the garden settlement principles. Planning applications need to demonstrate consideration of the associated key qualities as outlined in the supporting text;7. Provide new and improved bus connections to directly link the planned new residential areas with Paddock Wood town centre. Land will be safeguarded for this purpose, and the use of bus gates should be considered;8. Provide walking and cycling linkages within the site, together with links to Paddock Wood town centre, employment areas, and surrounding countryside. The development should make use of, and enhance, the Hop Pickers Trail;9. Consider the potential for mineral deposits on the land edged in blue and yellow on Map 27, and any viably workable minerals should be extracted prior to development commencing on the site where this is practical and environmentally feasible;10. Ensure a drainage strategy is in place, in consultation with the Local Planning Authority, Kent County Council as the Drainage Authority, and Southern Water prior to the grant of planning permission for any substantial development on the site, unless exceptional circumstances arise. This should demonstrate that there is adequate capacity in the foul sewage network, and that development will not exacerbate flooding elsewhere. The drainage strategy should be implemented through the development to deliver the levels of storage, attenuation, and mitigation measures to reduce the incidence of flooding to adjacent residential areas in Paddock Wood;11. Provide a scheme for the management and funding for green spaces and green infrastructure for each parcel of land as outlined on Map 27, for both amenity and biodiversity for the lifetime of the development;

12. Secure developer contributions towards the strategic growth of this area either in kind (normally land) and/or financial, as set out in the Strategic Sites Masterplanning and Infrastructure Study (February 2021) (or a version of this document as formally consulted upon and amended), to include:a. highway improvements and mitigation measures, including on- and off-line works to the A228;b. provision, improvements, and enhancement to bus and cycle routes, and cycle corridors;c. primary and secondary education provision;d. health and medical provision;e. utility provision and upgrades;f. flood defences and mitigation measures;g. improvements and enhancement to sports and recreation provision, including children's and youth play space;h. other necessary mitigation measures which are directly related to the development and fairly and reasonably related in scale and kind. The development will be delivered through the production of a Framework Masterplan Supplementary Planning Documents (SPD). The Framework Masterplan will guide developers and the Local Planning Authority in respect of the garden settlement principles to create a new community at Paddock Wood. The SPDs will set out guidance to show how the above policy requirements, together with other policies within this Local Plan, should be delivered on the site. It will provide guidance on design, phasing, and site access to ensure comprehensive development and strong assimilation with the existing settlement at Paddock Wood. Proposals for the piecemeal development of individual sites within the parcels identified will not be supported. The delivery of this infrastructure should be through ongoing discussions with relevant stakeholders. This includes, but is not limited to, Kent County Council, adjacent local planning authorities (Tonbridge & Malling and Maidstone Borough Councils) and other statutory consultees. It is highly likely the delivery of the development will require land equalisation agreements. The Council will, if necessary, use its Compulsory Purchase Order powers to ensure the delivery of the appropriate masterplanned approach.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . Yes, I wish to participate in hearing session(s)

Question 7a

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Redrow and Persimmon have an interest in land east of Paddock Wood – part of STR/SS1, one of the main strategic allocations in the Plan. They are also active elsewhere in the Borough and have an interest in ensuring the legality and soundness of the Local Plan. They therefore wish me to participate in the examination

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box: Yes, I wish to be notified of future stages of the Local Plan

Supporting Information File Ref No: SI_154a-b

Comment

Agent	Miss Judith Ashton ([REDACTED])
Email Address	[REDACTED]
Company / Organisation	Judith Ashton Associates
Address	Maytham Farmhouse Maytham Road Cranbrook TN17 4QA
Consultee	([REDACTED])
Company / Organisation	Redrow Homes Ltd and Persimmon Homes South East
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Redrow Homes Ltd and Persimmon Homes South East (- [REDACTED])
Comment ID	PSLP_2173
Response Date	04/06/21 09:43
Consultation Point	Policy STR/PW 1 The Strategy for Paddock Wood (View)
Status	Processed
Submission Type	Email
Version	0.5
Files	PSLP_2159-2198_Judith Ashton Ass for Redrow Homes PSLP_2159-2198_Judith Ashton Ass for Redrow Homes (1)
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Redrow Homes Ltd & Persimmon Homes South East
Question 2	

Agent's Name and Organisation (if applicable) Judith Ashton Associates

Question 3

To which part of the Local Plan does this representation relate? Policy

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR/PW 1 The Strategy for Paddock Wood

[TWBC: this representation has been input against Policies STR 1, STR 4, STR 5, STR/SS 1, STR/PW 1, EN1, EN2, EN3, EN9, EN13, H3, H6 and H9 – see Comment Numbers PSLP_2159, PSLP_2165, PSLP_2166, PSLP_2167, PSLP_2173, PSLP_2179, PSLP_2182, PSLP_2186, PSLP_2189, PSLP_2191, PSLP_2194, PSLP_2197 and PSLP_2198. See Supporting Information for representation in full]

Question 4

Do you consider that the Local Plan:

Is sound No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because: It is not justified

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

I write with reference to the above. As you will be aware, I act for both Redrow Homes Limited and Persimmon Homes South East who have various interests in Tunbridge Wells, including those east and south east of Paddock Wood (SHLAA sites '20', '374', '371', '344' and '376'), (LPA sites PW 1_7, 1_9, 1_11 and 1_12), (parcels 7, 9, 11 and 12).

Whilst, having regard to the above, Redrow and Persimmon both support the Reg 19 Plan in principle, especially the proposed allocation of the land at Paddock Wood (policies STR/SS1 and STR/PW1), they do have specific concerns about certain aspects of policies STR/SS1 and STR/PW1 and the evidence base underpinning the plan.

In saying this we acknowledge that the Strategic Sites Topic Paper (March 2021) provides a detailed critique of the rationale behind the proposed allocation of the land at Paddock Wood and Capel, with section 8 explaining how the development looks to address the requirements of para 72 of the NPPF; and the plan and its associated evidence as a whole looks to demonstrate why the proposed allocation

is justified, is deliverable and will be effective in meeting the requirements of the plan and national government guidance.

8 Strategic Policies

Policy STR/PW1

8.7 Whilst supporting this policy generally, we have 2 comments upon the details contained within it. The first relates to point 5 and the delivery of a two-form entry expansion to the existing Mascalls Secondary School. Whilst land is being reserved for this facility, we would seek clarification from KCC that this facility is still required/ that the schools plans have not changed with regard to how future needs are to be addressed as we have heard anecdotal evidence that would call this requirement into question. TWBC thus need to justify this requirement.

8.8 The second point relates to criterion 10 and the reference to the Strategic Sites Masterplanning and Infrastructure Study February 2021 (or a version of this as amended); which as set out above should be subject to consultation with all relevant parties before any amendments to are adopted so as to establish the implications of the proposed changes for those promoting these sites/ ensuring the local community have a chance to have their say on what is being amended and why.

Whilst many of our comments on the strategic and development management policies are, we believe, capable of resolution by simple rewording/ a review of the evidence base so as to justify the position being advocated, we are concerned that the extent of repetition between policies is leading to misrepresentation; and would recommend that the policy approach is reviewed with a view to being more succinct and direct in what it is seeking to achieve. This will we believe assist everyone concerned in the development process, and is something we, as inducted above, would be happy to talk to the borough council about, especially in terms of compiling a Statement of Common Ground to address the policy requirements for the land east of Paddock Wood.

To conclude, whilst we support the Reg 19 Plan and the proposed allocation of the land at Paddock Wood for strategic scale expansion, we do have a number of concerns about the overall housing supply and trajectory, the rationale behind the assessment of the reasonable alternatives assessed in the Sustainability Appraisal, and alternatives assessed; the consistency in the infrastructure requirements being sought from the development of the land at Paddock Wood in the IDP, VA and Strategic Sites Masterplanning and Infrastructure Study; the actual requirements for the land east of Paddock Wood – in terms of what, when and how much; some of the assumptions used in the VA; the wording of policies STR/SS1, STR/PW1 and justification for some of the criteria contained therein; and the wording of policies EN1, EN2, EN3, EN9, EN13, H3, H6, and H9 and justification for some of the criteria contained therein.

We would however like to highlight Redrow Homes and Persimmon South East's desire to continue to work with Tunbridge Wells Borough Council on the delivery of the proposed strategic allocation at Paddock Wood and to this end would welcome the opportunity to meet with officers to discuss our comments on the Reg 19 Plan, and our suggested Statement of Common Ground addressing the policy issues highlighted as well as the proposed phasing strategy for the delivery of the land east of Paddock Wood as soon as is practically possible.

Our Concept Plan for Land East of Paddock WoodAs you will be aware we are currently in the process of preparing an application for EISA screening, our proposals for the land east of Paddock Wood being well advanced. A copy of the illustrative masterplan that has been drawn up by the consultant team, which includes FPRC (urban design and landscape architects), Milestone (transport planners), Stantec (drainage engineers), EPR (ecologists), Keen Consulting (arboriculturists) and RPS (heritage consultants); and following detailed site assessment work is attached. This seeks to demonstrate how the land to the east and south of Paddock Wood, especially that within parcels 7, 9, 11 and 12 could be developed. This shows:

- . A development of circa 1,200 dwellings;
- . A development that looks to provide a sustainable corridor/ demand responsive bus route to the site;
- . A development that encompasses the historic route of the Hop Pickers Trail as a green corridor/ ped/ cycle link;

- . A development that is permeable and provides for enhancements to existing pedestrian/ cycle links to Paddock Wood town centre/ train station, as well as new routes to the town centre/ train station;
- . Junction improvements to the Church Road/ Pearsons Green Road/ Queen Street T junction;
- . Junction improvements to the B2160 Maidstone Road/ B2017 Badsells Road/ Mascalls Court Road traffic signals;
- . A development that provides for the further expansion of the Mascalls school site and a potential primary school (if required);
- . A development that respects the fluvial flood plain, by ensuring all development is within flood zone 1, and utilises land to the north as a surface water attenuation zone that will be planted to reflect landscaped floodplain characteristics and include wet meadows with grassland and structural planting that will be managed for biodiversity and amenity benefits;
- . A surface water drainage strategy that looks to incorporate SuDs features to provide for flood storage, attenuation, and mitigation areas so as to address the effects of the proposed development – including a 40% allowance for climate change and help reduce flood risk elsewhere;
- . A development that looks towards an integrated landscape, drainage and ecological strategy that protects wildlife corridors, links existing corridors, and creates new corridors, so as to create biodiversity net gains;
- . A development that retains and protects existing ponds and provides suitable buffers to these and areas of ancient Woodland that fall within the area;
- . A development that is landscape led – retains existing trees and hedgerows where possible and provides for generous structural planting and landscape buffers to soften the edge of the new settlement / protect the setting of the High Weald AONB to the south;
- . A development that provides a generous amount of good quality green space, including open space, youth and children's play areas, sports and other recreational facilities;
- . A development that provides for a local centre, allotments, and community orchards;
- . A development that looks to protect the setting of heritage assets and local views and remove jarring features - such as overhead lines.
- . A development that seeks to preserve the character of Queen Street as a rural lane and the setting of the historic farmsteads within the local area;
- . A development that provides for suitable buffers around existing properties so as to retain their character and amenity; and
- . A development that is set back from the railway and thus railway noise.

The above and attached clearly demonstrates a scheme that can accommodate the requirements of policies STR/SS1 and STR/PW1 and the aims and aspirations for the site as set out in the Strategic Sites Masterplanning and Infrastructure Study, IDP, VA and TARU.

We believe that the development of the land to the south and east of Paddock Wood can come forward in a timely way, as part of a comprehensive suite of sites in and around Paddock Wood, to help accommodate the housing needs of the area. Predicated on the emerging Structure Plan and associated Framework Masterplan SPDs the strategic scale expansion of Paddock Wood can provide tangible benefits for the local community in terms of improvements to the strategic highway network, as well as local routes, improvements to public transport provision, enhanced pedestrian and cycle links, reduced flood risk, expansion to the local primary and secondary education provision, new sports facilities, new play facilities, new health and medical facilities, a new community hub and new social and leisure facilities. Said development will also provide for much needed family sized housing, affordable housing and starter homes without any adverse environmental or landscape impacts. Indeed, as set out in the Reg 19 Plan, the strategic scale expansion of Paddock Wood provides an opportunity to provide for significant landscape and environmental improvements.

We look forward to talking to you further about the above.

Question 7

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Supporting Information File Ref No: SI_154a-b

Comment

Agent	Miss Judith Ashton ([REDACTED])
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Address	Maytham Farmhouse Maytham Road Cranbrook TN17 4QA
Consultee	([REDACTED])
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Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Redrow Homes Ltd and Persimmon Homes South East (- [REDACTED])
Comment ID	PSLP_2179
Response Date	04/06/21 09:43
Consultation Point	Policy EN 1 Sustainable Design (View)
Status	Processed
Submission Type	Email
Version	0.4
Files	PSLP_2159-2198_Judith Ashton Ass for Redrow Homes (1) PSLP_2159-2198_Judith Ashton Ass for Redrow Homes
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Redrow Homes Ltd & Persimmon Homes South East
Question 2	
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Question 3

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Question 3a

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Policy EN 1 Sustainable Design

[TWBC: this representation has been input against Policies STR 1, STR 4, STR 5, STR/SS 1, STR/PW 1, EN1, EN2, EN3, EN9, EN13, H3, H6 and H9 – see Comment Numbers PSLP_2159, PSLP_2165, PSLP_2166, PSLP_2167, PSLP_2173, PSLP_2179, PSLP_2182, PSLP_2186, PSLP_2189, PSLP_2191, PSLP_2194, PSLP_2197 and PSLP_2198. See Supporting Information for representation in full]

Question 4

Do you consider that the Local Plan:

Is sound No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because: . It is not effective
. It is not justified

Question 5

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Whilst, having regard to the above, Redrow and Persimmon both support the Reg 19 Plan in principle, especially the proposed allocation of the land at Paddock Wood (policies STR/SS1 and STR/PW1), they do have specific concerns about certain aspects of policies STR/SS1 and STR/PW1 and the evidence base underpinning the plan.

In saying this we acknowledge that the Strategic Sites Topic Paper (March 2021) provides a detailed critique of the rationale behind the proposed allocation of the land at Paddock Wood and Capel, with section 8 explaining how the development looks to address the requirements of para 72 of the NPPF; and the plan and its associated evidence as a whole looks to demonstrate why the proposed allocation is justified, is deliverable and will be effective in meeting the requirements of the plan and national government guidance.

Development Management Policies

Policy EN1

8.9 We note that policy EN1 'Sustainable Design' at criterion 8 refers to proposals being designed for significant carbon dioxide emissions reductions and more sustainable energy sources, through energy efficiency improvements and facilitating low and zero carbon technology to ensure development supports a path to net zero emissions by 2030. Given our comments on policy EN3 (see below) we believe criterion 8 needs to be amended if it is to reflect national government guidance.

8.10 In addition, we would question criterion 7 which suggests that development encourages positive behaviour change, through for example the provision of drinking fountains to discourage purchase of single use plastic. Whilst laudable it is not clear what type of development would be required to provide water fountains, how many water fountains would be necessary, who would maintain these fountains ensure they work and who would ensure they are clean and not a danger to public health. As drafted we do not believe this criterion to be justified or effective.

Whilst many of our comments on the strategic and development management policies are, we believe, capable of resolution by simple rewording/ a review of the evidence base so as to justify the position being advocated, we are concerned that the extent of repetition between policies is leading to misrepresentation; and would recommend that the policy approach is reviewed with a view to being more succinct and direct in what it is seeking to achieve. This will we believe assist everyone concerned in the development process, and is something we, as inducted above, would be happy to talk to the borough council about, especially in terms of compiling a Statement of Common Ground to address the policy requirements for the land east of Paddock Wood.

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Question 7a

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Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Redrow Homes Ltd and Persimmon Homes South East (- [REDACTED])
Comment ID	PSLP_2182
Response Date	04/06/21 09:43
Consultation Point	Policy EN 2 Sustainable Design Standards (View)
Status	Processed
Submission Type	Email
Version	0.5
Files	PSLP_2159-2198_Judith Ashton Ass for Redrow Homes (1) PSLP_2159-2198_Judith Ashton Ass for Redrow Homes
Data inputter to enter their initials here	AT
Question 1	
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Question 3

To which part of the Local Plan does this representation relate? Policy

Question 3a

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Policy EN 2 Sustainable Design Standards

[TWBC: this representation has been input against Policies STR 1, STR 4, STR 5, STR/SS 1, STR/PW 1, EN1, EN2, EN3, EN9, EN13, H3, H6 and H9 – see Comment Numbers PSLP_2159, PSLP_2165, PSLP_2166, PSLP_2167, PSLP_2173, PSLP_2179, PSLP_2182, PSLP_2186, PSLP_2189, PSLP_2191, PSLP_2194, PSLP_2197 and PSLP_2198. See Supporting Information for representation in full]

Question 4

Do you consider that the Local Plan:

Is sound No

Question 4a

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Do you consider that the Local Plan is not sound because: . It is not justified . It is not consistent with national policy

Question 5

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In saying this we acknowledge that the Strategic Sites Topic Paper (March 2021) provides a detailed critique of the rationale behind the proposed allocation of the land at Paddock Wood and Capel, with section 8 explaining how the development looks to address the requirements of para 72 of the NPPF; and the plan and its associated evidence as a whole looks to demonstrate why the proposed allocation is justified, is deliverable and will be effective in meeting the requirements of the plan and national government guidance.

Development Management Policies

Policy EN2

8.11 We note that policy EN2 'Sustainable Design Standards' requires developers to obtain HQM 4 stars for schemes of 150 (+) from 2022. We understand that the Home Quality Mark has been developed by BRE, and is a national standard for new homes, which uses a simple 5-star rating to provide impartial information from independent experts on a new home's design, construction quality and running costs. It is in effect part of the BREEAM family of quality and sustainability standards. The '*Top 10 Questions Asked by Planners – Answered*' document published by the BRE suggests that '*Outstanding and 5 star ratings are incredibly challenging and are unlikely to be suitable as a blanket policy*'. It also indicates in Table 2 (Conceptual policy), that for new homes of 200 (+) authorities should be looking to achieve HQM 3 stars OR HQM 2 star and level 4 on the Footprint Quality Indicator from 2020 – not HQM 4 stars per say.

8.12 Not only do we believe that policy EN2 is being overly ambitious in its aspirations, but that it conflicts with para 129 of the NPPF which encourages the use of range of tools and processes for assessing and improving the design of development. In order to reflect national government guidance policy EN2 should remove the specific reference in the policy to the use of minimum design standards based on Homes Quality Mark and instead encourage the use of assessment tools.

8.13 In addition, the Council should remove the phrase until national policy allows otherwise. If national policy were to change to allow the implementation of alternative standards the Council would need to assess and justify the use of any such requirements through a focussed review of the local plan. The council cannot seek to pre-empt national policy in this manner.

8.14 Finally given that the policy, as it relates to residential development, is one that seeks to encourage not require compliance with these standards, para 3 needs to be amended to make it clear it relates to non-residential development.

Whilst many of our comments on the strategic and development management policies are, we believe, capable of resolution by simple rewording/ a review of the evidence base so as to justify the position being advocated, we are concerned that the extent of repetition between policies is leading to misrepresentation; and would recommend that the policy approach is reviewed with a view to being more succinct and direct in what it is seeking to achieve. This will we believe assist everyone concerned in the development process, and is something we, as inducted above, would be happy to talk to the borough council about, especially in terms of compiling a Statement of Common Ground to address the policy requirements for the land east of Paddock Wood.

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Question 7a

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Supporting Information File Ref No: SI_154a-b

Comment

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Company / Organisation	Judith Ashton Associates
Address	Maytham Farmhouse Maytham Road Cranbrook TN17 4QA
Consultee	([REDACTED])
Company / Organisation	Redrow Homes Ltd and Persimmon Homes South East
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Redrow Homes Ltd and Persimmon Homes South East (- [REDACTED])
Comment ID	PSLP_2186
Response Date	04/06/21 09:43
Consultation Point	Policy EN 3 Climate Change Mitigation and Adaptation (View)
Status	Processed
Submission Type	Email
Version	0.4
Files	PSLP_2159-2198_Judith Ashton Ass for Redrow Homes (1) PSLP_2159-2198_Judith Ashton Ass for Redrow Homes
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Question 1	
Respondent's Name and/or Organisation	Redrow Homes Ltd & Persimmon Homes South East
Question 2	

Agent's Name and Organisation (if applicable) Judith Ashton Associates

Question 3

To which part of the Local Plan does this representation relate? Policy

Question 3a

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Policy EN 3 Climate Change Mitigation and Adaptation

[TWBC: this representation has been input against Policies STR 1, STR 4, STR 5, STR/SS 1, STR/PW 1, EN1, EN2, EN3, EN9, EN13, H3, H6 and H9 – see Comment Numbers PSLP_2159, PSLP_2165, PSLP_2166, PSLP_2167, PSLP_2173, PSLP_2179, PSLP_2182, PSLP_2186, PSLP_2189, PSLP_2191, PSLP_2194, PSLP_2197 and PSLP_2198. See Supporting Information for representation in full]

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Question 4a

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Development Management Policies

Policy EN3

8.15 The way this policy is worded is overly complicated. It appears to suggest that major developments (developments of 10 (+) homes) will be required to deliver 25% improvements in emissions using fabric first (10%) and then renewable energy (15%). This is higher than 20% improvement as part of the transitional arrangements in the written ministerial statement of March 2015 that is now reflected in PPG but below the 31% that will be required from the changes in Building Regs which are likely to be espoused by the time this plan is adopted. As such the requirements of policy EN3 are likely to be superseded by the Building Regs. Thus, given para 16 of the NPPF, there is no need for the energy reduction in new buildings element of this policy as it will all be addressed through Building Regs.

Whilst many of our comments on the strategic and development management policies are, we believe, capable of resolution by simple rewording/ a review of the evidence base so as to justify the position being advocated, we are concerned that the extent of repetition between policies is leading to misrepresentation; and would recommend that the policy approach is reviewed with a view to being more succinct and direct in what it is seeking to achieve. This will we believe assist everyone concerned in the development process, and is something we, as inducted above, would be happy to talk to the borough council about, especially in terms of compiling a Statement of Common Ground to address the policy requirements for the land east of Paddock Wood.

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Event Name	Pre-Submission Local Plan
Comment by	Redrow Homes Ltd and Persimmon Homes South East (- [REDACTED])
Comment ID	PSLP_2189
Response Date	04/06/21 09:43
Consultation Point	Policy EN 9 Biodiversity Net Gain (View)
Status	Processed
Submission Type	Email
Version	0.4
Files	PSLP_2159-2198_Judith Ashton Ass for Redrow Homes PSLP_2159-2198_Judith Ashton Ass for Redrow Homes (1)
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Policy EN 9 Biodiversity Net Gain

[TWBC: this representation has been input against Policies STR 1, STR 4, STR 5, STR/SS 1, STR/PW 1, EN1, EN2, EN3, EN9, EN13, H3, H6 and H9 – see Comment Numbers PSLP_2159, PSLP_2165, PSLP_2166, PSLP_2167, PSLP_2173, PSLP_2179, PSLP_2182, PSLP_2186, PSLP_2189, PSLP_2191, PSLP_2194, PSLP_2197 and PSLP_2198. See Supporting Information for representation in full]

Question 4

Do you consider that the Local Plan:

Is sound No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because: . It is not positively prepared . It is not justified

Question 5

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Development Management Policies

Policy EN9

8.16 Turning to policy EN9 'Biodiversity Net Gain' we would highlight the need for the council to ensure the policy approach does not deviate from the proposals set out within the Environment Bill. To this end criterion 1(b) and the reference to the percentage of net gain being a minimum of 10% as required by legislation or greater where required by supplementary planning guidance (SPG) is of great concern. As far as we are aware SPG's cannot be used to impose a level of BNG above that required by legislation. Nor can they or should they be used as a means of introducing policy through the back door. The Local plan is the locus for the council to identify its BNG policy and to cost the implications of that in its viability appraisal. There is no justifiable reason for an alternative approach via SPG on some as yet undefined site. Said approach would run contrary to national government guidance. The reference to 'or greater where required by supplementary planning guidance' should thus be deleted from this policy.

Whilst many of our comments on the strategic and development management policies are, we believe, capable of resolution by simple rewording/ a review of the evidence base so as to justify the position being advocated, we are concerned that the extent of repetition between policies is leading to misrepresentation; and would recommend that the policy approach is reviewed with a view to being more succinct and direct in what it is seeking to achieve. This will we believe assist everyone concerned in the development process, and is something we, as inducted above, would be happy to talk to the borough council about, especially in terms of compiling a Statement of Common Ground to address the policy requirements for the land east of Paddock Wood.

To conclude, whilst we support the Reg 19 Plan and the proposed allocation of the land at Paddock Wood for strategic scale expansion, we do have a number of concerns about the overall housing supply and trajectory, the rationale behind the assessment of the reasonable alternatives assessed in the Sustainability Appraisal, and alternatives assessed; the consistency in the infrastructure requirements being sought from the development of the land at Paddock Wood in the IDP, VA and Strategic Sites Masterplanning and Infrastructure Study; the actual requirements for the land east of Paddock Wood – in terms of what, when and how much; some of the assumptions used in the VA; the wording of policies STR/SS1, STR/PW1 and justification for some of the criteria contained therein; and the wording of policies EN1, EN2, EN3, EN9, EN13, H3, H6, and H9 and justification for some of the criteria contained therein.

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Question 7

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Question 7a

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Supporting Information File Ref No: SI_154a-b

Comment

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Email Address	[REDACTED]
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Address	Maytham Farmhouse Maytham Road Cranbrook TN17 4QA
Consultee	([REDACTED])
Company / Organisation	Redrow Homes Ltd and Persimmon Homes South East
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Redrow Homes Ltd and Persimmon Homes South East (- [REDACTED])
Comment ID	PSLP_2191
Response Date	04/06/21 09:43
Consultation Point	Policy EN 13 Ancient Woodland and Veteran Trees (View)
Status	Processed
Submission Type	Email
Version	0.4
Files	PSLP_2159-2198_Judith Ashton Ass for Redrow Homes PSLP_2159-2198_Judith Ashton Ass for Redrow Homes (1)
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Redrow Homes Ltd & Persimmon Homes South East
Question 2	

Agent's Name and Organisation (if applicable) Judith Ashton Associates

Question 3

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Question 3a

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Policy EN 13 Ancient Woodland and Veteran Trees

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Question 4

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Is sound No

Question 4a

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Question 5

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Development Management Policies

Policy EN13

8.17 Policy EN13 (criterion 5) refers to the provision of adequate buffers. Para 6.170 refers to buffers of 25m to ancient Woodland but goes on to suggest that 'The Council expects developers, through assessment, to confirm that this or any other distance is appropriate'. This approach seems somewhat ambiguous and contrary to para 16 of the NPPF. Not only does the council's position need to be clarified but justified in the light of national guidance.

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Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Redrow Homes Ltd and Persimmon Homes South East (- [REDACTED])
Comment ID	PSLP_2194
Response Date	04/06/21 09:43
Consultation Point	Policy H 3 Affordable Housing (View)
Status	Processed
Submission Type	Email
Version	0.5
Files	PSLP_2159-2198_Judith Ashton Ass for Redrow Homes PSLP_2159-2198_Judith Ashton Ass for Redrow Homes (1)
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Redrow Homes Ltd & Persimmon Homes South East
Question 2	
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Question 3

To which part of the Local Plan does this representation relate? Policy

Question 3a

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Policy H 3 Affordable Housing

[TWBC: this representation has been input against Policies STR 1, STR 4, STR 5, STR/SS 1, STR/PW 1, EN1, EN2, EN3, EN9, EN13, H3, H6 and H9 – see Comment Numbers PSLP_2159, PSLP_2165, PSLP_2166, PSLP_2167, PSLP_2173, PSLP_2179, PSLP_2182, PSLP_2186, PSLP_2189, PSLP_2191, PSLP_2194, PSLP_2197 and PSLP_2198. See Supporting Information for representation in full]

Question 4

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Question 4a

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Do you consider that the Local Plan is not sound because: It is not justified

Question 5

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Development Management Policies

Policy H3

8.18 The requirement that all affordable homes are built to part M4(2) of the Building Regulations needs in our opinion to be justified. Whilst the Housing Needs Study suggests at para 3.58 that it supports the provision of accessible and adaptable housing (M4(2)), with specific provision being made for wheelchair accessible/adaptable (M4(3)) homes of the order of 5% of total supply; it does not quantify the level of provision within M4(2) for either affordable or market housing.

8.19 Footnote 46 of para 129 of the NPPF is clear in that planning policies for housing should make use of the Government's optional technical standards for accessible and adaptable housing, where this would address 'an identified need for such properties'.

8.20 Para 3.55 of the Housing Needs Assessment Topic Paper indicates that: '*Whilst available data sources can provide a good indication of the number of disabled people, not all of the people included within these counts will require adaptations in the home. Across the borough, the HNS identified that 30.8% of households contained at least one person with an illness/disability. The most frequently mentioned illnesses/disabilities were physical or mobility impairment, at 8.1% of all households, and longstanding illness or health condition, at 7.7%.*'

8.21 This position is not dissimilar to that seen nationally in the English Homes Survey. The study examined the need for adaptations in 2014/15 and noted that 9% of all households in England had one or more people with a long-term limiting illness or disability that required adaptations to their home. The survey also found that in 2014-15, 81% of households that required adaptations in their home, due to their long-term limiting disability, felt their current home was suitable for their needs and that only 10% of those households whose home required an adaptation were trying to move somewhere more suitable.

8.22 Given the above, and whilst we recognise that with an ageing population there will be more people with mobility problems in future, we do not consider that clear evidence has been provided of an identified need, and do not believe a requirement for all affordable to meet M4(2) to be justified or consistent with national policy.

Whilst many of our comments on the strategic and development management policies are, we believe, capable of resolution by simple rewording/ a review of the evidence base so as to justify the position being advocated, we are concerned that the extent of repetition between policies is leading to misrepresentation; and would recommend that the policy approach is reviewed with a view to being more succinct and direct in what it is seeking to achieve. This will we believe assist everyone concerned in the development process, and is something we, as inducted above, would be happy to talk to the borough council about, especially in terms of compiling a Statement of Common Ground to address the policy requirements for the land east of Paddock Wood.

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Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Redrow Homes Ltd and Persimmon Homes South East (- [REDACTED])
Comment ID	PSLP_2197
Response Date	04/06/21 09:43
Consultation Point	Policy H 6 Housing for Older People and People with Disabilities (View)
Status	Processed
Submission Type	Email
Version	0.5
Files	PSLP_2159-2198_Judith Ashton Ass for Redrow Homes PSLP_2159-2198_Judith Ashton Ass for Redrow Homes (1)
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Redrow Homes Ltd & Persimmon Homes South East
Question 2	

Agent's Name and Organisation (if applicable) Judith Ashton Associates

Question 3

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Question 3a

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Policy H 6 Housing for Older People and People with Disabilities

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Question 4a

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Development Management Policies

Policy H6

8.23 As with our comments on policy H3, we would question the requirements of policy H6 (criterion 2, 3 and 4) as there is in our opinion no justification within the evidence base to support the proposition that all new build housing development meet M4(2), unless demonstrably unviable; no justification for sites of 20 (+) to provide at least 10% of homes suitable for older people in that they are bungalows or one or two bed flats/houses; no justification that at least 5% of homes of developments of 20(+) dwellings meet M4(3), to support people with physical disabilities, where a need has been identified in the parish or ward (by the Housing Authority).

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Comment ID	PSLP_2198
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Consultation Point	Policy H 9 Gypsies and Travellers (View)
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Files	PSLP_2159-2198_Judith Ashton Ass for Redrow Homes (1) PSLP_2159-2198_Judith Ashton Ass for Redrow Homes
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I write with reference to the above. As you will be aware, I act for both Redrow Homes Limited and Persimmon Homes South East who have various interests in Tunbridge Wells, including those east and south east of Paddock Wood (SHLAA sites '20', '374', '371', '344' and '376'), (LPA sites PW 1_7, 1_9, 1_11 and 1_12), (parcels 7, 9, 11 and 12).

Whilst, having regard to the above, Redrow and Persimmon both support the Reg 19 Plan in principle, especially the proposed allocation of the land at Paddock Wood (policies STR/SS1 and STR/PW1), they do have specific concerns about certain aspects of policies STR/SS1 and STR/PW1 and the evidence base underpinning the plan.

In saying this we acknowledge that the Strategic Sites Topic Paper (March 2021) provides a detailed critique of the rationale behind the proposed allocation of the land at Paddock Wood and Capel, with section 8 explaining how the development looks to address the requirements of para 72 of the NPPF; and the plan and its associated evidence as a whole looks to demonstrate why the proposed allocation is justified, is deliverable and will be effective in meeting the requirements of the plan and national government guidance.

Development Management Policies

Policy H9

8.24 As with our comments on policy STR/SS1 (criterion 2 (f)) we do not believe the need for a gypsy/traveller site (to include one mobile home and one touring caravan) to be provided with in the eastern parcel of STR/SS1 as shown on Map 27 has been justified. Annex 1 of the Housing Supply and Trajectory Paper identifies a number of gypsy/traveller sites located in close proximity to the eastern parcel, including Lucks Lane (p19), Mile Oak Stables (p27), Pearsons Green Road (p37), Vines Farm (p43), and Willow Stables (p47). The need for another facility in this area is thus questionable, especially when it is also clear from para 6.59 of the Housing Supply and Trajectory Paper that there are in fact sufficient sites to meet the need without requiring any provision on the STR/SS1 sites.

Whilst many of our comments on the strategic and development management policies are, we believe, capable of resolution by simple rewording/ a review of the evidence base so as to justify the position being advocated, we are concerned that the extent of repetition between policies is leading to misrepresentation; and would recommend that the policy approach is reviewed with a view to being more succinct and direct in what it is seeking to achieve. This will we believe assist everyone concerned in the development process, and is something we, as inducted above, would be happy to talk to the borough council about, especially in terms of compiling a Statement of Common Ground to address the policy requirements for the land east of Paddock Wood.

To conclude, whilst we support the Reg 19 Plan and the proposed allocation of the land at Paddock Wood for strategic scale expansion, we do have a number of concerns about the overall housing supply and trajectory, the rationale behind the assessment of the reasonable alternatives assessed in the Sustainability Appraisal, and alternatives assessed; the consistency in the infrastructure requirements being sought from the development of the land at Paddock Wood in the IDP, VA and Strategic Sites Masterplanning and Infrastructure Study; the actual requirements for the land east of Paddock Wood – in terms of what, when and how much; some of the assumptions used in the VA; the wording of policies STR/SS1, STR/PW1 and justification for some of the criteria contained therein; and the wording of policies EN1, EN2, EN3, EN9, EN13, H3, H6, and H9 and justification for some of the criteria contained therein.

We look forward to talking to you further about the above.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . Yes, I wish to participate in hearing session(s)

Question 7a

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If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Redrow and Persimmon have an interest in land east of Paddock Wood – part of STR/SS1, one of the main strategic allocations in the Plan. They are also active elsewhere in the Borough and have an interest in ensuring the legality and soundness of the Local Plan. They therefore wish me to participate in the examination

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Supporting Information File Ref No: SI_54a-b

Comment

Consultee	Ms Noreen O'Meara [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Residents Against Ramslye Development
Address	[REDACTED] Tunbridge Wells [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Residents Against Ramslye Development [REDACTED] [REDACTED]
Comment ID	PSLP_914
Response Date	02/06/21 08:48
Consultation Point	Pre-Submission Local Plan (View)
Status	Processed
Submission Type	Email
Version	0.5
Files	Residents Against Ramslye Development whole submission redacted.pdf
Data inputter to enter their initials here	KJ
Question 1	
Respondent's Name and/or Organisation	Noreen O'Meara on behalf of Residents Against Ramslye Development

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

General comments on whole Plan

[TWBC: see also further comments on individual sections and policies - PSLP_914, 925, 926, 928, 929, 930, 931, 932, 933, 938. The whole representation form (personal details redacted has also been attached as it contains plans and images]

Question 4

Do you consider that the Local Plan:

Is legally compliant Don't know

Is sound No

Complies with the Duty to Cooperate Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not positively prepared
- . It is not effective
- . It is not justified
- . It is not consistent with national policy

Question 5

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Forward

We appreciate the effort and thought that has gone into preparing the Pre-Submission Local Plan. We note and welcome a number of areas where our representations in respect of the Regulation 18 draft local plan consultation have been taken into account and the plan amended.

The task of developing a local plan over such a long term is very challenging especially in the context of a significant and society changing event such as the Covid pandemic. We agree with the statement set out at paragraph 2.41 of the Pre-Submission Local Plan that acknowledges the challenges of planning when faced with structural societal changes. We agree that a flexible approach should be taken when attempting to assess and balance the needs of retail, office, housing and culture.

To that end we make the following observations:

Retail

We note the plan identifies a need for increased retail space; this is in spite of the number of empty premises in the town centre. In a visual survey of Mount Pleasant, Calverley Road, Royal Victoria Place and Crescent Road we identified 51 empty premises and in addition there is the well-publicised closure of John Lewis in north farm. We consider that retail businesses are going through a period of significant structural change which the Covid pandemic has hastened but not caused in the shift to online shopping and distribution. We therefore consider the case for the need for more retail space to be very weak.

Office space

We agree with the statement at paragraph 5.24 that no additional office space is needed in the town centre and existing space may need to be re-purposed. We note a recent BBC survey of major

employers reported that 85% of employers will not be returning to their offices full-time, and indeed in a straw poll of our own small group, 100% of those people working in office space will not be expected to return to the office full-time.

This represents another structural change in working patterns. However, we also consider it an opportunity for the growth of more local services in the leisure and culture sectors that will provide additional local employment, potentially reduce travelling and if managed appropriately, enhance the borough and the experiences of its residents.

To that end we consider the plan should include an addition to the strategic policies that ensures there is suitable flexibility in planning decisions in terms of purpose (e.g. between retail, office and housing) so as to avoid the highly undesirable circumstances of Green Belt and green field development running amok while the town centres languish empty and underutilised. This addition could possibly be made in STR4 but a case could be made for such a clause in all of the strategic policies.

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Address	[REDACTED] Tunbridge Wells [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Residents Against Ramslye Development [REDACTED] [REDACTED]
Comment ID	PSLP_925
Response Date	02/06/21 08:48
Consultation Point	Policy STR 1 The Development Strategy (View)
Status	Processed
Submission Type	Email
Version	0.5
Files	Residents Against Ramslye Development whole submission redacted.pdf
Data inputter to enter their initials here	KJ
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Respondent's Name and/or Organisation	Noreen O'Meara on behalf of Residents Against Ramslye Development
Question 3	
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Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	Policy STR 1 The Development Strategy

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The broad development strategy "...is to ensure that a minimum of 12,204 dwellings and 14 hectares of employment (Use Classes B and E) land are developed, together with supporting infrastructure and services."

In January 2021 the Times of Tunbridge Wells reported that "17 per cent of retail space in and around Tunbridge Wells is currently lying vacant". It has been well documented that the impact of the Covid lockdowns on the retail sector is that many shops will be lost from the high street forever (e.g. Arcadia Group shops) and others will consolidate (e.g. John Lewis which is closing its RTW store). Last year the Courier reported that nearly a third of the Royal Victoria Place units were empty. As set out above there are still numerous empty shops so there is little point planning to build more until the current supply is exhausted. TWBC needs to think more carefully about what the future of retail and office work will be in an increasingly digitalised and flexible world rather than catering for the turn of the century's shopping and working patterns.

Policy STR 1 – The Development Strategy – Table 4 Distribution of housing allocations

As set out in our Regulation 18 representations to the draft local plan we challenge the need for such a large number of new dwellings in the Borough. Office for National Statistics data predicts the population of Tunbridge Wells will grow from 118,848 in 2020 to 123,003,092 in 2038 (Table 1 section 2.16 of the draft pre-submission plan); that is growth in the population of 6,155. TWBC reports that housing stock in 2016 was 49,880. If the occupancy rate of dwellings remains at the 2016 level (i.e. 2.35 people per dwelling) then the need by 2038 will be a further 2,620 dwellings to the stock. Even if one were to allow for a decrease in the occupancy rate to say 2 people per dwelling, the need would still only be c.3,000 dwellings, i.e. about a quarter of the number of dwellings the plan allows for. Instead, there is an absurd situation where the plan appears to be proposing more than 2 new dwellings per person.

The Housing Supply and Trajectory Topic paper (February 2021) states there are 3,313 dwellings with extant planning permission which by any reasonable calculation will meet the need of the borough's projected population to 2038.

While we appreciate the housing requirement is set by national policy, we do not consider TWBC has appropriately represented the interests of its residents. The policy is eminently challengeable because it is fundamentally flawed. It effectively only considers supply side solutions to housing affordability. Much of the house price inflation experienced in the last 10 years is a consequence of the macro-economic environment (principally interest rates at an historic low for over 10 years driving a search for yield in assets) and other policy decisions such as 'help to buy' and the stamp duty holiday. It is clear there are external demand side issues that do not relate to population growth. By accepting the allocation, TWBC has not acted to protect the rural nature and the associated landscape of the borough that is valued by its residents and is protected under law. We remain of the view the approach to date has been supine and cavalier with our environment and interests. Indeed it is at odds with the Vision and Strategic Objectives by surrendering so much green space and the plan in its current form is not one that "respects the distinctive qualities of the borough". TWBC must take steps to challenge the allocation on our behalf so as to protect our interests.

We welcome the policy wording in respect of the Limits to Built Development (LBD) (section 2, 8 and 9).

While commenting on this section we note that RTW is presented as a whole. There appears to be no analysis or consideration of the distribution of sites within RTW itself. In the Broadwater ward the plan currently proposes c.500 new dwellings on six separate sites (RTW11, 12, 13, 14, 15 and 16). If this approach is adopted then the Broadwater ward will account for c.35% of the overall allocation to RTW. We consider this is unsustainable in terms of the available infrastructure, road network and the appropriate use of land in the case of site RTW16. The total allocation to the Broadwater ward is disproportionate (some wards are hardly affected at all) and inappropriate.

Question 6

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Remove site 137/ AL/RTW 16 'Land to the west of Eridge Road at Spratsbrook Farm' from the plan.

Question 7

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Supporting Information File Ref No: SI_54a-b

Comment

Consultee	Ms Noreen O'Meara [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Residents Against Ramslye Development
Address	[REDACTED] Tunbridge Wells [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Residents Against Ramslye Development [REDACTED] [REDACTED]
Comment ID	PSLP_926
Response Date	02/06/21 08:48
Consultation Point	Policy STR 2 Place Shaping and Design (View)
Status	Processed
Submission Type	Email
Version	0.4
Files	Residents Against Ramslye Development whole submission redacted.pdf
Data inputter to enter their initials here	KJ
Question 1	
Respondent's Name and/or Organisation	Noreen O'Meara on behalf of Residents Against Ramslye Development
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	Policy STR 2 Place Shaping and Design

[TWBC: see also further comments on individual sections and policies - PSLP_914, 925, 926, 928, 929, 930, 931, 932, 933, 938. The whole representation form (personal details redacted has also been attached as it contains plans and images]

Question 4

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Is legally compliant Don't know

Is sound No

Complies with the Duty to Cooperate Don't know

Question 4a

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Question 5

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We support the broad thrust of this policy. We are encouraged by the form of words used in "setting requirements" rather than "having regard to". In particular we support point 3 of the requirements to "Conserve and enhance assets of historic, landscape, or biodiversity value". With this in mind we consider any development of site RTW 16 which has significant value in terms of historic, landscape and biodiversity (including the eastern side) would breach this requirement.

Question 6

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Address	[REDACTED] Tunbridge Wells [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Residents Against Ramslye Development [REDACTED] [REDACTED]
Comment ID	PSLP_928
Response Date	02/06/21 08:48
Consultation Point	Policy STR 3 Brownfield Land (View)
Status	Processed
Submission Type	Email
Version	0.4
Files	Residents Against Ramslye Development whole submission redacted.pdf
Data inputter to enter their initials here	KJ
Question 1	
Respondent's Name and/or Organisation	Noreen O'Meara on behalf of Residents Against Ramslye Development
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	Policy STR 3 Brownfield Land

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We support the inclusion of a policy on Brownfield development. We consider the policy should be further strengthened to ensure that development of Brownfield land should be completed and built out before Green field sites and certainly before any land is released from the Green Belt.

Question 6

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Address	[REDACTED] Tunbridge Wells [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Residents Against Ramslye Development [REDACTED] [REDACTED]
Comment ID	PSLP_929
Response Date	02/06/21 08:48
Consultation Point	Policy STR 5 Infrastructure and Connectivity (View)
Status	Processed
Submission Type	Email
Version	0.5
Files	Residents Against Ramslye Development whole submission redacted.pdf
Data inputter to enter their initials here	KJ
Question 1	
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Question 3	
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We welcome the inclusion of plans to allocate land to provide a new medical centre at Showfields Road. The surgery at Rowan Tree closed in January 2020. The policy seeks to "ensure adequate healthcare infrastructure is provided as part of new development". In view of the closure of the Rowan Tree surgery this appears to be no more than aspiration. We do not consider the policy is likely to be effective or meet residents' reasonable expectations, nor are there any clear, objective measures that would enable residents to hold TWBC to account. This policy should be revised to explain what "adequate" means by reference to availability of services within a distance that would also meet the active travel policy objective (i.e. walking distance).

Question 6

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Remove site 137/ AL/RTW 16 'Land to the west of Eridge Road at Spratsbrook Farm' from the plan.

Question 7

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Future Notifications

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Supporting Information File Ref No: SI_54a-b

Comment

Consultee	Ms Noreen O'Meara [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Residents Against Ramslye Development
Address	[REDACTED] Tunbridge Wells [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Residents Against Ramslye Development [REDACTED] [REDACTED]
Comment ID	PSLP_930
Response Date	02/06/21 08:48
Consultation Point	Policy STR 7 Climate Change (View)
Status	Processed
Submission Type	Email
Version	0.4
Files	Residents Against Ramslye Development whole submission redacted.pdf
Data inputter to enter their initials here	KJ
Question 1	
Respondent's Name and/or Organisation	Noreen O'Meara on behalf of Residents Against Ramslye Development
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	Policy STR 7 Climate Change

[TWBC: see also further comments on individual sections and policies - PSLP_914, 925, 926, 928, 929, 930, 931, 932, 933, 938. The whole representation form (personal details redacted has also been attached as it contains plans and images]

Question 4

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Is legally compliant Don't know

Is sound No

Complies with the Duty to Cooperate Don't know

Question 4a

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Question 5

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We strongly support the inclusion of a strategic policy addressing climate change. However, we are concerned that the policy will ultimately fail in its objective because of a lack of specific targets and the inevitable tension with the content of the rest of the plan. We set out below some observations and suggestions in support of our position.

Paragraph 4.109 of the Pre-Submission Local Plan quotes the NPPF as "requiring contributions to a radical reduction in greenhouse gas emissions, minimising vulnerability and improving resilience; encouraging the reuse of existing resources". However, we note there are no requirements in the plan for radical greenhouse gas emissions, or any discussion of measuring those emissions to allow reductions to take place. STR7 gives some attention to emissions from travel and the energy requirements of any new housing, but it gives no attention to the emissions caused by the building of the houses themselves, which will be considerable and result in a rise in the borough's carbon output over the term of the plan - precisely when the town is required to reduce its carbon output.

Vulnerability will largely be increased by the loss of biodiversity and local ecology, and new drainage issues - a large portion of the plan calls for building on one of the most vulnerable flood plains in the

area. We believe that developers will be at liberty to interpret these phrases resulting in a plan which fails to satisfy the NPPF.

In addition, we consider section 4 of STR7 should be amended to allow for 'partner engagement' with residents, or members of the environmental community - both of whom will have important local knowledge.

Question 6

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Question 7

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Supporting Information File Ref No: SI_54a-b

Comment

Consultee	Ms Noreen O'Meara [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Residents Against Ramslye Development
Address	[REDACTED] Tunbridge Wells [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Residents Against Ramslye Development [REDACTED] [REDACTED]
Comment ID	PSLP_931
Response Date	02/06/21 08:48
Consultation Point	Policy STR 8 Conserving and Enhancing the Natural, Built, and Historic Environment (View)
Status	Processed
Submission Type	Email
Version	0.5
Files	Residents Against Ramslye Development whole submission redacted.pdf
Data inputter to enter their initials here	KJ
Question 1	
Respondent's Name and/or Organisation	Noreen O'Meara on behalf of Residents Against Ramslye Development
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	Policy STR 8 Conserving and Enhancing the Natural, Built, and Historic Environment

[TWBC: see also further comments on individual sections and policies - PSLP_914, 925, 926, 928, 929, 930, 931, 932, 933, 938. The whole representation form (personal details redacted has also been attached as it contains plans and images]

Question 4

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We support this policy – and as a result are mystified as to why the plan includes site AL/RTW 16 as a potential site for development given its setting adjacent to the AONB, its Greenbelt status and its sensitivity and contribution to the landscape. As things stand in this plan, it is not clear TWBC has any realistic chance of meeting this policy.

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Address	[REDACTED] Tunbridge Wells [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Residents Against Ramslye Development [REDACTED] [REDACTED]
Comment ID	PSLP_932
Response Date	02/06/21 08:48
Consultation Point	Policy STR 9 Green Belt (View)
Status	Processed
Submission Type	Email
Version	0.4
Files	Residents Against Ramslye Development whole submission redacted.pdf
Data inputter to enter their initials here	KJ
Question 1	
Respondent's Name and/or Organisation	Noreen O'Meara on behalf of Residents Against Ramslye Development
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"The release of Green Belt land has been undertaken through this Local Plan, and is detailed where relevant in the place shaping policies in Section 5.

In order to protect the remaining Green Belt, as defined on the draft Policies Map, the Council will consider the proposal against the relevant policy in the National Planning Policy Framework, or the national planning policy at the time a planning application is being determined."

TWBC's policy simply doesn't adequately protect the Green Belt. The plan dedesignates 5.35% of the borough's Green Belt, with only a small area South West of Paddock Wood being added. If this pattern of dedesignation is repeated each time the plan is updated/replaced, the Green Belt will disappear. The South East of England is already more densely populated than other parts of the country. The borough cannot build and build, and maintain what is special to this area. The policy should be more explicit about protecting those areas of Green Belt that are either more sensitive or contribute more to the Green Belt policy objectives.

In addition, given the number of local plans around the country that propose the development of Green Belt land, we find it very difficult to believe that each district or borough can be exceptional – we think you must agree that would be an exceptional number of exceptional circumstances.

Individual site planning applications should address the removal of land from the Green Belt. This should not be done by the Local Plan as the time period covered is lengthy and changes might negate the need.

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Supporting Information File Ref No: SI_54a-b

Comment

Consultee	Ms Noreen O'Meara [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Residents Against Ramslye Development
Address	[REDACTED] Tunbridge Wells [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Residents Against Ramslye Development [REDACTED] [REDACTED]
Comment ID	PSLP_933
Response Date	02/06/21 08:48
Consultation Point	Policy AL/RTW 16 Land to the west of Eridge Road at Spratsbrook Farm (View)
Status	Processed
Submission Type	Email
Version	0.6
Files	Residents Against Ramslye Development whole submission redacted.pdf
Data inputter to enter their initials here	KJ
Question 1	
Respondent's Name and/or Organisation	Noreen O'Meara on behalf of Residents Against Ramslye Development
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy AL/RTW 16 Land to the west of Eridge Road at Spratsbrook Farm (AL/RTW 18 in Regulation 18)

SHELAA Reference: Site 137

[TWBC: see also further comments on individual sections and policies - PSLP_914, 925, 926, 928, 929, 930, 931, 932, 933, 938. The whole representation form (personal details redacted has also been attached as it contains plans and images]

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Introduction

We consider this Policy to be unsound as it is not effective, justified or consistent with national policy. Specifically, while we welcome the decision to reduce the size of the site allocated to development from 15ha to 6ha, we consider the remaining site should be deemed unsuitable for the following reasons:

- . The case for exceptional circumstances required to remove the land from the Green Belt has not been made;
- . The site's contribution to the purposes of Green Belt has been incorrectly assessed and its contribution is far greater and thus the harm caused by its removal is far greater;
- . Insufficient weight has been given to the infrastructure implications of developing the site including but not limited to the capacity of the road network to support it and the availability of adequate primary healthcare services;

- . The landscape and visual value of the site is significantly greater than the Pre-Submission Local Plan attaches to it;
- . The development of the site would directly contravene many of the policies we support as set out in the Pre-Submission Local Plan including but not limited to STR 1, 2, 4, 5 and 8 and EN 4, 5, 9, 10, 12, 13, 18, 19, 20 and 21;
- . There are material errors and inconsistencies in the sustainability appraisal that makes the appraisal unsound and therefore the decision to make it a suitable site for development unsound; and
- . The Broadwater ward is disproportionally impacted accounting for c.500 of the c.1500 houses planned for RTW.

We set out below in more detail why we have come to the view that this Policy is unsound. We have drawn our evidence from a variety of sources and we show where there are errors and inconsistencies between the various supporting documents and assessments. We want to register our strong objection to any development on this site and we make the following points in support of our objection:

1 Green Belt designation: The land is Green Belt and it must not be released for development
The decision to declassify any Green Belt must meet the criteria set out in the National Planning Policy Framework (NPPF). In addition, the decision to declassify should be subject to significant analysis and challenge given the permanence of the decision – i.e. once it's gone it's gone. The expectation set out by government in the NPPF is that new Green Belt will not be designated, therefore the barriers to declassifying should be as high as they are for classifying new Green Belt.

Paragraph 136 of the NPPF says:

“Once established, Green Belt boundaries should only be altered where exceptional circumstances are fully evidenced and justified, through the preparation or updating of plans. Strategic policies 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.”

Paragraphs 143 to 144 go on to say:

“Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. ‘Very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.”

We do not consider the local plan meets the thresholds set in the NPPF to release the site from the Green Belt. Section 5.101 states “The Development Strategy Topic Paper and Green Belt studies set out the exceptional circumstances and compensatory improvements to the remaining Green Belt to justify the changes to the boundary in this location”.

We do not consider that the case for the exceptional circumstances has been made to release the site from the Green Belt. We set out our reasons below covering:

- . a demonstrably incorrect Green Belt Study assessment of the harm;
- . the value the site makes to the setting of the High Weald AONB, High Rocks Hill Fort and Broadwater Down Conservation area has not been adequately reflected;
- . a planned excess of house building over and above the objectively assessed need; and
- . the release would be incompatible with several of the Pre-Submission Local Plan's policies.

Incorrect Green Belt Study assessment

The Development Strategy Topic Paper states in conclusion that this site is a “Sustainable location on edge of main settlement with connections to town and rural landscape. Can improve landscape approach to RTW”.

We do not agree with the assessment of the site as set out in the Green Belt Study 3. In particular we consider there is a clear and strong connection of the site to the rural landscape and countryside. Our conclusion is supported by the assessment made in the Green Belt Study 2 which concluded “The parcel is adjacent to the large built-up area but relates more strongly to the wider countryside”, and the conclusion of the visual impact assessment that states “The site has a strong rural character despite it's (sic) location adjacent to the settlement edge of Royal Tunbridge Wells.” We consider the assessment made in Green Belt Study 3 is incorrect and should be changed. There has been no

explanation or justification as to why it departs from the assessment made in the Green Belt Study 2 which concluded that releasing the site from the Green Belt would have a high detrimental impact rather than moderate to low as set out in Green Belt Study 3.

The Tunbridge Wells Green Belt Study Stage Two (TWGBSST) prepared in July 2017 assesses the degree of harm caused by the potential loss of this site (referenced as TW10 in the TWGBSST) as high (the second highest rating). It also assesses the contribution of this site to the NPPF criteria for Green Belt as relatively strong (the second highest rating) in three out of the four criteria assessed. The TWGBSST presents a strong evidence base to retain this site in the Green Belt. It seems to us that Green Belt Study 3 has merely sought to confirm a more convenient answer for the purposes of the local plan and cannot be justified rationally. On that basis we consider the removal of any of site AL/RTW 16 from the Green Belt cannot be justified and therefore the plan is unsound with respect to that aspect.

Using the published methodology, we consider this site's (RTW18 in the Green Belt study) contribution to purposes 1, 3 and 4 should be reassessed to "Strong". The site's contribution to "checking the sprawl of the built-up area" is clearly strong. The argument that because the boundary with the built urban area is defined mainly by gardens makes it more connected to the urban than the countryside does not bear serious scrutiny. It is clear (and the Green Belt Study 2 agrees) the site is much more connected with the countryside.

The site's contribution to purpose 3 "Assist in safeguarding the countryside from encroachment" is clearly greater than moderate because it is connected with the countryside and it is undeveloped.

The site's contribution to purpose 4 "Preserve the setting and special character of historic towns" should also be amended to reflect its visual prominence and is characteristic of medieval assart as well as contributing to the setting of the Scheduled Monument in the north west corner of the site and to the conservation area of Broadwater Down.

We also challenge the impact assessment as set out Green Belt Study 3 as we consider the methodology to be flawed. If we have understood the methodology correctly, most weight is given to the impact on adjacent Green Belt. In the case of this site, the adjacent land that is clearly connected to the countryside while being in the High Weald AONB is not Green Belt. If this methodology is taken to its logical conclusion, over the years the effect will be to continue to chip away at the remaining Green Belt until there is none left. We have set out above that the land at this site is clearly more connected to the countryside and the adjoining open fields and its loss will have a much greater impact than negligible.

The policy objective of Green Belt designation is to keep the land open. Any common-sense assessment of the land at this site will see that it is open, and in this case as set out in the visual impact assessment, the land has been open since the medieval period and as such must therefore make a strong contribution to the purposes of Green Belt. We therefore consider the overall harm of releasing this site from the Green Belt should be amended from Low-Moderate to Moderate-High.

Incorrect assessment of the landscape value of the site with respect to the High Weald AONB, Hill Fort and Broadwater Down Conservation Area

The Landscape and Visual Impact Assessment states the following in respect of this site "The site has a strong rural character despite its location adjacent to the settlement edge of Royal Tunbridge Wells. The undulating topography creates visual interest and affords some long, panoramic views from within the site, framed by woodland. These views include the settlement and spires of Royal Tunbridge Wells to the north and east, set within a wooded landscape. Views to the south are rural in character. The historic field pattern remains visible within the landscape and there is contrast between the open fields and the enclosure of the adjacent woodland." We agree with this assessment and do not consider the case has been adequately made that the removal of the southern part of the site can be justified given its contribution to the visual landscape. For example, the majority of the "undulation" is in the southern half of the site and its impact would be lost if it were developed.

In addition, we note that the Broadwater Down Conservation Area Assessment (CAA) states that "The Junction of Broadwater Down and Eridge Road is the west entry point into Tunbridge Wells. It makes the boundary between Kent and Sussex, and between town and country. Hargate Forest limits the southward expansion of development, and establishes a character of thickly wooded approaches to the town. As the ridge of Broadwater Down meets the Eridge Road views open out across the Grom

River valley to Nevill Park and beyond to the common at Bishops Down. The 1950s suburb of Ramslye lies almost unnoticed in the valley.” It would seem this assessment of both landscape value and the limit of the urban environment is at odds with the other assessments made. We consider the assessment made in the CAA to be more accurate and plausible than that made in Green Belt Study 3 and indeed more consistent with that made in Green Belt Study 2._

Excess building over and above the objectively assessed need

We do not consider that the case for exceptional circumstances can be made when the plan allows for building more dwellings than the objectively assessed need requires (notwithstanding our view that the methodology is deeply flawed). The decision to support some authorities (Sevenoaks) who have not met their objectively assessed need is laudable but when so much Green Belt in the TW Borough is being sacrificed, it merely moves the problem from one district's Green Belt to another._

Incompatibility with other policies

We consider the release of this site from the Green Belt is inconsistent with policy STR8 (Conserving and enhancing the natural, built, and historic environment). In particular, it has not been demonstrated how its release would be consistent with clauses 1, 2 and 5 of that policy. If we as local citizens are to be able to rely on these policies, it is of the utmost importance that the council adheres to all of its policies and manages the inevitable tensions in a transparent and robust way. We do not consider that given the high degree of harm to the Green Belt that would be caused by its release, that this site can ever be released in a way that is consistent with this policy and we therefore urge the council to withdraw this site from further consideration.

We also consider the release of the site would be incompatible with the following policies:

STR 2 Place Shaping and Design

STR 6 Transport and Parking

STR 7 Climate Change

STR 8 Conserving and Enhancing the Natural, Built, and Historic Environment

STR 9 Green Belt

EN 3 Climate Change Mitigation and Adaptation

EN 4 Historic Environment

EN 5 Heritage Assets

EN 9 Biodiversity Net Gain

EN 10 Protection of Designated Sites and Habitats

EN 11 Ashdown Forest Special Protection Area and Special Area 359 of Conservation

EN 12 Trees, Woodland, Hedges, and Development

EN 13 Ancient Woodland and Veteran Trees

EN 16 Landscape within the Built Environment

EN 18 Rural Landscape

EN19 The High Weald Area of Outstanding Natural Beauty

EN 20 Agricultural Land

EN 26 Sustainable Drainage Systems

some of which we consider in more detail in our comments on those policies, but most importantly they do not appear to have been adequately (or in some cases at all) considered in the proposal to remove the site from the Green Belt.

- 1 Heritage matters (adjacent to Conservation Area): additionally, the site includes a Scheduled Monument (with archaeological potential), and is adjacent to listed buildings and a historic farmstead.**

Historic England lists Scheduled Monument references 1002280 (prehistoric rock shelters and a multivallate hillfort at High Rocks, 309m ESE of High Rocks Inn) and 1003816 (prehistoric rock shelters and a multivallate hillfort at High Rocks, 309m ESE of High Rocks Inn) and consequently the prescribed

processes must be followed in relation to any development which might affect it. The Schedule of Monuments has only 19,854 entries (2016) and TWBC is urged to continue to support the protection of this site.

While we welcome the changes made from the draft local plan and acknowledge that the Pre-Submission Local Plan affords more protection to the Scheduled Monument and its setting, we consider the remainder of the site should also be considered as contributing to its setting. The plan as it stands does not adequately address the requirements set out in sections 189-202 of the National Planning Policy Framework regarding heritage assets. In particular, the requirement to take account of the contribution made by their setting and that any adverse impact on a Scheduled Monument should only be sanctioned in “wholly exceptional circumstances”. With respect to the northern part of the site there is however one issue that should be clarified: the usage of the undeveloped area. Para 5.103 of the Plan suggests that it should be used for ‘informal open space/recreation’, yet Requirement 5 talks of ‘an approved scheme of agriculture with public access’, which could be very different things. Both land use and access are important considerations in assessing the impact on the setting of the Hillfort.

In addition, section 187 b requires authorities to “predict the likelihood that currently unidentified heritage assets, particularly sites of historic and archaeological interest, will be discovered in the future.” It seems clear given the overall scale of the Hill Fort it would be very likely that there lies a wealth of so far unidentified historically significant archaeology in the fields surrounding the Hill Fort and they should all therefore be conserved in accordance with section 187 b. We do not consider the assessment or SHELAA has given sufficient weight to the likely undiscovered heritage value of the rest of the site. There is evidence from previous excavations for example that an historic routeway runs through the site ‘On the conclusion of the partial excavations of the Hillfort in 1961 James Money wrote, “*The Period II entrance was realigned and it appears to join up with an old trackway which leads away from the fort, through Ramslye Farm and over to Broadwater Down*”.

We also understand that where the site narrows between west and east halves of the site, there is evidence of flint and other artefacts from amateur finds.

Additionally, the site is adjacent to two listed buildings (Ramslye Old Farmhouse and Ramslye Farmhouse), and Ramslye Old Farmhouse is an historic farmstead adjacent to the same Mesolithic and Neolithic rock formations as the High Rocks at Ramslye Farm. In James Money’s book **Excavations at High Rock Hillfort 1954-1956** he concludes that “*outcrops of Sandstone in nearby areas including Ramslye Farm were once occupied by man due to its proximity to a watercourse, however on many sites the overhanging’s are no longer visible*”. We note the site constraints include a buffer for the listed Farmstead but nothing for the other listed building; we do not consider the current mitigations to be adequate in preserving their settings.

1 Highway matters: The existing road network cannot support a development of the size and nature proposed

We do not consider any development on this site can be consistent with Policy STR 6 Transport and Parking. The proposal to develop the site will add an unsustainable level of traffic to Eridge Road.

Data from the Tunbridge Wells Park and Ride Feasibility Study shows Eridge Road supports almost the same amount of traffic as Pembury Road, which are both significantly busier than other access roads (see table 2a below reproduced). We note that the Transport Strategy document uses different and older data as its evidence base than that used in the Regulation 18 consultation (see table 2 below reproduced). It is not at all clear why the plan would use this data which we understand is based on 2014 data from the DfT when the draft plan used data from 2016. This is particularly relevant when considering any site on the south side of RTW. The 2014 data shows an 8% differential between the A264 Pembury Road and the A26 Eridge Road, whereas the 2016 data shows a differential of only 3% (see table 2a).

Examination of the change in daily traffic flow from 2014 to 2016 would lead to the reasonable conclusion that the flow on the A26 Eridge Road is growing at a faster rate than the A264 Pembury Road and notwithstanding the exceptional circumstances of 2020. The estimate is that between 2014 and 2016 traffic on the A26 Eridge Road grew by 3%, whereas it declined by 1.8% on the A264 Pembury Road. On that basis, taking a simple extrapolation, the A26 Eridge Road could easily now have the highest traffic flow of all of the major Tunbridge Wells access roads.

Table 2: DfT Estimated Daily Traffic Flows, 2014 (used for Regulation 19 consultation)

[TWBC: our underlined indicates red font in attached full representation]

Road
 Link
 Cars, Taxis
 All Motor Vehicles
A264 Pembury Road
B2023 to Blackhurst Lane
20,233
24,669 (8% more than A26 Eridge Road)
 A267 Frant Road
 B2169 to A26
 11,071
 13,428
A26 Eridge Road
LA Boundary to A267
19,220
22,822
 A264 Langton Road
 A264 Mount Ephraim to A26
 7,523
 8,593
 A26 London Road
 A26 Mount Ephraim to Birchwood Avenue, Southborough
 14,797
 18,359

Table 2a: DfT Estimated Daily Traffic Flows, 2016 (used for Regulation 18 consultation)

Road
 Link
 Cars, Taxis
 All Motor Vehicles
A264 Pembury Road
B2023 to Blackhurst Lane
19,408
24,215 (3% more than A26)
(-1.8% since 2014)
A26 Eridge Road
LA Boundary to A267
19,746
23,496 (+3% since 2014)

The scale of development in the Broadwater ward (sites AL/RTW 11, 12, 13, 14, 15 and 16 totalling c.500 new dwellings) will put additional pressure on both the A26 and A267. The transport strategy

document states at 3.20 “East Sussex County Council (ESCC) has prepared a Local Transport Plan 3 2011-2026 (adopted 2012). The A26 and A267 connect Wealden District and the rest of East Sussex to Tunbridge Wells. These roads are heavily used by residents travelling to and from Tunbridge Wells to access jobs, services, healthcare and education. The roads have poor accident records”. However, we note that neither the transport strategy document nor the infrastructure delivery plan make any proposed improvements or traffic calming measures on either of those roads.

The RAC reports that in the Tunbridge Wells Borough, car ownership is 560 per 1000 population. On that basis, the c.500 new dwellings proposed in the ward, with the same occupancy rate as the current TW average (2.35 people) would add c.658 cars to the current traffic flow. In addition, we are aware of proposals for significant development in Crowborough which would further likely add to the daily traffic on the A26.

We do not consider the plan to be sound in respect of the development of this site when considered against transport and infrastructure policies. The data used is not the most up to date and given the poor accident rate on the road reported by East Sussex highways, the plan significantly overdevelops the area taking account of the existing road network and usage. Given this site is Green Belt and greenfield and many of the other sites in the Broadwater ward are not, we consider the site should be removed from the draft plan.

There is **no** existing road access to the site, only a private driveway to two houses, which is in fact in Wealden - we believe the Pre-Submission Local Plan is incorrect on this point - and a new access road would be required creating additional road safety issues on an already very busy road with poor visibility. The introduction of a roundabout for example (if indeed there is space without using Wealden land), would adversely affect the flow of traffic on the A26, creating the sorts of tailbacks already experienced on Pembury Road. We are disappointed by the lack of detailed consideration of the issues relating to the road and access. We consider the vague “TBC” for junction improvement schemes shows insufficient consideration has been given to this aspect of developing the site.

When considered against the evidence set out above, it is clear that the current road and parking infrastructure cannot support the level of intensive development proposed without some drastic form of intervention to divert existing and additional through traffic from the A26 to the A21 to the south of Tunbridge Wells.

Further consideration should also be given to the impact on the existing residents of the Ramslye estate. The estate is currently a relatively quiet, green environment. It benefits from public open spaces that are used by the community, which adds to its character and general feel. This has been amplified by the COVID-19 lockdown which has seen residents rely on the area for relaxation and exercise. The impacts of being able to access green space are being increasingly recognised, more so since this plan was started. <https://pubmed.ncbi.nlm.nih.gov/28882650/>

<https://post.parliament.uk/research-briefings/post-pn-0538/>

There is no firm policy to reduce car use from any new development, it is merely aspirational and based on the status of the site as urban as opposed to rural when in fact the site will be in excess of 1.5 miles from the retail centre of the town. As is the case with many semi-rural and suburban areas, many people are reliant on their cars even for short journeys.

1 Agricultural Land Classification: Grade 4, Urban

As noted in our response to the Regulation 18 draft local plan consultation the SHELAA has incorrectly graded the land as Grade 4, Urban when the correct classification is Grade 3a (in respect of the North West part of the site) and Grade 3b (in respect of the South East part of the site). We also note this error has been continued into the site assessment sheet and other documents. Had the site been correctly graded we consider the site would have been deemed unsuitable.

This Policy confirms the site consists of managed agricultural land and the site is an assart field.

[TWBC: for plan and legend see full representation attached].

An ALC of land at Ramslye Farm undertaken in October 2014 by Vaughan Redfern Agricultural and Rural Development on behalf of TWBC stated the site is a mix of subgrade 3a[1] and 3b. Grade 3a means it should be protected under the “Best and Most Versatile” (BMV) rules.

Note, this plan covering an area of 24.5 hectares extends beyond site 137, across the county border into Wealden.

[1] Subgrade 3a - good quality agricultural land

Land capable of consistently producing moderate to high yields of a narrow range of arable crops, especially cereals, or moderate yields of crops including: cereals; grass; oilseed rape; potatoes; sugar beet; less demanding horticultural crops.

FarmingUK recently reported:

“The government has been told to prioritise food security as new figures show Britain's self-sufficiency sits at just 64% - a number which has remained stagnant for years.

Today (Friday 21 August) marks the notional date in the calendar that would see the country run out of food if it relied solely on domestic produce.

The UK is only 18% self-sufficient in fruit, 55% in fresh vegetables and 71% in potatoes, according to new figures released.”

We consider it highly undesirable to release productive land such as this site to development in view of these facts and indeed contrary to the national interest.

If the correct classification had been used then we consider that developing this site would have been deemed unsuitable and clearly contravening policy EN 20 Agricultural land which states “Where development of agricultural land is required, applicants should seek to use areas of poorer quality agricultural land in preference to that of higher quality, except where this would be inconsistent with other sustainability objectives.” We do not consider it is appropriate to build on this actively farmed land, which has been ploughed and sown and looks to be providing a useful cereal crop, whereas sites such as AL/RTW 99, AL/RTW 114 and AL/RTW 166 have been graded as 3 and yet have not had a crop in living memory and are disconnected from the surrounding countryside and farmland by the road network. We consider there are other greenfield sites available that are not as productive and do not contribute to the land use objectives as much this site. We consider the assessment to release this agricultural land to be unsound as it cannot be justified especially given the error in classification.

1 Cross boundary

The sustainability appraisal concluded there are no cross boundary issues with Wealden District Council. We dispute this conclusion. In the TWBC FOI (ref: FO08223) response supplied in respect of this site it makes reference to “likely cross boundary issues” and we understand discussions with Wealden have taken place although conveniently it would appear no notes were taken.

1 Noise – road and air

We welcome the recognition of road noise as an issue to consider. The A26 already experiences high levels of road noise.

Noise from road traffic is the second most harmful environmental pollutant in Europe behind air pollution according to the World Health Organisation.

Noise and disturbance from flights arriving at and leaving from Gatwick is a known problem affecting the local area. Organisations such as Gatwick Area Conservation Campaign (GACC), Tunbridge Wells Anti-Aircraft Noise Group (TWAANG), Communities Against Gatwick Noise Emissions (CAGNE), Gatwick Obviously NOT (GON) and Plane Wrong have been working for many years to try to minimise Gatwick's impact. Flight paths were changed in 2014 (without consultation) and complaint numbers have risen significantly and consequently new groups have been established. Gatwick plans to substantially increase traffic by bringing its standby runway into daily use.

TWBC must fully consider the current problem as seen by residents and the scale of the problem if Gatwick is allowed to grow as planned taking account of any post pandemic structural changes to air travel. Notwithstanding the decline in air travel associated with the Covid pandemic we consider it sound to assume air traffic numbers will recover in the future and the problem will return.

From 24 hour Webtrak videos of planes crossing within audible distance of Ramslye (3km), it is calculated any new houses would be exposed to an average of 221 overflights a day, half of Gatwick traffic. From DOT calculations, World Health Organisation night noise limits would be exceeded for those living there. It would be dishonest to offer houses for sale in a location which is severely impacted by Gatwick, and will be even more so if Gatwick traffic increases by 40% as per the airport's plan.

[TWBC: see full representation attached for image of information taken from WEBTRAK website]

Landscape and Biodiversity Officer's assessment

Set out below is an excerpt from an email from TWBC's Landscape and Biodiversity Officer, obtained via TWBC FOI ref: FO08223. This email dated April 2019 details far more issues than the SHELAA for site 137 dated July 2019. Examples: "High Rocks to the north west is a Scheduled Ancient Monument and a SSSI (Site of Special Scientific Interest) [see Draft Local Plan Appendix 1: Biodiversity/ geodiversity sites within TW borough]]. A Public Right of Way extends east west just south of the site and Friezland Wood [see Appendix 1: Biodiversity/ geodiversity sites, Local Wildlife Sites (LWS) TW23] to the north is used for informal recreation...".

As the SHELAA was incomplete, either the site must be rejected as not suitable or it must be compared again to the SHELAA's for the sites listed above. The Policy made reference to many of the issues, but this cannot be relied upon as other sites had already been discounted based on the information documented on the SHELAA and therefore an accurate comparison had not been made.

[TWBC: see full representation for excerpt from TWBC's Landscape and Biodiversity Officer].

We note that Wealden District Council has carried out a thorough ecology survey of sites in its District. We are disappointed that TWBC has not commissioned its own survey given the obvious sensitivity of the site. Absent its own survey TWBC should put more weight than it has done on the Wealden survey to inform its evidence base.

Name of site

It is not clear why this site is named Spratsbrook Farm, as when an Ordnance Survey map is consulted, the name Spratsbrook Farm appears on the east of the A26, on the south side of Strawberry Hill Farm. There are buildings on the west of the A26, opposite the name Spratsbrook Farm, but this site borders Ramslye and can much more accurately be described as Ramslye Farm. The absence of 'Ramslye' from the site name means local people might have overlooked it when considering the draft local plan.

Conclusion

This site was concluded to be suitable because "it lies adjacent to the main urban area and is likely to be sustainable in this context. It is also adjacent to the A26 Eridge Road a key distributor road". We have provided much evidence to challenge the sustainability assessment which is too positive and TWBC's 2014 study shows the A26 is already a very busy road with only 3% less traffic than Pembury Road but the A26 could easily now have the highest traffic flow of all of the major Tunbridge Wells access roads.

Several sites large enough to accommodate significant housing were concluded to be unsuitable because they are in the High Weald AONB/Green Belt/there is a landscape impact, there is heritage impact and there is high traffic. Some of these sites have been incorrectly classified as AONB and rated too highly in terms of Green Belt value. This site has a Scheduled Ancient Monument and contributes to the setting of the Broadwater Down conservation area, yet other sites were dismissed for less significant heritage reasons. Traffic is already a major issue for the A26.

This site has been scored inconsistently and more favourably than other development sites. By failing to include sites not in the AONB, TWBC's policy in respect of RTW16 is unsound as it does not comply with the NPPF requirements to demonstrate the exceptional circumstances required to develop this site. We have set out a compelling and reasoned case to remove this site from the Pre-Submission Local Plan.

Section 6: Development Management Policies

We set out below some more detailed concerns where we consider the development of this site would be in direct conflict of the policies proposed in the Pre-Submission Local Plan.

As can be seen there are many policies (12 by our count but we accept there could be more). On that basis, given the seriousness and number of conflicts, we consider the plan to be unsound with respect to the proposal to develop on this site.

Policy EN 3 Climate Change Mitigation and Adaptation

No carbon audit for the plan has been carried out and TWBC has confirmed there is no intention to carry out any audit.

TWBC declared a climate emergency in 2019 with one of the aims being to achieve net-zero carbon emissions by the year 2030. Net-zero emissions have been stated as a priority at international, national and local government levels.

Given a lack of audit it is unclear how the council intends to mitigate and prevent large carbon expenditure. Given the importance of the subject, no plan should go ahead without solutions in place. The plan is aspirational but not deliverable (NPPF 16b), as the scale of the carbon problem has not been properly considered. It conflicts with the needs and wishes of the town in its declaration of a climate emergency (NPPF 16c, 25).

Policy EN 5 – Heritage Assets

We support this policy. We note the policy states “Proposals that affect a designated or non-designated heritage asset, or its setting, will only be permitted where the development conserves or enhances the character, appearance, amenity, and setting of the asset”. We do not consider any reasonable case has been made that explains how the development of site AL/RTW16 can comply with this policy given the existence of the Scheduled Monument on the site and the likely archaeological value of the surrounding area, as well as the adjacent conservation area, the historic farmstead and other listed properties.

Policy EN 9 - Biodiversity Net Gain

The policy states that development will only be permitted where it can be demonstrated that there will be a measurable long term net gain for biodiversity. The Biodiversity evidence base sets out a species list taken from the Kent and Medway Biological Records Centre (KMBRC) but it is woefully out of date and totally inadequate for site AL/RTW16. One notable omission on the KMBRC's list for this site is the skylark. Skylarks, which are on the International Union for Conservation of Nature's Red List of Threatened Species, nest every year on this site. They are ground-nesting birds, so developing the eastern part of the site and turning the western part of the site into an amenity area would result in the destruction of their habitat. No reliable assessment of net gain can be made by TWBC. TWBC ought to be consulting sources such as the RSPB (particularly given its nearby Broadwater Warren reserve) and its results from its Garden Birdwatch scheme and iRecord which allows local people to record wildlife sightings. Species missing from the KMBRC list include the following examples:

- Kingfisher
- Heron
- Sparrow Hawk
- Red and black lesser spotted Woodpecker
- Red and Green common Woodpecker
- Lapwing
- Buzzard
- Greenfinch
- Bullfinch
- Pheasants
- Mallard Ducks
- Moorhens
- Mandarin Ducks
- Swifts
- Swallows
- Coal tit
- Marsh tit
- Chaffinch
- Goldfinch
- Brambling

Yellow hammer

Dormice

Deer

RSPB Broadwater Warren website sightings in April and May included:

ring ousels

wood warbler

tree pipit

blackcaps

garden warblers

willow warblers

chiffchaffs

peregrine falcon

ravens

spotted flycatcher

common toad

common frog

smooth newts

comma butterfly

brimstone

orange tip

Holly blue

green hairstreak

peacock

small tortoiseshell

Beautiful Demoiselle

Azure Damselfly

Large Red Damselfly

Blue-tailed Damselfly

Emperor Dragonfly

Hairy Dragonfly

Downy Emerald

Broad Bodied Chaser

Four Spotted Chaser

Given its proximity to this site, it is likely many of these species will be present

We note also an absence of consideration of the flora on the site which includes bluebells that are protected and the common twayblade, a rare type of wild orchid.

Policy EN 10 - Protection of designated sites and Habitats

Natural environment: we consider any development of site AL/RTW16 is incompatible because of its proximity to Ashdown Forest SPA and SPAC. The site is only just outside of the 7km special protection zone at approximately 8km and therefore before any decision on its suitability can be made the requisite studies should be undertaken as per paragraph 6.166 of the Pre-Submission Local Plan. In addition, any development of this site would compromise the accessibility to important geological sites.

Policy EN 12 - Trees, Woodland, Hedges, and Development;

Policy EN 13 - Ancient Woodland and Veteran Trees

Any development of site AL/RTW16 would not be compatible with these policies because it would result in the loss of veteran trees which are outside of protected ancient woodland. On investigation, we identified at least two 'valuable' oaks i.e. >4.7m girth, and at least seven 'potentially interesting' oaks i.e. >3.2m girth. The policy says "development proposals shall not be allowed unless there are wholly exceptional reasons". No case has been made for the exceptional circumstances that necessitate their loss.

We do not consider the mitigation plan as set out in clause 6 of the place shaping policy to be sufficiently robust: "Regard shall be given to existing hedgerows and mature trees on-site, with the layout and design of the development protecting those of most amenity value, as informed by an arboricultural survey and landscape and visual impact assessment. The retention and enhancement of the trees along the Eridge Road is a priority". In order to give effect to the clause a clear system of penalties needs to be articulated that are punitive so as to ensure sufficient incentive to preserve the trees and hedgerows.

Consideration is not given to long term drainage issues and the effects of any change in soil water levels to the surrounding ancient woods and Scheduled Monument. It is likely that there will be increased water flow to these areas.

Policy EN 18 – Rural Landscape

Point 2 says "The development will be required to... not cause significant harm to the landscape setting". We consider any development of this site would cause irreparable harm to the landscape as site AL/RTW16 is visually prominent. Our assessment of the harm is supported by the sustainability assessment and therefore development of this site cannot be compatible with this policy.

Policy EN 19 – The High Weald Area of Outstanding Natural Beauty

While we note and welcome the decision to reduce the size of the development on site AL/RTW16 and exclude the portion that is in the High Weald AONB, we are still of the view that any development of this site would not be compatible with this policy because it simply cannot "conserve and enhance its landscape and scenic beauty". The site allocated for development contributes to the setting of the AONB and is visually prominent in the landscape.

Policy EN 20 – Agricultural Land

This policy requires a presumption of development in favour of poorer land. As we have set out elsewhere in these representations, site AL/RTW16 has been misclassified as Urban 4 when it is a mix of ALC 3a and 3b and therefore its development would not be compatible with this policy.

Policy EN 21 – Air Quality

Any development of site AL/RTW16, will result in significant additional traffic along an already very busy road, likely further reducing the air quality to unacceptable levels in that area.

It should be noted that the nearest air quality management station is 3 miles away. It is unclear how TWBC intends to measure and cope with any decrease in air quality before residents suffer both physical and mental health damage

Policy TP 1 - Transport Assessments/Statements, Travel Plans, and Mitigation

Transport and Parking

Any development of site AL/RTW16 cannot demonstrate "that the impacts of trips generated to and from the development are accommodated, remedied or mitigated to prevent significant residue impacts" because of the volume of traffic already using the A26 Eridge Road.

Transport Strategy Review: Context and Way Forward

See comments above:

- . Section 5: 4. Highway matters: The existing road network cannot support a development of the size and nature proposed
- . Section 6: Policy TP 1 – Transport Assessments, Travel Plans and Mitigation

“Policy Implementation: Ensure provision of new infrastructure through working with developers, submit bids for funding (e.g. Local Growth Fund) for infrastructure improvements to deliver growth, take balanced approach to parking standards in new development and parking provision in town centres, public realm improvements in town and village centres, work with businesses to reduce travel footprint grants to businesses to support active travel.”

Nobody is likely to disagree with these policy implementation statements, but they don't really offer tangible solutions.

The detail provided for each proposed development site should include specifics. Policy AL/RTW 16 simply says “Development shall accord with the following requirements: Vehicular access to be provided into the site from the A26 Eridge Road; 2. Pedestrian links from the site to be provided and improved to connect to the existing Public Rights of Way network in the vicinity of the site and to formally designate the informal footways as Public Rights of Way to increase and improve accessibility and informal recreation within and around this area; 3. The design and layout to take the form of a Low Traffic Neighbourhood, and shall ensure pedestrian and cycle permeability through the site, including the provision of cycle and pedestrian links into the adjacent Ramslye Estate and into the town centre and to the train station; 4. Improved public transport links are required to serve the development; TWBC has published thousands of pages of plans, reports and appendices, but we don't know what is proposed in terms of access roads for this site. TWBC's most recent attempt to promote active travel during the COVID-19 lockdown resulted in a failed attempt at a new cycle lane being installed along St John's Road. The installed bollards were eventually removed. The council has a history of failing to deliver active travel infrastructure.

We regret that taken together the site policy and the transport policy are neither precise enough nor prescriptive enough to ensure appropriate transport infrastructure will be put in place and funded by developers.

The footpath adjacent to the A26 Eridge Road is a very unpleasant place to walk, until the location of the speed camera is reached. HGVs thunder past, so it is not a footpath for the faint hearted. The 'best' time to walk is when traffic is queuing to get into TW (although of course you then have to contend with poor air quality/increased emissions created by stop-start traffic). There have almost certainly been more accidents on Eridge Road than reported and it is acknowledged that the road has poor safety record. It is semi-regular occurrence for large HGVs to get stuck under the Spa Valley railway bridge causing congestion on the Eridge Road.

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan 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.

Remove site 137/ AL/RTW 16 'Land to the west of Eridge Road at Spratsbrook Farm' from the plan.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

. No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Supporting Information File Ref No: SI_54a-b

Comment

Consultee	Ms Noreen O'Meara [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Residents Against Ramslye Development
Address	[REDACTED] Tunbridge Wells [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Residents Against Ramslye Development [REDACTED] [REDACTED]
Comment ID	PSLP_938
Response Date	02/06/21 08:48
Consultation Point	Policy STR 1 The Development Strategy (View)
Status	Processed
Submission Type	Email
Version	0.5
Files	Residents Against Ramslye Development whole submission redacted.pdf
Data inputter to enter their initials here	KJ
Question 1	
Respondent's Name and/or Organisation	Noreen O'Meara on behalf of Residents Against Ramslye Development
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR 1 The Development Strategy

Submitted sites not included in the Pre-Submission Local Plan

[TWBC: see also further comments on individual sections and policies - PSLP_914, 925, 926, 928, 929, 930, 931, 932, 933, 938. The whole representation form (personal details redacted has also been attached as it contains plans and images]

Question 4

Do you consider that the Local Plan:

Is legally compliant Don't know

Is sound No

Complies with the Duty to Cooperate Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not positively prepared
- . It is not effective
- . It is not justified
- . It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

This response is made on behalf of the 669 signatories on the petition submitted in response to Regulation 18 which was delivered to TWBC Planning Services in 2019 and the Facebook group 'Residents Against Ramslye Development' whose membership is currently 247 (names can be provided if required). We have noted guidance 4.3 and have encouraged the people opposed to the development of site 137/ Policy AL/RTW 16 'Land to the west of Eridge Road at Spratsbrook Farm' not to make separate responses repeating the same points as those made here; some however will no doubt have submitted individual responses.

Appendix: Submitted sites not included in the Pre-Submission Local Plan

Rusthall

146 Tunbridge Wells Golf Club, Langton Road, Tunbridge Wells TN4 8XH

We wish to challenge the 'unsuitable' decision for this site because the sustainability scores are inconsistent. We consider this site is suitable for housing development.

In addition, we consider the Green Belt assessment of this site is incorrect. The score of "Strong" contribution to "preserving the special character of historic towns" is too high given the land is not visually prominent and is only adjacent to the common. The score should therefore be adjusted to "relatively strong".

RTW

73 Land at Pembury Road (south), Tunbridge Wells

We wish to challenge the 'unsuitable' decision for this site because the sustainability scores are inconsistent.

99 Land at Pembury Road, Tunbridge Wells TN2

We wish to challenge the 'unsuitable' decision for this site because the sustainability scores are inconsistent. We consider this site is suitable for housing development.

We note the site is assessed as being in the setting of the AONB whereas in Regulation 18 it was incorrectly assessed as being in the AONB – we would further challenge the setting point. We consider this land to be separate and distinct from the AONB as the A264 creates a barrier and it is not visually in the setting of the AONB.

114 Land at Sandown Park, west of A21, Royal Tunbridge Wells TN2 4RT

We wish to challenge the 'unsuitable' decision for this site because the sustainability scores are inconsistent. We consider this site is suitable for housing development.

We note the site is assessed as being in the setting of the AONB whereas in Regulation 18 it was incorrectly assessed as being in the AONB – we would further challenge the setting point. We consider this land to be separate and distinct from the AONB as Blackhurst Lane creates a barrier and it is not visually in the setting of the AONB. The land is further split and separated by Sandown Park so that parcel is not even adjacent to the AONB.

116 Land south of Pembury Road, Tunbridge Wells

We wish to challenge the 'unsuitable' decision for this site because the sustainability scores are inconsistent.

280 Land at The Midway, Nevill Court, Tunbridge Wells, Kent

We wish to challenge why this site was omitted from the sustainability appraisal – the purpose of the appraisal process is to fully consider the positives and negatives, in a structured and documented way. This site appears to have been rejected because it is "within the AONB and landscape impacts were considered too severe to warrant consideration". Other sites within the AONB with equally adverse landscape impacts have been taken forward and without a full suite of sustainability assessments it is not possible to make properly evidenced based policy. As such this omission renders the sustainability appraisal unsound as a whole.

Our response to Regulation 18 identified this site had been inaccurately assessed, for example, it is listed as being in the High Weald AONB when it is not. The site assessment sheet no longer lists the AONB as an issue to consider but the site is considered unsuitable as there is concern over the impact on the Green Belt. This site needs reassessment (sustainability objective scores and site assessment/SHELAA) and the assessment documented and published.

384 Land at Great Bayhall, Tunbridge Wells, Kent

We wish to challenge the 'unsuitable' decision for this site because the sustainability scores are inconsistent.

411 Land at Sandown Park between Pembury Grange and A21, Royal Tunbridge Wells, Kent

We wish to challenge the 'unsuitable' decision for this site because the sustainability scores are inconsistent. We consider this site is suitable for housing development.

434 Tutty's Farm, Hawkenbury, Royal Tunbridge Wells, Kent

We wish to challenge the 'unsuitable' decision for this site because the sustainability scores are inconsistent. We consider this site is suitable for housing development.

Our response to Regulation 18 identified this site has also been inaccurately assessed, for example, it is listed as having an AONB component part when this is not the case. As such the sustainability assessment is unsound.

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan 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.

Remove site 137/ AL/RTW 16 'Land to the west of Eridge Road at Spratsbrook Farm' from the plan.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Supporting Information File Ref No: SI_54a-b

Comment

Consultee	Ms Noreen O'Meara [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Residents Against Ramslye Development
Address	[REDACTED] Tunbridge Wells [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Residents Against Ramslye Development [REDACTED] [REDACTED]
Comment ID	PSLP_945
Response Date	02/06/21 08:48
Consultation Point	Policy AL/RTW 16 Land to the west of Eridge Road at Spratsbrook Farm (View)
Status	Processed
Submission Type	Email
Version	0.6
Files	Residents Against Ramslye Development whole submission redacted.pdf PSLP 945 RARD spreadsheet SI.pdf
Data inputter to enter their initials here	KJ
Question 1	
Respondent's Name and/or Organisation	Noreen O'Meara on behalf of Residents Against Ramslye Development
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy AL/RTW 16 Land to the west of Eridge Road at Spratsbrook Farm

[TWBC: see also further comments on individual sections and policies - PSLP_914, 925, 926, 928, 929, 930, 931, 932, 933, 938. The whole representation form (personal details redacted has also been attached as it contains plans and images]

Question 4

Do you consider that the Local Plan:

Is legally compliant Don't know

Is sound No

Complies with the Duty to Cooperate Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not positively prepared
- . It is not effective
- . It is not justified
- . It is not consistent with national policy

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan 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.

Remove site 137/ AL/RTW 16 'Land to the west of Eridge Road at Spratsbrook Farm' from the plan.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

- . No, I do not wish to participate in examination hearing session(s)

Question 8

If you have any separate comments you wish to make on the accompanying Sustainability Appraisal, please make them here.

These comments are made primarily in respect of site 137 / AL/RTW 16 but they relate additionally to sites:

24 Land at Tunbridge Wells Garden Centre;
73 Land at Pembury Road South;

99 Land at Pembury Road;
114 Land at Sandown Park west of A21;
116 Land South of Pembury Road;
145 Turners Pie Factory;
146 Tunbridge Wells golf club Langton Road;
176 Former Plant and Tool Hire;
198 Land at Tunbridge Wells Telephone Engineering Centre;
267 Land at Showfields Road and Rowan Tree Road;
280 Land at The Midway Nevill Court;
384 Land at Great Bayhall;
411 Land at Sandown Park between Pembury Grange & A21; &
434 Tutty's Farm Hawkenbury.

(underlined sites are in Broadwater ward)

(also see Appendix: Submitted sites not included in the Pre-Submission Local Plan)

We wish to challenge the 'unsuitable' decisions for the sites listed above, either because the sustainability scores are inconsistent (sites 73, 99, 114, 116, 146, 411 and 434) or because no sustainability appraisal was even completed (sites 280 and 384).

We wish to challenge the content and conclusions contained within the Sustainability Appraisal, which as a consequence we consider will change the 'suitable' conclusion contained in the SHELAA in respect of site 137 / AL/RTW 16 to 'unsuitable'.

We consider many of the scores in the sustainability appraisal understate the negative impact of the development of this site. In addition, we do not consider the appraisal has been consistently carried out when compared to sites in similar positions with a similar level of sensitivity. On reading the detail, some other sites appear to have been appraised as unsuitable because a developer is no longer interested in the site (e.g. 459), whereas this site is considered suitable because a developer is still interested. This is not an appropriate way to develop a plan of this magnitude and developer interest should not be a contributory factor to making the case for exceptional circumstances required to release Green Belt or to develop adjacent to AONB designated land.

We attach a spreadsheet (below) which we submitted in response to Regulation 18 which compared the sustainability objective scores and issues to consider across a selection of sites which TWBC had deemed unsuitable. The spreadsheet showed there were number of unexplainable inconsistencies.

As part of our response to Regulation 19, we have reviewed the new site assessment sheets for the sites listed above and note some changes have been made e.g. the incorrect AONB classification has been 'reduced' to AONB setting but the corresponding Landscape score has however not been adjusted down. These site assessment sheets cannot be relied upon and used to determine the suitability of these sites either individually or when compared to this site.

We have not updated the spreadsheet but its message still stands (and the number of changes was minimal anyway). In terms of inconsistencies, we would draw your attention to the scores for:

Air: It is not clear how this score has been arrived at for this site. "Air quality is scored as negative overall because of the large size of the development and likelihood that new vehicles will utilise the A26 as a through route". "There is also a need to meet nitrogen dioxide reduction targets along the A26 in Royal Tunbridge Wells, which is identified as an Air Quality Management Area." We can see no reason why the score should not be --/--- because of the substantial use of private vehicles in the location and its proximity to the A26.

Biodiversity: It is not clear why this site is not scored at – rather 0/-. The site has protected species such as bats, dormice, adders and great crested newts. We note the draft local plan made reference to this site being a Biodiversity Opportunity Area and this reference appears to have been removed. It is not clear why that would be the case other than to justify the lower harm score. As well as providing habitat itself (through the presence of trees and hedgerows, the site provides wildlife corridors between Hargate Forest, Friezland Wood & Broadwater Warren. In addition, the site is only just outside the Ashdown forest 7km protection zone and we would expect a proper impact assessment to be carried out given the negative air quality score.

Education/Employment/Equality: It is not clear why these criteria have been more positively assessed than for sites 24, 73, 99, 116 and 176 for example. These sites are examples of a mix of sites that are either very close to this site (24 and 176) or have similar characteristics of being greenfield adjacent to the LBD (73, 99 and 116). This list of sites is not intended to be exhaustive, but illustrative of the inconsistent scoring. If anything we consider the site should be scored net negative for employment given the loss of very local employers at the Turners Pie Factory and Telephone Engineering sites (which we nonetheless support as Brownfield development sites).

Heritage: this score is too low. It does not adequately take account of the Scheduled Monument (Historic England) that is in part in the site and the role played in its setting, nor does it adequately reflect the role in the setting of the Broadwater Down conservation area as set out in the Conservation Area Assessment, along with other heritage constraints (listed buildings and historic farmstead).

Land use: as set out in our Regulation 18 response this site has been misclassified as Urban grade 4 when it is ALC Grade 3a and 3b and therefore its land use score should reflect this we consider it should be scored as --/- - - . We note site 114 (not allocated) for example is assessed as --/--- and that site is at best unused pasture land. Site 146 (not allocated) has already been developed as a golf course so it should score 0 or maybe - as loss of green space.

Landscape: For the reasons set out above we consider the landscape value of the site (including that part outside of the AONB) to be undervalued. It should therefore be scored consistently with other sites (30, 99 & 116) at - - - .

Services and facilities: It is not clear why this has been scored positively. We consider there will be an obvious increase in pressure on existing services and facilities that are already stretched, especially when considered with the other five sites identified for development in the Broadwater ward which will result in an additional c.500 dwellings.

Travel: It is not clear why this has been scored so positively in comparison to other sites, for example 24 and 176 (which are very close to this site) and 73, 99 and 116 (which are greenfield adjacent to the LBD). The site is on the borough/county boundary. Increased traffic is acknowledged, as is the borough's low bus usage, and the existing cycle lanes on other sites are listed as issues not positive factors in relation to active travel. Site 146 is on the A264 which gets 62% less traffic (9,034 vehicles per day based on 2016 data) than the A26 (23,496 vehicles per day based on 2016 data). Development here would give a fairer distribution of traffic and less congestion; this should score ++. Site 146 also has good existing access as it's to a golf course. There is some overlap here with services and facilities. [TWBC: see attached supporting information].

In our previous Regulation 18 representation we made reference to factual errors, some of which appear to still be present in the reissued SHELAA for site 137 / AL/RTW 16. Firstly, the size of the site is not 55.79 ha; c.15 ha is available in the borough (with the remaining area in Wealden (with no defined boundary on the site) which has deemed it unsuitable for development). Given the conclusion of the sustainability assessment and SHELAA, the land available to the borough for development is the eastern end only which is c.6.2 ha. The 'issues to consider' section still incorrectly grades the land as ALC Grade 4, Urban, when in fact the land is agricultural grade 3a and 3b – an assart field which is actively farmed.

We consider the proposal to remove this site from the Green Belt and to develop the land is misguided, and any objective and consistent assessment of the site with the corrections we have highlighted, coupled with the appropriate sustainability scores as set out above will result in the SHELAA assessment concluding the site is unsuitable.

Furthermore, the spreadsheet we have included shows a small selection of sites with reasonable scale which have been excluded. While all of these sites appear to have been excluded at least in part because they are in the Greenbelt and in the setting of the AONB they appear to be no more sensitive to development than this site and in some cases, as we have demonstrated, have fewer constraints. That being the case we consider that TWBC has failed in its duty to carry out an objective and thorough assessment and failed to demonstrate that all other sites have been exhausted before including this site in the Pre-Submission Local Plan (Regulation 18) and as such has not met the requirements of the NPPF.

This site does not meet the sustainability requirements and is therefore unsuitable for development.

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Supporting Information File Ref No: SI_137

Comment

Consultee	Mr Alan Chilvers ([REDACTED])
Email Address	[REDACTED]
Company / Organisation	Residents of Golden Green Association & KeepKent.Green
Address	[REDACTED] [REDACTED] Tonbridge, Kent TN11 [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Residents of Golden Green Association & KeepKent.Green (Mr Alan Chilvers - [REDACTED])
Comment ID	PSLP_2026
Response Date	04/06/21 11:48
Consultation Point	Pre-Submission Local Plan (View)
Status	Processed
Submission Type	Email
Version	0.8
Files	PSLP_2026-2031, 2033, 2037-2040 KeepKent.Green & Residents of Golden Green Association Representation
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Golden Green Residents Association & KeepKent.Green
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy Number(s) STR/SS 1, STR/SS 3, STR 9, EN 20, STR 6, EN 25, STR 5, STR 7, EN 9, and EN 16

[TWBC: for specific comments related to these Policies, please see Comment Numbers PSLP_2027-2031, PSLP_2033 and PSLP_2037-2040]

Question 4

Do you consider that the Local Plan:

Is legally compliant	No
Is sound	No
Complies with the Duty to Cooperate	No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:	. It is not positively prepared
	. It is not effective
	. It is not justified
	. It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

[TWBC: the following extracts are from the representation submitted by KeepKent.Green and the Golden Green Residents Association - for the full representation, please see supporting documents]

KKG Objects to Policies STR/SS1 and STR/ SS3 as well as providing additional commentary on other policies, that lead to conclude the Local Draft Plan is not legally compliant, is not positively prepared, is not justified or effective or consistent with NPPF.

Executive Summary

The current proposed PSLP is too narrow, and lacks basic detail, confining over 50% of its total housing allocation to the boroughs boundaries, which will have significant consequences with neighbouring LPA's of Tonbridge & Malling, Sevenoaks, Weald and Maidstone Borough Councils.

Although TWBC have allocated considerable time and resources in producing 1,000's of pages of policy and evidence documents, in order to provide a compliant Draft local Plan submission, the PSLP as highlighted within Reg 18 continues to lack detail, clarity and common sense.

Many issues raised within Reg18 consultations, still remain unanswered concerning the identification, prioritisation and phasing of infrastructure schemes and hence the deliverability of the strategy. In respect of prioritisation, more infrastructure may be critical and essential than desirable, particular concern is how critical many of the infrastructure projects are, the magnitude of cost, the uncertainty concerning their phasing and funding position overall.

For example the PSLP lists the New Colts Hill bypass as being critical (p94) as needing to be in place before sites come forward for development, yet Policy STR/SS 1 refers to the bypass in terms of it being a potential scheme. There is a long held aspiration (since the 1980's) by Kent County Council to deliver the Colts Hill Bypass. It is understood that the latest cost estimate for the scheme will exceed £50 million and recent applications for funding have been unsuccessful.

Some of the larger infrastructure projects within the plan are dependant on joint funding contributions both from Paddock Wood, East Capel and Tudeley, therefore if one of the sites is not allocated, funding

could become an issue, especially as the viability study analysis forecasts only 3 of the 8 illustrations provided as financially viable.

On the 9th June 2016, Planning Inspector made reference to Paddock Wood's local Infrastructure where he raised issues regarding drainage and flooding and recommended that development on individual allocated sites provide for appropriate management and drainage measures, highlighting the key constraints as above but recognising the area has critical drainage.

These developments in Paddock Wood have now been constructed and issues continue to be flooding, drainage and sewage with a number of occasions where the sewage has entered residents homes and Gardens, not just within these developments but a much larger area within Paddock wood and Five Oak Green.

There should be more of an emphasis and focus of regenerating Tunbridge Wells Town itself, as the last decade has seen very little regeneration with declining and empty retail units, many brownfield sites have remained vacant for years, for example the demolished/ derelict Former Tunbridge Wells Cinema, a gross developable site of 0.97 ha, Vale Avenue 1.88 ha (site has been assessed for development potential, notably for mixed use including residential, office and hotel/ conference use, these 2 sites are situated in prime locations within the town and should be at the centre of regenerating the town itself, providing affordable housing, that will encourage people to live, work, shop and socialise within the town and not be reliant on motor vehicle transport unlike the Garden Village Strategy that the PSLP promotes.

The Coronavirus pandemic has seen a significant amount of retailers close permanently the most significant John Lewis Partnership Tunbridge Wells with over 42,000 sqft of retail space, The Royal Victoria Place covered shopping centre has seen a number of closures over the last 3 years from retailers such as GAP, Topshop, Dorothy Perkins, Monsoon, Basil, Anne Summers, H & M, BHS, Lasenza as well as many small retailers, many units remain empty.

As highlighted within the PSLP STR1 The Development Strategy the total housing allocation for Royal Tunbridge Wells is 1,222-1320 new homes versus **4,000** in Paddock Wood/ East Capel and **2,800** at Tudeley Village, followed by Cranbrook/ Sissinghurst 718-803, Hawkhurst, 643-693, Horsmonden 225-305, Pembury 294-304 with all 9 remaining Parishes with allocations from 15-150.

The vision of the PSLP should be to regenerate and enhance the Town itself using all the brownfield and vacant sites currently available, designing and developing Tunbridge Wells as major cultural, vibrant town with first class educational, art and leisure facilities, as well as providing competitive 21st century facilities that will entice major companies/ businesses to relocate to the town.

The Tudeley Village Settlement and East Capel will not attract young people or major companies / businesses to the area as the main access will be reliant on motor vehicles and will rely on the footfall of the development, out of town employment facilities will have to be heavily discounted to attract any interest.

This PSLP promotes the continued migration of people from London and its suburbs to the area, who have taken advantage of increasing property values; this has been even further exacerbated during COVID 19. - 33,575 people left London to move to Kent in 2019, property websites have reported a substantial increase in people looking for homes outside London since lockdown started. That was the highest number of people arriving in Kent from London in the 9 years of available data. Tunbridge Wells saw net gains in people moving to the area in 2019.

As of March (the last figures available) the average home costs £296,830 in Kent compared to the average cost of £486,000 it costs to buy a home in London. Tunbridge Wells borough continues to have higher average house prices than the rest of Kent and the South East region (as based on Land Registry House Prices 2019). Since 2006, the average price of a house in Tunbridge Wells has increased by £195,753 (an increase of 73%). Comparatively, other areas across Kent and the South East of England have seen increases of 62% (£127,004) and 64% (£145,447) respectively.

The PSLP promotes migration to Tunbridge Wells Borough rather than satisfy the existing communities requirements, providing affordable housing to the community who have resided within the Borough all their lives. Residents are being forced to move out of the Borough due to increased housing prices within the area ,which have become unaffordable to many within the community.

The Sustainability Appraisals for Tudeley are not accurate and unreasonable and are based on TWBC's own criteria and objective assessment and inconsistent with other strategic sites appraisals.

With the possibility of development / extraction of up to 3.5m tonnes of sand and gravel from 2 further quarries(Stonecastle Farm and Moat Farm) neighbouring Tudeley Garden Village as defined in the Kent County Minerals and Waste Plan, diesel powered plant equipment and 100's of HGV's will be accessing the local road networks with many minor roads not fit for purpose to accommodate such machinery, this will increase the carbon footprint and further deteriorate surrounding air quality. It is unclear within the PSLP how and if TWBC has effectively engaged with KCC regarding the KCC Minerals Plan, safeguarding mineral assets policy

Although the plans vision is to reduce the reliance of motor vehicles and encourage the community to cycle and walk to Tonbridge and Paddock Wood, Tudeley to Tonbridge is 4 miles, East Capel to Paddock 4.5miles, approximately 6mins journey time in a car with no traffic, within peak journey times 20-25 minutes. Walking from the sites to Tonbridge or Paddock will take approximately 1 hour and 15-20 minutes by bicycle, with no major supermarkets planned within these developments both sites will still heavily rely on motor vehicles as the prime mode of transport.

Commentators highlighted evidence within Reg18 that Tudeley Garden Village is undeliverable, due to the many infrastructure, transport, landscape, flooding and heritage constraints. The unusual arrangement between the landowner and the council and lack of detail, no comprehensive master plan or a robust viability plan, considering the evidence submitted within Reg18 and the fact that this is the largest development with the history of the Parish of Capel, it is surprising the Council have not taken the opportunity to provide further evidence base to address the many concerns that have been raised.

With all neighbouring LPA's considering Garden Village Settlements within their own Local Plans it is clear that there has been very little engagement between the LPA's has taken place at executive/ decision making level, to consider a holistic approach, agreeing long term infrastructure and transport issues that will affect each authority.

The proposed settlement in Tudeley will have a significant impact on Tonbridge town and this will need to be assessed in much greater detail. In addition, impacts resulting from the Tudeley Village and Paddock Wood allocations on the road network in Tonbridge and Malling Borough and Maidstone, Weald and Sevenoaks Boroughs should also be assessed further.

The County Council as the Local Highway Authority has fundamental concerns that the impact of the additional vehicular traffic brought about by the preferred growth strategy has not yet been effectively addressed in the Draft Local Plan by clearly defined mitigation measures.

The proposed Garden Village at Tudeley will not be 1 settlement but 2 as it is divided by a mainline railway, the initial first phase of this development will be constructed without any major infrastructure improvements along a sensitive Southern boundary of Weald ANOB, which will create significant harm to the surrounding landscape and topography as well as creating significant heritage concern to the setting of All Saints Church at Tudeley.

Constructing larger crossings at frequent points across the railway may be possible but it won't tie the two halves of the settlement together enough to make it one settlement, so it will not satisfy garden settlement principles.

The TWBC's Local Plan seeks low levels of car use , yet Tudeley Village is an isolated location, which relies on the private car.

The Tudeley Village Proposals do not demonstrate how the scheme has been informed by landscape character and context . An early understanding of character and context is a basic requirement of good design as set out in the Kent Design Guide (Kent County Council 2000) and the more recent MHCLG 2019 policies and guidance relating to ANOB/ Green Belt and its setting.

The design principles that have been presented do not follow established best practice 'placemaking principles. Features such as straight roads, extensive use of rear parking courtyards;and limited opportunities to integrate green infrastructure, do not reflect best practice principles, such as those set out in the National and County Design Guide, 'Manual for Streets and Parking' what works where'. Overall the vignette appears to lack cohesion and clear strategy for public realm streets and open space.

The proposed garden settlement at Tudeley Village is a highly controversial and unrealistic proposal. It should not form part of the vision of the Plan because if it is not achieved, or is withdrawn, then the

whole vision will have failed. The garden settlement should not be given an undeserved status by implementation of one, questionable development proposal.

Duty to Cooperate

So far as detailed within the PSLP (par 1.43) "The above discussions will continue as the plan progresses and the council intends to agree Statements of Common Ground where relevant. Completed statements will be available to view as part of the following draft Duty to Cooperate Statement". TWBC has not agreed Statements of Common Ground notices with all neighbouring LPA's as this documentation has not been submitted within the draft plan.

Has TWBC breached the Localism Act 2011?

It has not engaged constructively, actively and on an ongoing basis, failed to consult the public relating to strategic matters, or those that have significant impacts affecting two or more local authority areas.

Ignored over 95% of public responses from the initial Consultation and Objections consultation, regarding Tudeley Village as well as commentary from National House Builders and other consultees questioning the sustainability and viability.

Over 8,000 responses to The local Plan Regulation 18 Consultation with 100's opposing the strategy for Capel (The largest response TWBC have received from any public consultation).

The Plan should be "Locally Led". The Garden Community prospectus states "Strong local leadership is crucial to developing and delivering a long term vision for these new communities. All proposals should have the backing of local authorities in which they are situated, including the County Council in two tier areas.

We are particularly concerned with the lack of detail which demonstrates collaboration across local authority boundaries. To ensure that the potential local growth benefits have been considered.

Proposals should set out how the local community is being, or will be, engaged and involved at an early stage, and strategies for continued community engagement and Investment. This has not happened, the community has not been consulted in a fair and reasonable way.

Engagement in planning, especially of larger, more complex sites, is critical. The greater the engagement with the local community, as well as the Council and other key stakeholders, the more weight can be given to any master planning approach.

Parts of the plan are Not Locally Led, Capel Parish Council have rigorously objected to the Plan.

Tonbridge and Malling Borough Council have also voiced their concerns, holding 2 EGM's totally dedicated to TWBC Draft Plan, many councilors have raised their concerns regarding general lack of detail, highlighting infrastructure proposals, how the additional costs for increased public services will be met, removal of Prime Agricultural Green Belt land, additional flooding risk and lack of mitigation, the intense Garden Village Development upon the sensitive Southern Boundary will harm the setting and heritage of Capel and Tudeley, the cumulative effect to the High Weald ANOB and surrounding villages.

Why 3 alternative sites in Paddock Wood that are located outside Green Belt land have been rejected.

The impact of air quality within Tonbridge and Malling. The cumulative impact within the existing transportation connectivity and how that will affect Tonbridge Town Centre and other surrounding villages within Tonbridge and Malling Borough.

Hadlow Estates Public Charette Consultation -By Invitation only conducted in Tunbridge Wells, not in Capel Parish - Only 145 attended- Clearly restricting local community to attend and have their say, discriminating against older members of the community without Internet access and lacking the necessary IT skills to have their input, as well as people without access to a motor vehicle, reliant on public transport.

Initial community input into the Hadlow Estates Charette again was only by selected members of the community / stakeholders and selected councilors.

No further public consultations offered by Hadlow Estates within the Parish of Capel, claiming Covid restrictions prevented further physical presentations to the community, referring people to its website for further information.

TWBC refused to consider delaying the Reg 19 consultation period to allow for Covid 19 restrictions for further wider public consultation within Capel Parish.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . Yes, I wish to participate in hearing session(s)

Question 7a

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

KeepKent.green would like to attend and participate in any Inspectors Hearing regarding the TWBC Local Plan.

Question 8

If you have any separate comments you wish to make on the accompanying Sustainability Appraisal, please make them here.

Sustainability Appraisal

The SA highlights within Reg18 SA that 13 alternative sites for garden settlement and urban extension were originally considered, all but 2 sites (Paddock Wood and Tudeley) were ruled out and were not subject to further appraisal, on the grounds primarily of landscape and Impact on the ANOB, however the SA report does not consider the fact that Tudeley Garden Village borders ANOB, and development is only segregated by the road (B2017) and discounts the topography elevations will be severely disrupted by any development as the Medway Valley views will be removed from the elevated ANOB areas, it appears a greater consideration and scoring, regarding unacceptable landscape impacts are applied to other sites.

The growth strategy has been adopted as it has become by default the easiest option for TWBC to consider, until 2017/2018 the Tudeley site had not come forward within the plan and the favoured option was a large development on the A21 situated at Kippings Cross, this option made the most logical sense as it is situated within a convenient corridor, where £100 million infrastructure investment had just been completed with the A21 dualling project.

- Kippings Cross parts of the sites within ANOB and landscape impacts were considered too severe to warrant consideration as a reasonable alternative, although this site was championed by TWBC as their preferred site until 2017 when the landowner submitted Tudeley and East Capel sites. It is well known that TWBC expected Kippings Cross to be brought forward but last minute negotiations between the promoters collapsed.

- Langton Green- Landscape Impacts and ANOB- Biodiversity and Nature Conservation designations are scattered across the borough, but are not common in ANOB, this greater development in ANOB could create increased pressure on wildlife.

It is understood that these parcels of land were considered, but due to land ownership issues TWBC decided the risk of implementation was too high.

Upon receiving news that Kippings Cross sites were not going to be included within the PSLP, promoters quickly submitted alternative sites to TWBC one of which was Tudeley and East Capel, which land is under single ownership as well as located on the borders of the borough and suitably sufficient size to achieve a large percentage of the borough's housing targets, the only downside was the site is located within Metropolitan Green Belt, productive agricultural land, bordering ANOB, located in the

small farming Parish of Capel.

It became very apparent that Capel was the answer to achieve TWBC village settlement ambitions and the Council went to extraordinary lengths to fast track the site, issuing Non Disclosure Agreements to Capel Parish Councillors, weeks before announcing the inclusion of the site, as well as entering into a most unusual promotion agreement with the landowner, allowing the landowner to be responsible for the development of the village, deliver/ contribute the very complex infrastructure required even though the landowner is a farmer with no development experience.

A unique strategy compared to other sites within the PSLP, such as Paddock Wood where TWBC retained David Locke Associates to conduct a detailed Master Plan of all the sites, regarding Tudeley Hadlow Estates has provided a Delivery Strategy which is claimed to be 'a detailed complex vision for a sustainable settlement' this document provides a wish list of objectives, and fails to address implementation and how Tudeley will connect with East Capel and Paddock Wood and Tonbridge, especially initially within Phase 1 with no major infrastructure improvements.

This is the largest development in history within the Parish of Capel, to rely on third party delivery with no experience, appears to be irresponsible and highlights how non delivery will jeopardise the entire PSLP.

Within the SA site filtering process/stage a number of sites were dismissed as 'non-starters' at the very least it would have been a prudent strategy to at least have bought these sites forward and subjected them to further sustainability appraisal scrutiny. For example Frittenden was ruled out on sustainability grounds without actually being subjected to sustainability appraisal, and why Horsmonden was considered a 'non-starter'.

Both the above sites were not ruled out on ANOB/Green Belt grounds but on inadequate transport links, Paddock Wood railway station is approximately 4.5 miles from Horsmonden compared to Tudeley to Tonbridge railway station at 4 miles. Both Tudeley and Horsmonden have limited bus services that operate primarily to transport school children to Paddock Wood, Tonbridge, Tunbridge Wells and Maidstone.

In March 2021 TWBC approved £225million Business Park on the outskirts of Tunbridge Wells providing 800,000 sqft of warehouse and office accommodation. The 30 acre site known as Kingstanding Tunbridge Wells, situated within ANOB and Green Belt. However the neighbouring site Castle Hill which was bought forward in 2020 with proposals to provide 1,500 new residential homes was dismissed from inclusion within PSLP reasons cited were ANOB and Green Belt.

These are clear examples of how the scorings/ratings within the SA should at least be further scrutinised, examining in further detail the greater environmental effect of the plan, as on the face of the evidence within the SA, TWBC have very much exploited the data to provide the desired output.

The original Issues & Options SA identified 6 growth strategies, none of which mentioned Tudeley/Capel as a site for a potential garden village. Growth Strategy 5 was described as a "New freestanding garden settlement. There is no location identified within this option. A new settlement could be located anywhere within the borough."

The SA does not demonstrate there has been adequate assessments of alternatives. It is inconsistent with the assessments of other strategic sites, SHELAA appraisals are inconsistent with other sites.

The TWBC SA assessment is based on 19 sustainability objectives/questions, overall there are 62 sub-questions based on a mix of subjective and objective criteria. Tudeley Village appraisal is based on the 19 Sustainability Objectives, there does not appear to be a link or evidence of 62 sub-questions which leads to question why has this not been applied to Tudeley and would the overall assessment produce a very different picture?

One of the key issues overall is that much of the infrastructure implementation and funding is dependant on the basis that section 106 contributions and public/ private funding are totally dependent on all the strategic sites being delivered as it appears within the viability analysis that shared contributions are required from Paddock Wood, East Capel and Tudeley in order to proceed with the major infrastructure projects.

The addition of the new secondary school provision will not be initiated until almost the maturity of the plan, in the interim where will the 100's of children be schooled?

If you would like to attach a file in support of your comments, please upload it here.

[PSLP 2026-2031, 2033, 2037-2040 Keep Kent Green & Residents of Golden Green Association Representation](#)

Supporting Information File Ref No: SI_137

Comment

Consultee	Mr Alan Chilvers [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Residents of Golden Green Association & KeepKent.Green
Address	[REDACTED] [REDACTED] Tonbridge, Kent TN11 [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Residents of Golden Green Association & KeepKent.Green (Mr Alan Chilvers - [REDACTED])
Comment ID	PSLP_2027
Response Date	04/06/21 11:48
Consultation Point	Policy STR/SS 1 The Strategy for Paddock Wood, including land at east Capel (View)
Status	Processed
Submission Type	Email
Version	0.6
Files	PSLP_2026-2031, 2033, 2037-2040 KeepKent.Green & Residents of Golden Green Association Representation
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Golden Green Residents Association & KeepKent.Green
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	

Question 4

Do you consider that the Local Plan:

Is legally compliant	No
Is sound	No
Complies with the Duty to Cooperate	No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:	. It is not positively prepared
	. It is not effective
	. It is not justified
	. It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

[TWBC: the following extracts are from the representation submitted by KeepKent.Green and the Golden Green Residents Association - for the full representation, please see supporting documents]

KKG Objects to Policies STR/SS1 and STR/ SS3 as well as providing additional commentary on other policies, that lead to conclude the Local Draft Plan is not legally compliant, is not positively prepared, is not justified or effective or consistent with NPPF.

Key constraints in developing the Paddock Wood & Capel East Sites (STR SS1)

- . **This important buffer between Paddock Wood and Tonbridge** should be retained as a Green Belt. Further development within this plan and future plans will produce vast Urban Sprawl,
- . **The local infrastructure accessing** Tonbridge and Paddock Wood is inadequate for the huge traffic increase which so many houses would introduce.
- . **Large parts of the developments** will occur on the Medway floodplain with flood risk assessments based on old data that does not fully consider the impact of climate change.
- . **Building the proposed developments** on a known floodplain that is one of the largest flood storage areas in the UK .
- . **Flooding** - TWBC wants to build on category 2 and 3a flood risk areas. Huge amounts of developers' money will inevitably be spent on flood mitigation, diverting funds from other essential infrastructure.
- . **Flood mitigation** measures may help, but we believe that flood risks will increase. Covering farmed fields with houses and roads will make the Medway flood more often and cause increased flood risk
- . **Replacement of natural** historic functional floodplain with man-made storage facilities

- . **Further flood** risk to existing communities
- . **Sites have a long history of flooding.**
Lack of critical detail with regard to flooding.
- . **Major reliance** on the upstream Leigh barrier which is in the process of installing additional storage capacity, this will put further pressure on the floodplain as when the barrier is at capacity the excess water is released onto the floodplain.
- . **2013** saw unexpected excess rainfall that led to the Leigh Storage facility almost overtopping leading to 1,000's of homes being flooded, the partial removal of the natural floodplain could potentially cause a flooding emergency evacuation as seen in other parts of the country in recent years.
- . **Local sewerage infrastructure already inadequate**
- . **This land is Green Belt** land and should only be built upon if an "exceptional circumstance" exists. TWBC's own assessments in their Sustainability Appraisal show that Paddock Wood can expand and meet most of the plan's aims without using the Green Belt land at East Capel.
- . **Paddock Wood** will be 65% of total development proposed within the entire borough of TW.
- . **No cumulative impact assessment or environmental impact assessment** evaluating the overall effects of the combined developments and mineral extraction will have on the parish of Capel.
- . **Kent County Council Minerals allocation**, safeguarded land, rail bulkhead at Beltring (Clubbs) Cumulative Effect, Transport increase with HGV's accessing these sites. Sensitive receptors.
- . **"Consider the potential for mineral deposits** on the land edged blue and yellow on Map 27, and any viable workable minerals should be extracted prior to any development commencing on the site."

Although these mineral sites have been safeguarded by KCC they still require planning permission, it should be noted that KCC granted planning permission to recommence extraction in 2019 at neighbouring Stonecastle Farm Quarry, to date no workings have commenced due to a number of ecological, environmental and restoration issues. One of the planning conditions stipulates mineral extraction from other sites will have to be operated consecutively after the mineral extraction has been completed at Stonecastle Farm Quarry. This could have significant delays to the proposed phasing to the housing and infrastructure proposals within the whole area.

- . **Other more sustainable viable sites are available**
- . **Loss of greenfield land** with Best and Most Versatile soils (Policy EN22)
- . **To Protect best and most versatile land** and most versatile agricultural land from significant inappropriate or unsustainable development.

Planning applications will need to justify why the loss of best and most versatile agricultural land will need to justify why the loss of agricultural land is acceptable and also assess the impact of loss of agricultural land on a wider farming resource and ecosystem services.

- . **Moat Farm & Whetsted Farm**, -unemployment. Loss of food etc losses to the rural economy from developing upon agricultural fields.
- . **Development** in the south and east meaning some residents may be outside of desirable walking distances to the central facilities
- . **Many Environmental issues** highlighted in the SA Pre Submission, size of the Development (4,000 Dwellings), water resources, existing sewer and waste infrastructure can not cope with latest Berkley homes development even with the addition of upgrades within the site.
- . **The provision for open space**, additional sports facilities will be located within the Parish of Capel and not within walking distance of Paddock Wood.
- . **Population in Paddock Wood** = 8253 (2011) will increase by at least 8,000 if 4,000 dwellings go ahead.
- . **Major Transport issues** A228, Colts Hill, link road between Tudeley Village and the A228, B2160,B2017,A26
- . **Lack of consultation** with other LPA's Local Plans - TMBC.
- . **Lack of close liaison** and involvement with local communities and organisations,infrastructure providers, statutory consultees and neighbouring authorities.

Conclusion

The PSLP has demonstrated there continues to be extensive issues and concerns, especially regarding the 2 strategic sites of STR/SS 1 Paddock Wood and East Capel and STR/SS 3 Tudeley Garden Village.

Many Issues and questions raised within Reg 18 from the wider community, local residents and neighbouring LPA's continue to be unanswered, it lacks critical evidence.

The overall impact of the TWBC Local plan by allocating over 50% of its total housing requirements, so close to its boundary with TMBC , highlights TWBC has not considered the substantial liabilities it will impose on Tonbridge Town, Maidstone, Paddock Wood, Capel and surrounding villages within TMBC.

With other neighbouring LPA's who are also at various stages of their own local plans, TWBC PSLP should be delayed or withdrawn until further engagement is achieved and agreed policies and strategies are established. To continue with the current strategic sites strategy will condemn these towns and villages to an environmental disaster.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . Yes, I wish to participate in hearing session(s)

Question 7a

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Event Name	Pre-Submission Local Plan
Comment by	Residents of Golden Green Association & KeepKent.Green (Mr Alan Chilvers - [REDACTED])
Comment ID	PSLP_2028
Response Date	04/06/21 11:48
Consultation Point	Policy STR/SS 3 The Strategy for Tudeley Village (View)
Status	Processed
Submission Type	Email
Version	0.6
Files	PSLP_2026-2031, 2033, 2037-2040 KeepKent.Green & Residents of Golden Green Association Representation
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[TWBC: for further comments by KeepKent.Green and the Golden Green Residents Association, please see Comment Numbers PSLP_2026-2031, PSLP_2033 and PSLP_2037-2040]

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Key constraints in developing the Tudeley Garden Village Site (STR/SS 3)

- . **Isolated Site** with Limited Transport Connectivity
- . **No Sustainable Transport Provision.** The assumed transport modes are unrealistic and new home owners will continue to rely on their own motor vehicles
- . **Unacceptable risk to highway safety**
- . **Access to A26 and A228** and many surrounding local country lanes are already constrained
- . **Capacity Issues** on existing highway network
- . **Significant hazards** and constraints to the safe movement of pedestrians
- . **Major Traffic Impacts** that can not be mitigated
- . **Removal of Green Belt-** TWBC do not intend to replace any Green Belt,
- . ANOB Boundary is a boundary of convenience, as the boundary is defined by a road B2017. 75% of Green Belt that surrounds London is productive agricultural land - Garden of England Should not become another concrete patio
- . **81% of the proposed removal of Green Belt** within the borough will be from the Parish of Capel
- . **Where is the special circumstances evidence** as defined in NPPF to remove Green Belt restrictions

- . **Noise** from local roads and the railway
- . **First Phase of the village** approx 450 houses to be constructed before any infrastructure allocation.
- . **Current infrastructure** provisions are already at capacity or exceeding capacity
- . **Nearest railway station** to the site is Tonbridge located approximately 4 miles from the centre of Tudeley village.
- . There is currently no convenient safe walking route to the train station from the site
- . **Future transport considerations** rely heavily on development of new road networks as well as major upgrades of existing highways, but will be reliant on existing rural country lane networks which are already constrained ,not fit for purpose to accommodate additional larger vehicle traffic capacity, these lanes will become school and commuter alternative routes which will cause significant traffic safety hazards .
- . **Part of the proposed site is safeguarded** by KCC within Kent County Council Kent Minerals and Waste Local Plan 2013-2030, with proposals to extract up to 3.5mIn tonnes of sand and gravel within the immediate area.
- . **The site** is visible from a number of viewpoints with key views both internally and externally. There is a limited level of enclosure via trees or topography with numerous visual receptors, thus overall visual impact will be seen by many people either in dwellings or passing through the site.
- . **Marketing and housing sales** could be severely hampered with the proposed quarrying as these quarries will be visible from the proposed Tudeley Village site.
- . **Further quarrying** will bring sustainability issues to the area, with intensive diesel operated plant machinery, quarry vehicles accessing the site (existing quarry already has permission for up to 88 HGV movements per day; this will increase substantially over time as the other quarry sites come on line.)
- . **Substantial increase in Carbon footprint** from the quarries and construction workings and partial removal of natural floodplain.
- . **Air Quality-** No air quality action plans and low emission strategies, designed to offset the impact on air quality arising from new development”. While air quality is only one of many considerations that are relevant to planning, the NPPG states that where sustained compliance with EU Limit Values is prevented, a local authority is to “consider whether planning permission should be refused”.With such significant cumulative developments within the Parish of Capel air quality will become a issue. No evidence of engagement, no emission mitigation assessment or cost calculation as specified in its air quality policies, Limited data, mitigation regarding the potential deterioration in local air quality and potential adverse impacts on nearby sensitive receptors.
- . **KCC Minerals and Waste Local Plan 2013-2030** have safeguarded adjoining land at Stonecastle Farm Quarry extension and Moat Farm Five Oak Green, existing Rail Head and land at J Clubb at East Peckham, a number of management criteria have been identified within the MWLP outlining measures that will be required to be put in place to examine the potential effects from these extraction developments such as amenity,transport, water, visual impacts,noise, dust, habitat and ecology.
- . **There is no evidence** as requested by KCC that consideration should be given to masterplanning and phasing of the proposed development to manage these potential effects especially in relation to noise or visual impacts to new and existing residential receptors on the site.
- . **High level of ecological constraints** have been identified within the area, this evidence has been produced from recent planning permission application from the neighbouring quarry (see TM/00/1599/R26C1 and TW/19/1343/R29 at <https://twbcpa.midkent.gov.uk>. Note comments from RSPB, Hadlow Parish Council, keepkent.green and local residents comments).
- . **Biodiversity-** requires conservation and enhancement - Rare and endangered species are present within the Capel sites, including Great Crested Newts , Dormice, Bats, Badgers, Water Voles, Owls, Otters, Peregrine Falcon, Red Kite, Buzzards. Rare botanical Plant life is also recorded within the sites including Shepperds Needle.
- . **Climate Change-** Serious problem with far reaching consequences. Partial removal of one of UK’s largest natural floodplains, Removal of Green Belt and productive agricultural land, further mineral extractions, major infrastructure and highways issues, the combined cumulative effect and increased carbon footprint will be significant.
- . **Ticketless walk-on commuter** bus services with their own dedicated bus lanes are not feasible within Tonbridge Town centre due to infrastructure constraints and existing buildings will only increase the already congested town centre. Long term financial viability after developer financing ends.

- . **The MasterPlan and SA** clearly states to accommodate this development, off site infrastructure improvements Will BE Required but this has now been changed to “There is a desire to provide”.
- . **Network South East** have ruled out any possibility of a designated Railway station (Tudeley Halt Station) due to many constraints to the existing line, as well as the financial /economic viability.
- . **Railway Line** No Noise offset has been applied to the proposed village at Tudeley
- . **The wider transport context** plan relies on the Development of Tudeley Village as well as assumes that neighbouring LPA's agree to connectivity linking infrastructure that will benefit the respective LPA's boroughs. As this development borders other LPAs and will have significant infrastructure impact and pressures on other neighbouring Boroughs.
- . **No specific technical reports** or assessments have been provided in relation to air quality, noise, waste,sustainability or energy.
- . **Significant Noise and Vibration** through the site , as housing development is proposed either side of the railway line no detailed mitigation has been provided within the LP
- . **Loss of Productive Agricultural Land**, Orchards and soft fruit will have a potential impact on the local economy - policy EN20 .
- . **Aquifers** The presence of the total catchment of a Groundwater Source Protection Zone north of the railway line also creates a risk that must be carefully managed, any development would put additional strain on existing resources, without further consultation with EA & Water and Railway Companies will lead to increased flooding issues .

Southern Water - Water Quality- TWBC High usage- Water resources are already stressed

- . **The Hartlake catchment** is at risk from pesticides and also nitrate. Hartlake source abstracts water from the River Terrace Gravel aquifer and due to its location it is connected with the River Medway. There is a significant relationship between groundwater levels in the River Terrace Gravels at the Hartlake site and River Medway levels and flows. These aquifers must be safeguarded and protected from penetration to avoid pollution. (No policy or protection mechanism).
- . **Floodplain meadows** have the potential to provide flood-storage areas, support rare plant communities, store carbon and provide a valuable hay crop. Importantly, they also have the potential to trap sediments as the river spills across the meadows. Partial removal will eliminate the above
- . **Flooding often occurs** at the site and surrounding area has a long history of flooding both fluvial and surface water, in 2000 & 2013 parts of this area were evacuated by emergency services, Hartlake Road is regularly closed during winter months for weeks, B2017 Tudeley Road, Sherenden Road are also a regular flood hot spots.
- . **Given the topography** of the terrain 60 AoD to 20m AOD the development would result in substantial amounts of run-off that will descend towards the railway and eastwards across the Sherenden Road area.
- . **Sewerage** a drainage plan has not been identified within the evidence base, although it is clear that extensive mitigation will be required, surface water attenuation storage and other forms of SuDS will impact the developable area and the cost.
- . **Brownfield Land/Sites** TWBC has not considered exhaustively the availability of Brownfield sites within the borough and ignored potential sites for strategic development in areas outside MGB and ANOB.
- . **Landscape** Makes a strong contribution to local landscape character,any large scale development is likely to have considerable consequences with extreme harmful cumulative effects on what is at present open countryside within Metropolitan Green Belt.
- . **Landscape Character Assessment** has not been conducted as defined in NPPF, and requires enhancement and protection.
- . **Transport** the sheer scale and size of these development proposals will have a significant impact on the current transport infrastructure system with 1,000's of new vehicles accessing Tonbridge and Paddock Wood on a daily basis.
- . **Heritage**, there are a number of heritage assets of strong community importance within close proximity, the area is surrounded by abundance of listed buildings, distinctive Oast Houses/Kilns and historic farmsteads , 2nd World War Pill Boxes which will have their settings and residential amenity severely compromised.
- . **A Public Charette Consultation** -By Invitation only conducted in Tunbridge Wells, not in Capel Parish - Only 145 attended- Clearly restricting local community to attend and have their say,

discriminating against older members of the community without Internet access and lacking the necessary IT skills to have their input, as well as people without access to a motor vehicle.

- . **Restricted public input** into the Charrette consultation only selected members of the community and stakeholders were invited to provide any input.
- . **Infrastructure & Viability Plans** not released publicly until Reg 19 consultation
- . **Not a fit and proper public consultation**
- . **Policies within plan** support site allocation but relying on limited information from the landowner and the Hadlow Estates Tudeley Delivery Strategy.
- . **Considering Tudeley** is the largest development project within the history of Capel it is very concerning that the borough council is reliant on third party evidence.
- . **TWBC has added** an additional 1,000 houses allocation buffer above the specified government housing guidelines.
- . **Urban Sprawl-** The PSLP demonstrates Urban Sprawl as the proposed 2,800 homes STR/SS 3, Tudeley will not be situated close to any substantive development initially, but over time will manifestly change the character of the site as well as the wider surrounding area from underdeveloped rurality to an urban dominated environment, with only a small gaps to the west connecting with Tonbridge Town and Five Oak Green and Paddock Wood to the east, this will introduce what is effectively an urban corridor between Tonbridge and Paddock Wood.
- . **Heritage-** Cultural Heritage and archeology requires protection and enhancement- Listed Buildings- Tudeley Church, Hadlow Tower, Hadlow Agricultural College, Somerhill
- . **Cumulative Impact-** Negative Cumulative Impact on historic landscape character effectively suburbanising the surrounding countryside.
- . **The NPPF clearly states** in paras 133 to 147 that Green Belt should only be released in exceptional circumstances, but there are no exceptional circumstances that have been articulated.
- . **A report in 2018** by the London Green Belt Council stated:" that contrary to claims by developers, building in the Green Belt does virtually nothing to address the crisis of affordability of housing, especially for young people, in the South East.
- . **Lack of detail / Clarity** within the Infrastructure Plan/ Hadlow Estates Delivery Strategy
- . **Infrastructure and Viability Reports** This data was distributed 4 weeks prior to public distribution to TWBC Councilors via a confidential password protected internal delivery system. At least 12 councilors who voted in support of the PSLP at the Full Committee Meeting had not accessed/ examined these important documents via the data room.
- . **Key local economic issues-** Potential loss of existing local businesses, Moat Farm, Scripps , Bank Farm Stables, existing small local shops and businesses.
- . **TWBC Carbon & Energy Targets-** Building a large number of new homes is likely to increase carbon and energy demands, in addition public transport is not always convenient so private car usage will increase substantially.
- . **SA Appraisal Alternative sites -** Horsmonden- Rejected - Landscape sensitivity would require further consideration because the site is outside (but adjacent to) ANOB. However the site was considered to have access difficulties that would render this alternative unviable and this not a reasonable alternative to garden village principles. Site not within Green Belt, accessible to Paddock Wood, No Flooding Issues.

Tudeley closing access at Hartlake Bridge hampering access for Golden Green residents, new roundabout on B2017 on a hill, many road and access issues at Tudeley.

The site is entirely Green Belt and the most recent Green Belt Study concludes the overall harm rating of releasing this land from the Green Belt is **high**.

- . **Kippings Cross sites** within ANOB and landscape impacts were considered too severe to warrant consideration as a reasonable alternative, although this site was championed by TWBC as their preferred site until 2017 when the landowner submitted Tudeley and East Capel sites. It is well known that TWBC expected Kippings Cross to be brought forward but last minute negotiations between the promoters collapsed.
- . **Langton Green-** Landscape Impacts and ANOB- Biodiversity and Nature Conservation designations are scattered across the borough, but are not common in ANOB, this greater development in ANOB could create increased pressure on wildlife. TWBC do not consider increased pressure on wildlife at Tudeley.
- . **Policy STR/SS 3 :** This policy mentions that the standalone garden settlement (Tudeley Village) will be developed using a comprehensive master plan, there is no evidence of this comprehensive master plan, only the Hadlow Estates Delivery Strategy, which lacks detail and at best is very

vague and already outdated, as such detail as the school provision has been relocated and the Tudeley Hale Railway Station is still indicated of which we understand the station allocation has been ruled out by Network South East on economic viability and major distribution to the existing network.

- . **This unusual adoption by TWBC** to jointly lead the master planning approach, permitting the landowner to be 100% responsible for all the output of this delivery plan especially as this is one of the largest projects within its history, the landowner has no development experience and as highlighted by many property commentators within Reg 18 consultation this is not a comprehensive Master Plan.
- . **Consultation Statement** of Draft Local Plan - Question 1 Do you agree with the new draft vision for the borough? Summary of responses-
244 responses were received to this question.
154 Respondents (about 63%) DISAGREED with the Draft Version
75 Respondents (about 31%) Agreed
15 respondents (about 6%) did not indicate
- . Overall the majority of 67% Disagreed with the vision, while only 33%Agreed.
- . 95% of the comments submitted within Reg18 regarding Tudeley were against the Garden Village Development.

- . **Dark Skies** - CPRE Report, Tudeley currently is a dark skies area with close to zero light pollution, new development will produce severe light pollution not just within the development but many of the surrounding villages and beyond. Strong adverse impact on the whole of the Medway Valley.
- . **The overall cumulative impact** of questionable delivery of vital infrastructure, major transport issues, removal of large parcels of MBG and productive agricultural land, no detailed landscape assessment, building houses on a natural floodplain that has a long history of flooding, catastrophic consequences for the local ecology are all the ingredients to deliver an environmental disaster.

Conclusion

The PSLP has demonstrated there continues to be extensive issues and concerns, especially regarding the 2 strategic sites of STR/SS 1 Paddock Wood and East Capel and STR/SS 3 Tudeley Garden Village.

Many Issues and questions raised within Reg 18 from the wider community, local residents and neighbouring LPA's continue to be unanswered, it lacks critical evidence.

The overall impact of the TWBC Local plan by allocating over 50% of its total housing requirements, so close to its boundary with TMBC , highlights TWBC has not considered the substantial liabilities it will impose on Tonbridge Town, Maidstone,Paddock Wood, Capel and surrounding villages within TMBC.

With other neighbouring LPA's who are also at various stages of their own local plans, TWBC PSLP should be delayed or withdrawn until further engagement is achieved and agreed policies and strategies are established. To continue with the current strategic sites strategy will condemn these towns and villages to an environmental disaster.

Question 7

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. Yes, I wish to participate in hearing session(s)

Question 7a

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PSLP 2026-2031, 2033, 2037-2040 KeepKent.Green & Residents of Golden Green Association Representation

Supporting Information File Ref No: SI_137

Comment

Consultee	Mr Alan Chilvers ([REDACTED])
Email Address	[REDACTED]
Company / Organisation	Residents of Golden Green Association & KeepKent.Green
Address	[REDACTED] [REDACTED] Tonbridge, Kent TN11 [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Residents of Golden Green Association & KeepKent.Green (Mr Alan Chilvers - [REDACTED])
Comment ID	PSLP_2029
Response Date	04/06/21 11:48
Consultation Point	Policy STR 9 Green Belt (View)
Status	Processed
Submission Type	Email
Version	0.4
Files	PSLP_2026-2031, 2033, 2037-2040 KeepKent.Green & Residents of Golden Green Association Representation
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Golden Green Residents Association & KeepKent.Green
Question 3	
To which part of the Local Plan does this representation relate?	Policy
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Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	Policy STR 9 Green Belt

[TWBC: for further comments by KeepKent.Green and the Golden Green Residents Association, please see Comment Numbers PSLP_2026-2031, PSLP_2033 and PSLP_2037-2040]

Question 4

Do you consider that the Local Plan:

Is legally compliant	No
Is sound	No
Complies with the Duty to Cooperate	No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:	. It is not positively prepared
	. It is not effective
	. It is not justified
	. It is not consistent with national policy

Question 5

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KKG Objects to Policies STR/SS1 and STR/ SS3 as well as providing additional commentary on other policies, that lead to conclude the Local Draft Plan is not legally compliant, is not positively prepared, is not justified or effective or consistent with NPPF.

STR 9 Green Belt

The importance is attached to the nationally important landscape of the High Weald AONB, as well as the Green Belt, which extends from the western part of the borough around Royal Tunbridge Wells and up to the western edge of Paddock Wood.

Maintaining the integrity of the Green Belt and High Weald AONB are critical considerations

The borough could meet only a fraction of its housing need without the provision for strategic sites, namely the substantial expansion of Paddock Wood (including land at east Capel) and the creation of a new garden settlement at 'Tudeley Village'.

Tudeley Village and East Capel would involve the loss of a large area of Green Belt belt. (332ha)

The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open to maintain the character of the Green Belt. Once established, Green Belt boundaries should only be altered in exceptional circumstances and should be fully evidenced and justified. Even if such exceptional circumstances are demonstrated to exist, consideration must also be given to the nature and extent of the harm to the Green Belt (or those parts that will be lost) and the effect on Green Belt objectives.

With further neighbouring areas of Green Belt which have already been lost to previous developments of a Solar Farm (50 ha) in 2015 and mineral extractions (120ha) the area has already lost designated MGB.

Large parcels of land within the area have already been safeguarded by KCC for future Mineral extraction.

Further development will impinge on visual impact on the openness of the land and will be viewed by many surrounding villages and towns.

Overall, some 5.71% of the Green Belt within the borough has been de-designated within this plan.

- **Paddock Wood/ East Capel** -148.194ha or 2.077% Greenbelt allocation of the overall 5.71% removed

- **Tudeley Village Removed** -182.994ha or 2.565% MGB removed

- This equals an overall **4.642% (81%)** removal of MGB within the Parish of Capel.

Considering a majority of the borough 70% is within ANOB, reducing its MBG allocation is a large proportion of the MGB within the Borough.

The PSLP does not designate other land as 'replacement' Green Belt to replace that to be removed.

The solar farm development received local community support as at the time the community was assured that no further development would occur within MGB within the area, 5 years later the largest development proposals within the history of the Parish have evolved which requires further loss of MGB land.

At the time of planning was granted it was understood that the solar farm was inappropriate development within MGB but the duration of the development would be 25 years and then would be returned to productive farmland within MGB designation.

With the historic development and future development proposals this surely can be considered

Unrestricted Urban Sprawl as well as merging towns into one another as there will be small strips of MGB remaining between Paddock and Tonbridge.

The removal of this MGB will effectively merge Tudeley to Tonbridge in the west as well as Five Oak Green and Paddock wood in the East.

Urban sprawl is the biggest threat to climate change. Sprawl is low density. It is resource-hungry and an inefficient use of land."

The loss of this MGB designation will be irreversible; it currently provides a haven for ecology, many heritage assets, additional flood storage capacity that has protected our towns and villages from flooding for 100's of years, protects and produces via aquifers the current water supply to Tunbridge Wells.

Environmentally it aids with carbon capture from acres of mature trees, hedgerows and historic woodlands, furthermore most of the area is currently commercially farmed , producing many varieties of crops and soft fruits, and grazing, to lose this MGB destination would end the farming community that has farmed this area for many generations as well as a valuable supplier to the food chain and local community.

There are a number of public access points within these sites, providing greenspace connectivity between Tonbridge and Paddock wood as well as many surrounding villages. The ANOB boundary was drawn up as a boundary of convenience as it is defined by a road the B2017 but the character of the landscape defined within the ANOB continues across the road into the landscape features of the Metropolitan Green Belt that is being proposed to be removed.

The TWBC Green Belt Study highlights "The gap between Five Oak Green and Paddock Wood represents a fairly small proportion of the overall gap between towns, but coalescence or near-coalescence of these separate settlements would have a disproportionate impact in this respect, being more likely to be perceived as sprawl."

No evidence within these studies that examine the intrinsic quality of the land.

TWBC has not considered the Brownfield sites availability sufficiently, it has dismissed many potential strategic sites, it has not fully examined all other reasonable options for meeting its development need

as defined within NPPF therefore has not met any of the requirements to demonstrate exceptional circumstances.

The removal of MGB at Tudeley will remove substantial parcels of productive agricultural land, creating a permanent adverse landscape impact upon the proposed village settlement as well as the Medway Valley and High Weald ANOB.

A majority of the necessary major road improvements required will involve further removal of ANOB and Green Belt.

Kent County Council's Countryside Access Improvement Plan (2007). "Although the parts of the Low Weald within the Borough are not designated as an Area of Outstanding Natural Beauty, the landscape is still of high value and should be protected".

This proposal fails to adequately safeguard the intrinsic beauty and openness of the countryside of the Green Belt and the setting of adjacent ANOB.

TWBC has not demonstrated any special circumstances why the permanent removal of this MBG would benefit the borough and the community, especially as the land serves as a fully functional flood plain (one of the largest natural flood storage areas within the UK) .

The TWBC Green Belt Studies 1& 2 assessments were very clear with their conclusions regarding the potential Harm of the removal of Green Belt within Tudeley and East Capel with a VERY HIGH scoring. The recent stage 3 assessment has been revised to HIGH Impact upon the Green Belt Release.

The Green Belt is good, positive planning. It stops urban sprawl and encourages the vital regeneration of our largest cities. It provides the countryside next door to 30 million people and protects the setting of many of our historic settlements. And, though not the principal purpose, it protects the attractive landscapes so important to our environment, heritage and wellbeing.

Question 7

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Question 7a

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Supporting Information File Ref No: SI_137

Comment

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Address	[REDACTED] [REDACTED] Tonbridge, Kent TN11 [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Residents of Golden Green Association & KeepKent.Green (Mr Alan Chilvers - [REDACTED])
Comment ID	PSLP_2030
Response Date	04/06/21 11:48
Consultation Point	Policy EN 20 Agricultural Land (View)
Status	Processed
Submission Type	Email
Version	0.4
Files	PSLP_2026-2031, 2033, 2037-2040 KeepKent.Green & Residents of Golden Green Association Representation
Data inputter to enter their initials here	HB
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Respondent's Name and/or Organisation	Golden Green Residents Association & KeepKent.Green
Question 3	
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Question 3a	
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[TWBC: for further comments by KeepKent.Green and the Golden Green Residents Association, please see Comment Numbers PSLP_2026-2031, PSLP_2033 and PSLP_2037-2040]

Question 4

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Is legally compliant No

Is sound No

Complies with the Duty to Cooperate No

Question 4a

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Policy E20

The Local Planning Authority seeks to protect the best and most versatile agricultural land from significant, inappropriate, or unsustainable development. Where development of agricultural land is required, applicants should seek to use areas of poorer quality agricultural land in preference to that of higher quality, except where this would be inconsistent with other sustainability objectives. Planning applications that would result in the loss of best and most versatile agricultural land will need to justify why the loss of the agricultural land is acceptable and also assess the impact of the loss of the agricultural land on the wider farming resource, natural capital, and ecosystem services. Where site-specific ALC studies are not available, the Local Planning Authority will assume that the site is classified as best and most versatile

Although the above policy is within the PSLP it appears all of these principles have been ignored as these substantial parcels of land at Tudeley and East Capel have been extremely productive for 100's of years and many generations of farmers. The Grade 2 and 3 land is extremely fertile and mineral rich due to their locations within the Medway Valley. History has demonstrated the importance of this land as it is very adaptive to many varieties of crops and soft fruits.

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Event Name	Pre-Submission Local Plan
Comment by	Residents of Golden Green Association & KeepKent.Green (Mr Alan Chilvers - [REDACTED])
Comment ID	PSLP_2031
Response Date	04/06/21 11:48
Consultation Point	Policy STR 6 Transport and Parking (View)
Status	Processed
Submission Type	Email
Version	0.3
Files	PSLP_2026-2031, 2033, 2037-2040 KeepKent.Green & Residents of Golden Green Association Representation
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Transport STR6

TWBC Transport Strategy Review Context and way forward September 2019 document; provides an overview of the main transportation issues and plans going forward. This report provides a vision of integrated, forward looking and accessible transport options that support economic prosperity for residents within the borough, as well as promoting the promotion of public transport, walking and cycling so that the settlements are easy to navigate , and facilitate simple and sustainable access to jobs, education and services.

East Capel & Tudeley

The current road infrastructure is already at capacity often exceeding capacity at peak travelling times leading to disruptive journey times. These proposals will further increase already congested Tonbridge and Paddock Wood Town Centres.

The sheer size and scale of these developments will only add to the congestion infrastructure problems, adding further to a substantial deterioration of air quality, increase in motor vehicle emissions, of which is already a serious concern within the borough. (TWB 8th worst district in Kent for poor air quality).

B2017 Tudeley Road, already overloaded, will experience significant increased demand from LP in Tudeley and East Capel.

A228 Branbridges Road / B2160 Maidstone Road / A228 Whetsted Road

Additional demand with a high level of underlying demand is causing queueing on approach to junction.

A26 Hadlow Road East/ Three Elm Lane

The junction is already overloaded and will increase substantially, on Hadlow Road and Three Elm Lane due to extra demand from TWBC and TMBC's LP proposals.

Limited ability to add additional highway capacity is limited by third party ownership and topography.

The SWECO Local Plan Transport evidence base indicates that most households within the area have access to 2 or more cars. This could equate to nearly 10,000 additional vehicles accessing the road network from Tudeley and East Capel.

The LP promotes prosperity and well being for residents and highlights that it will encourage greater use of public transport, walking and cycling, with the intention to provide all the necessary infrastructure to achieve this.

One of the key principles for Garden Village settlements is that they are closely situated to all major transport hubs, however in reality:

- . **Nearest railway station** from Tudeley is Tonbridge located approximately 4 miles from the centre of Tudeley village.
- . **Nearest railway station** from East Capel is Paddock Wood located approximately 4.5 miles from East Capel.

Both proposed sites are too far from the Railway stations for cycling or walking on a daily basis to capture any significant regular journeys to work or school.

The proposed express commuter bus services running every 15 minutes with dedicated bus lanes running from Tudeley to Tonbridge and Paddock Wood are not deliverable into the towns themselves due to existing housing and infrastructure.

The financial viability of providing regular express commuter/ school services will require large developer contributions throughout and beyond the build out of the development. Kings Hill Development West Malling has experienced severe issues with the reduction in regular bus services as soon as the main phases of the development were completed, as the developers withdrew their financial support, the local bus companies reduced their services.

Cycling and Cycle paths would be used for leisure rather than daily commuting especially within winter months, people cycling 8-9 miles a day to access nearest railway station will only gain a minority of cyclists.

Dedicated cycle lanes in Tonbridge and Paddock Wood, this has already been trialled by TMBC in Tonbridge in 2020.

TMBC abandoned a cycle path scheme in 2020 after 2 weeks , QUARRY HILL leading onto Pembury Road.

KCC Councillors told the Tonbridge Forum on 7 September that they had failed to be convinced by plans to introduce two lanes for cyclists to use on the west side of Quarry Hill against the advice of Tonbridge Bicycle Users Group and Green Party Councillors.

KCC REG 18 Comments

"There is currently no reference to a new rail station at Tudeley Village in the Draft Local Plan or IDP. The inclusion of an additional stop on this line in the heart of the new Tudeley settlement would make a considerable difference to the road traffic generated by these developments and exploration into the feasibility for a station should be pursued in conjunction with the master planning exercise, prior to the Regulation 19 consultation. **Without this station, the 11% modal shift would be even more difficult for the very limited remaining public transport options to deliver.** Consideration should also be given to trips heading north on the A228 into Maidstone/Tonbridge and Malling to understand the impact on the wider road network and whether mitigation is required.

Summary The County Council as the Local Highway Authority has fundamental concerns that the impact of the additional vehicular traffic brought about by the preferred growth strategy has not yet been effectively addressed in the Draft Local Plan by clearly defined mitigation measures. KCC would welcome continued dialogue to address these matters as the Local Plan progresses

Ministry of Housing, Communities and Local Government National Planning Policy Framework (NPPF)
An overarching objective in the Local Plan is to follow Ministry of Housing, Communities and Local Government National Planning Policy Framework (NPPF) guidance including Chapter 9 'Promoting sustainable transport', in particular paragraph

102: "Transport issues should be considered from the earliest stages of plan-making and development proposals, so that opportunities to promote walking, cycling and public transport use are identified and pursued"

And paragraph 108 "In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location"

And paragraph 110 which states that amongst others: "applications for development should give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use".

Tudeley and East Capel will both be car-dominated settlements and the predicted shift to other modes of transport will not happen as forecast, due to their locations and infrastructure restrictions. The Kings Hill Village Settlement, West Malling has demonstrated that the anticipated shift to other modes of transport do not happen.

A majority of the necessary major road improvements required will involve further removal of ANOB and Green Belt.

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Event Name	Pre-Submission Local Plan
Comment by	Residents of Golden Green Association & KeepKent.Green (Mr Alan Chilvers - [REDACTED])
Comment ID	PSLP_2033
Response Date	04/06/21 11:48
Consultation Point	Policy EN 25 Flood Risk (View)
Status	Processed
Submission Type	Email
Version	0.3
Files	PSLP_2026-2031, 2033, 2037-2040 KeepKent.Green & Residents of Golden Green Association Representation
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Flooding STR SS1 Tudeley & STR SS3 East Capel- Paddock Wood

POLICY EN25

Historic flooding events have clearly demonstrated the vulnerability of Capel, Five Oak Green, Tudeley, and the surrounding areas, which are affected by flooding from a number of sources. The increasing Leigh storage capacity is already adding to the danger. The Draft Local Plan specifies that flood 'betterment' is one of the key justifications for the release of Green Belt land,

The Draft Local Plan has not included a comprehensive assessment of flood risk at the proposed site in Tudeley, as stated within Policy EN25 Site-specific Flood Risk Assessments will be required for the following development proposals: Sites in Flood Zone 1 that:

- i. are larger than one hectare
- iii. have been identified by the Environment Agency as having critical drainage problems
- iii. have been identified in a Strategic Flood Risk Assessment as being at increased flood risk in the future
- iv. may be subject to other sources of flooding.

It is concerning despite all the evidence produced with Reg 18 highlighting the risks at Tudeley that TWBC has not provided a Site -specific FRA and additional details of how it is planned to mitigate the loss of floodplain

Whilst we acknowledge the SFRA report on Paddock Wood, there is no such assessment for STR/SS 1 Tudeley. This is despite the Policy Overview stating “Flood Zones 2 and 3 in the northern part of Tudeley”. It is well known that many parts of this site are regularly subjected to flooding,

However, Flood Risk Assessments were prepared in 2018 by Waterco to inform KCC's Mineral Plan, sites M10 Moat Farm and M13 Stonecastle/Hartlake, which are in close proximity and relevant to this allocation

Essential flood protection systems, such as bunds, flood storage and so on, are less likely to remain feasible options; there is a limit to the size these can be built to, without impacting on the development's viability.

Tunbridge Wells Borough has a well-documented history of flood events; the main sources of which are from fluvial (river/watercourse) and pluvial (surface water) sources. The events of 1960, 1963, 1968, 1985, 2000 and 2009, 2013, 2015, 2018, 2019 caused widespread flooding within the north of the borough e.g. at Paddock Wood and Five Oak Green, and areas along the River Teise, due to heavy rainfall over a prolonged period of time:

Hartlake Road also has a history of regular flooding. In 2019, it was closed for a complete 4 week period! Due to flooding of Tonbridge and flood storage release at Leigh. At Crockhurst Street, the south west part of the Tudeley proposed development, which is one of the highest points of the area, flash flooding often occurs on a regular basis which leads to days of traffic delays as the water is pumped by HGV tankers and traffic controls are implemented.

These development proposals are very reliant on additional storage capacity at Leigh and do not provide any contingency plans should the existing flood storage barrier be breached again as in 2013;

Loss of floodplain connectivity within the rural and upper reaches of tributaries which flow through and around the development site will increase flooding to the area

EA Flood warnings in the area have increased 100% over the last 10 years

6.279 “The Council will therefore discourage inappropriate development in areas at known risk from flooding and, as the Local Planning Authority, will take account of flooding risks in all matters relating to development management/control, including within the Local Plan and individual planning applications, in accordance with the NPPF.”

Many submissions at Reg 18 were submitted to TWBC highlighting the severe flood risk within the Tudeley, Capel and Paddock Wood, comments on the overall cumulative impact of future Mineral extraction within the area combined with the housing proposals had not been considered by TWBC and a much larger area of the existing floodplain could be removed, having major flooding implications further downriver at East Peckham, Yalding and Maidstone and how imperative it is to consider any removal of the floodplain from a holistic perspective rather than just individual sites.

The Draft Local plan has stated in its policies that the strategy must “have regard to Kent County Council minerals allocations in the vicinity” and therefore the cumulative effect of any quarry expansion and new housing plans needs full assessment.

Clearly, although we understand that TWBC will have consulted with KCC, the Draft Local Plan by definition is not “adopted” and no further details have been provided to explain how the policy DM7 has been applied. This raises further serious concerns about the fulfilment of “Duty to Co-operate” requirements and whether either of these plans meet the test of soundness

The EA's Flood Zones do not take into account climate change so if not formally provided by the EA, hydraulic modelling may need to be conducted which can be time and cost prohibitive.

Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding (such sites are available).

Planning Precedent

MAIDSTONE LOCAL PLAN – REGULATION 19 REJECTION DUE TO FLOOD RISK:

Neighbouring Parish site located at Yalding, downstream from Capel, has been rejected by the Inspector:

GARDEN SUBURB REJECTED FOR FLOOD RISK: A large urban extension to the town of Maldon in Essex has been refused against officer advice over flood concerns:

TUDELEY PUBLIC HOUSE EXTENSION REJECTED: Proposals for the extension of the Poacher & Partridge PH, Hartlake Road have been rejected by TWBC for the following reasons:

- 1) Inappropriate development within the Metropolitan Green Belt
- 2) Impact on the landscape character of the locality -
- 3) It would not conserve and enhance the rural landscape,
- 4) The overall impact is harmful to the rural character of the area.
- 5) Risk from flooding or that the development would not increase flood risk elsewhere. Therefore the development is likely to result in a risk to human life from flooding.

Other neighbouring LPA's appear to have followed NPPF flood risk policy guidelines closely which highlights their efforts to discourage development within vulnerable flooding areas, whereas TWBC have taken the opposite approach. TWBC are challenging current Green Belt Policy, requesting the removal of 100's of hectares of MGB, and keen to promote many sites that are situated within Flood Zones 2 and 3.

At a recent Extraordinary General Meeting of the TMBC Cabinet Advisory Board that discussed the TWBC Draft Local Plan, several members of TMBC raised serious concerns about the increased flood risk that could arise from the proposed developments in Capel. There is also concern that the TWBC plan does not demonstrate how the flood risk to several residential areas in Tonbridge Borough will be mitigated. Exactly the same issues were raised in 2019 by TMBC clearly this leads to the opinion that TWBC have not addressed these issues raised in 2019. This raises further serious concerns about the fulfilment of "Duty to Co-operate" requirements and whether this meets the test of soundness

The SFRA prepared by JBA for the Paddock Wood area has established that a large section of the proposed allocations are within Flood Zone 3. Development in Flood Zone 3a is significantly constrained by flood risk. Highly Vulnerable development is not permitted within this zone and More Vulnerable development and Essential Infrastructure are only permitted if the Exception Test can be passed.

Exception Test: Local Authorities are guided to adopt a precautionary approach to the issue of flood risk, avoiding such risk and managing it elsewhere. An Exception test is applied when it is not possible to locate development in zones with a lower risk of flooding. The Draft Local Plan appears to fail the test as it does NOT steer new development to areas with a lower risk of flooding, and has not put forward obvious safer sites.

The plan does not demonstrate that the proposed development at Capel East will provide wider sustainable benefits that outweigh flood risk, nor that it will be "safe for its lifetime". The sustainability of any residential development should be considered over a minimum of 100 years. Therefore, the plan does not justify that this site, in such a location that requires measures to mitigate its flooding risk on a floodplain, will not flood in its lifetime, especially with the climate change uncertainties that must be taken into account

TWBC have not demonstrated how the proposed mitigation measures will ensure that the development will not cause flooding in the vicinity or further down river. The loss of flood water storage in the agricultural terrain and run-off/drainage from the buildings and hard surfaces will certainly increase the flood risk to all surrounding areas.

The SFRA for East Capel / Paddock Wood does not conclude that the limited mitigation will eliminate future flood risk or provide evidence of 'betterment' to the existing residential areas.

It is extremely concerning that TWBC have not provided sufficient evidence and assurances that the identified sites, situated in well-documented flood vulnerable areas, will be protected and are prepared to ignore NPPF guidelines, and local community concerns, in pursuit of achieving their housing targets.

Question 7

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Question 7a

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PSLP 2026-2031, 2033, 2037-2040 KeepKent.Green & Residents of Golden Green Association Representation

Supporting Information File Ref No: SI_137

Comment

Consultee	Mr Alan Chilvers [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Residents of Golden Green Association & KeepKent.Green
Address	[REDACTED] [REDACTED] Tonbridge, Kent TN11 [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Residents of Golden Green Association & KeepKent.Green (Mr Alan Chilvers - [REDACTED])
Comment ID	PSLP_2037
Response Date	04/06/21 11:48
Consultation Point	Policy STR 5 Infrastructure and Connectivity (View)
Status	Processed
Submission Type	Email
Version	0.3
Files	PSLP_2026-2031, 2033, 2037-2040 KeepKent.Green & Residents of Golden Green Association Representation
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Golden Green Residents Association & KeepKent.Green
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	Policy STR 5 Infrastructure and Connectivity

[TWBC: for further comments by KeepKent.Green and the Golden Green Residents Association, please see Comment Numbers PSLP_2026-2031, PSLP_2033 and PSLP_2037-2040]

Question 4

Do you consider that the Local Plan:

Is legally compliant	No
Is sound	No
Complies with the Duty to Cooperate	No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:	. It is not positively prepared
	. It is not effective
	. It is not justified
	. It is not consistent with national policy

Question 5

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[TWBC: the following extract is from the representation submitted by KeepKent.Green and the Golden Green Residents Association - for the full representation, please see supporting documents]

KKG Objects to Policies STR/SS1 and STR/ SS3 as well as providing additional commentary on other policies, that lead to conclude the Local Draft Plan is not legally compliant, is not positively prepared, is not justified or effective or consistent with NPPF.

Infrastructure- STR5

Significant concerns were raised within regulation 18 responses regarding infrastructure -

- a) The overall costs and viability at Tudeley and East Capel
- b) Schedule and timings of implementation of key infrastructure
- c) Lack of detail
- d) Key infrastructure funding
- e) Majority of infrastructure would not be constructed until almost maturity of the LP even though rated critical within IDP.
- f) Local community, no consultation, Non Disclosure Agreements with various stakeholders to ensure proposed land allocations were not disclosed, even today, parcels of land have been included within infrastructure Compulsory Purchase Act but land owners have not had any communication from TWBC.
- g) Tudeley late submission to the LP , strong opposition and concerns from the local community as well as neighbouring LPA TMBC who held exclusive EGM prior to responding to Reg 18.

h) Confusion regarding CIL and section 106 policy- “The final IDP will also form an important part of the evidence base for a Community Infrastructure Levy (CIL) charging schedule, should the Council wish to pursue the implementation of CIL in the future – a decision will be made on this by the Council by the end of 2019”.

i) Some of the transport measures for Paddock Wood will also serve and connect the proposed garden settlement - Tudeley Village on land within Capel parish, therefore some of the larger infrastructure funding costs appear to be reliant on implementation of both sites.

The delivery of successful strategic sites requires new infrastructure to mitigate the impact of planned development. Further, this infrastructure needs to be planned comprehensively, delivered in a timely manner, funded through the development and seek to contribute to a step change in transport modal shift to align with garden settlement principles.

The full cost of a bypass at Colts Hill could not be funded through development alone, as the viability assessment confirmed that inclusion of the full £50million scheme would undermine viability and deliverability of the allocations.

Safety concerns regarding the A228 at Colts Hill will be further exacerbated through the development, and as such, options to mitigate the impact should be considered and funding for improvement secured.

The 2 key items of identified infrastructure to mitigate the growth proposed at Paddock Wood and east Capel, and Tudeley Village are Colts Hill and Five Oak Green Link Bypass.

Recent funding application for the offline Colts Hill Bypass has not been successful and funding has been unsuccessfully pursued for the last 40 years. The recommended phase 1 Colts Hill improvement scheme appears to be a temporary fix and will not mitigate the safety concerns that are already a major issue and will only increase as more traffic comes on line from these developments.

Due to the scale of these village settlements critical infrastructure should be prioritised and brought forward before any housing.

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Event Name	Pre-Submission Local Plan
Comment by	Residents of Golden Green Association & KeepKent.Green (Mr Alan Chilvers - [REDACTED])
Comment ID	PSLP_2038
Response Date	04/06/21 11:48
Consultation Point	Policy STR 7 Climate Change (View)
Status	Processed
Submission Type	Email
Version	0.3
Files	PSLP_2026-2031, 2033, 2037-2040 KeepKent.Green & Residents of Golden Green Association Representation
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Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	Policy STR 7 Climate Change

[TWBC: for further comments by KeepKent.Green and the Golden Green Residents Association, please see Comment Numbers PSLP_2026-2031, PSLP_2033 and PSLP_2037-2040]

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Complies with the Duty to Cooperate No

Question 4a

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Climate Change STR-7

1) Effective spatial planning

“Reducing the need to travel, especially by private car,”

Both Tudeley and East Capel Developments will continue to rely on private car use as the main mode of transport to access Tonbridge and Paddock Wood. As they are too distant to walk or cycle on a daily basis.

Tudeley does not have frequent bus services, the PSLP mentions that a regular walk on service could be provided but lacks any detail regarding implementation and will the service be provided at an early stage of development.

Current car share schemes are in their infancy and are expensive starting with 1 hour hire from £5.00 with limited free parking within Tonbridge and Paddock Wood further costs will be incurred for parking.

Currently there are not any pedestrian footpaths that provide safe access from the sites either into Paddock Wood from East Capel or Tudeley to Tonbridge.

b) Securing the maximum possible journeys made by active sustainable transport both for people and freight.

These developments will encourage further freight use for many years with construction machinery and deliveries as well as the neighbouring quarry workings, which will be operating diesel generators and up to 88 HGV's 6 days per week. The long term cumulative effect of construction, quarry HGV's, buses and additional private cars will be significantly increased.

There is not any evidence within this policy that actively demonstrates the radical reduction in Greenhouse gas emissions, creating these substantial urban developments within this rural setting of Capel will for the next 20 years or so see a significant increase in greenhouse gas emissions and deteriorating air quality.

- . Air Quality- No air quality action plans and low emission strategies, designed to offset the impact on air quality arising from new development". While air quality is only one of many considerations that are relevant to planning, the NPPG states that where sustained compliance with EU Limit Values is prevented, a local authority is to "consider whether planning permission should be refused". With such significant cumulative developments within the Parish of Capel air quality will become a issue. No evidence of engagement, no emission mitigation assessment or cost calculation as specified in its air quality policies, Limited data, mitigation regarding the potential deterioration in local air quality and potential adverse impacts on nearby sensitive receptors.
- . Urban sprawl is the biggest threat to climate change. Sprawl is low density. It is resource-hungry and an inefficient use of land."

These developments will create substantial heat island effects which the policy indicates should be avoided.

Light pollution will be a significant issue within the site and surrounding villages as defined within the NPPF, it requires planning policies to limit the impact of light pollution within dark sky landscapes .

The permanent removal of 1,000 + acres of prime, productive agricultural land that currently produces many variety of crops, loss of important productive orchards, soft fruit, ancient woodlands, mature trees, shrubs, hedgerows, open grassland and partial removal of a natural floodplain will remove areas that provide carbon capture / absorption, will not aid in reducing greenhouse gas emissions and climate change.

Out of town employment and secondary retail space will not attract the support of large retailers and stakeholders unless commercial rents are substantially lower than Tonbridge and Paddock Wood, even then prospective tenants will wait until they have a clear understanding of the size, footfall and infrastructure / transport connectivity of the developments, which could leave the commercial areas vacant until maturity or beyond the PSLP.

This policy lacks sufficient detail, especially regarding the large strategic sites and how carbon footprint will be reduced in line with the governments 'nearly zero' 2030 target.

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& Residents of Golden Green
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Event Name	Pre-Submission Local Plan
Comment by	Residents of Golden Green Association & KeepKent.Green (Mr Alan Chilvers - [REDACTED])
Comment ID	PSLP_2039
Response Date	04/06/21 11:48
Consultation Point	Policy EN 9 Biodiversity Net Gain (View)
Status	Processed
Submission Type	Email
Version	0.3
Files	PSLP_2026-2031, 2033, 2037-2040 KeepKent.Green & Residents of Golden Green Association Representation
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Biodiversity

NPPF -15 " Conserving and enhancing the natural environment".

1 " Planning policies and decisions should contribute to enhancing the natural and local environment by."

a) Protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan):

The LP does not demonstrate any enhancement to the valued landscape, with the proposed further mineral extractions within the area, along with the 2,800 homes at Tudeley Garden Village , the removal of 1,000's of acres of MGB, Prime, Farmed Agricultural Land will have many implications to the current vibrant wildlife and plant life in this area.

The removal of fertile soils from further mineral extraction will be removed and replaced with overburden and gravel pits which will permanently remove further species of Fauna and Flora.

The local community have for the last 30 years witnessed the exploitation of this wonderful natural wildlife area that has been constantly attacked and reduced by human development of the land.

- . 1980's- 2 landfill sites at Stonecastle Farm
- . 1980/90- Stonecastle Farm Quarry

. 2015 - Solar Farm -Moat Farm and Bank Farm

There has been a long history of environmental disasters within these developments including a number of pollution incidents regarding the Stonecastle Landfill and quarry sites, which have been the subject of a recent EA review, which concluded major compliance failures including unregulated release of methane gas, leachate leakage and extreme pollution to the soils within the sites. High Recorded Nitrate Levels in the River Medway.

Stonecastle Farm Quarry, has until recently been abandoned by the operator for the last 13 years which left the area to rewild itself and become an undisturbed haven for wildlife.

In 2019 KCC granted planning permission to allow the recommencement of quarrying activity at Stonecastle Farm, the operator immediately removed substantial areas of woodland, mature shrubs and trees to make way for a new haul road extension, this removal was unsupervised and breached a number of existing planning regulations.

The extensive removal has seen the loss and eradication of many species of invertebrates, popular nightingale roosting areas removed, removal of badger setts, dormice, bats and a number of bird species including nightingales, turtle doves, Red partridge, Owls and Kites.

Currently there is local opposition as further planning applications are under consideration, objections have been submitted as the proposals do not demonstrate any net Biodiversity gains, the only mitigation that has been deployed is to move the wildlife to adjoining and neighbouring land.

The further loss of land to the Tudeley and East Capel developments will have catastrophic consequences for biodiversity within the area. No amount of mitigation will provide such a rich and fertile environment currently enjoyed by the wildlife and plant life today as further land removal for development can not be replaced.

b) "Recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services, including the economic and other benefits and most versatile agricultural land, and trees and woodland".

These proposed development areas have been farmed for many generations, the farming community has developed the intrinsic character and beauty of this area, supporting and developing a vibrant biodiversity conservation programme.

1) Moat Farm, a project with the RSPB to promote the revival of the threatened turtle dove, which has had great success.

Operation Pollinator, creating natural habitats for pollinators to supplement the beehives we bring on to our farms.

Decided to plant their own Wild Bird Mixes and Pollen and Nectar Mixes to encourage farmland wildlife by providing a crucial feed supply over the winter months. These were established following a Farming Wildlife Advisory Group (FWAG) report that was commissioned to establish the state of wildlife on the farm.

2) Hadlow Estates Woodland and Wildlife Conservation has historically had an ongoing commitment to conservation within the area, including the preservation of a variety of landscapes and habitats , from the Medway Valley Meadows and surrounding fields, interspersed with woodland and streams, to higher forested ridges.

Hadlow Estates claims on its website " it is proud of the Estates biodiversity and many species of birds, mammals, reptiles, insects and plants that live here".

3) Local residents Members of the Peoples Trust Endangered Species Group, RSPB, Kent Bat Protection are recognised recorders of endangered species within the area, and have great knowledge and understanding of the species present within the area.

d) " Minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are most resilient to current and future pressures."

The Biodiversity Evidence Report Pre Submission Local Plan Report February 2021 continues to provide lack of detail uses out of date KMBRC records and does not address the many comments made with Reg 18 consultations, in view of the scale of the proposed developments (one of the largest within the plan) and the potential net loss of productive / conservation land, far more information and detail should have been produced prior to Reg 19 as requested.

The report fails to mention any of the rare and endangered plant life currently within the sites as well as only listing a small portion of wildlife species that have been recorded within the sites.

The PSLP should ensure through policy that biodiversity cannot be offset elsewhere, and must demonstrate through clear application metrics that net biodiversity gain is achieved now, and not some point in time in the future.

It is clear from the evidence to date that TWBC has not collaborated with other neighbouring local authorities, who also have development plans within the area, to form local partnerships for habitat management, enhancement and restoration and creation and protection of biodiversity within the overall area.

Policies need Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring;

- . The extent and distribution of the habitats of the qualifying features
- . The structure and function of the habitats of the qualifying features
- . The supporting processes on which the habitats of the qualifying features rely
- . The population of each of the qualifying features, and,
- . The distribution of the qualifying features within the site.

Address the key environmental pressures for the site affecting the sites area

- . Change in land management
- . Air pollution: impact of atmospheric nitrogen deposition.

There is the most diverse habitat within the site areas, which contains nationally endangered rare plants, True Fox Sedge which is associated with wetland habitats, such as floodplains, meadows, ponds, ditches and rivers, this is one of 3 recorded sites within Kent. UK Biodiversity Action Plans (UKBAPs) and has been included in English Nature's Species Recovery Plans (SRP).

Shepherds Needle is Nationally Scarce (NS) County Rare (CR) and Included in BAP (Biodiversity Action Plan)

There are a number of species of birds which are not recorded within The Biodiversity Evidence Report Pre Submission Local Plan Report February 2021 which are included on the amber and red data lists.

A considerable number of bird breeding territories could be compromised.

The area has already been subject to significant species loss over the last 10 years.

The Kent Biodiversity Strategy has been developed by the Kent Nature Partnership with the intention that the targets will overtime be adopted and incorporated into relevant local policy and plans. The Kent Nature Partnership has a vision for the Garden of England to have a healthy natural environment that is rich in wildlife, is enjoyed and valued by all and underpins long-term economic, social and personal wellbeing. Thriving biodiversity is key to achieving this vision.

Habitat mosaics are particularly rich in natural capital, providing a wide range of vital ecosystem services such as carbon storage, enhanced water quality and supply, cultural and amenity benefits, flood risk management and environmentally sensitive food production. Critically, they also provide the greatest resilience to climate change, allowing habitats and species greatest opportunities to change and move around the landscape as climate shifts.

Wilding presents an opportunity, in the right place, to allow natural processes to occur with minimal human intervention, not only making space for nature but allowing nature to drive its own recovery, deliver landscape scale restoration of ecosystems and establish mosaic habitats. And, where appropriate, this will include restoring keystone species as natural engineers to help shape the landscape and its habitats; the evidence from beaver reintroductions across the UK demonstrates the value in this approach and may lead to the declaration of beaver as a native species after a 400 year gap.

With the lack of detail and data as acknowledged within DLA Strategic Sites Master- Planning & Infrastructure Study 2021, that further ecological studies and evidence would establish suitable mitigation and enhancement which will be incorporated into the masterplan, how could the sites be strategically assessed if the quantum of ecological information is incorrect or missing?

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Comment by	Residents of Golden Green Association & KeepKent.Green (Mr Alan Chilvers - [REDACTED])
Comment ID	PSLP_2040
Response Date	04/06/21 11:48
Consultation Point	Policy EN 16 Landscape within the Built Environment (View)
Status	Processed
Submission Type	Email
Version	0.3
Files	PSLP_2026-2031, 2033, 2037-2040 KeepKent.Green & Residents of Golden Green Association Representation
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Question 3a	

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[TWBC: for further comments by KeepKent.Green and the Golden Green Residents Association, please see Comment Numbers PSLP_2026-2031, PSLP_2033 and PSLP_2037-2040]

Question 4

Do you consider that the Local Plan:

Is legally compliant	No
Is sound	No
Complies with the Duty to Cooperate	No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:	. It is not positively prepared
	. It is not effective
	. It is not justified
	. It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

[TWBC: the following extract is from the representation submitted by KeepKent.Green and the Golden Green Residents Association - for the full representation, please see supporting documents]

KKG Objects to Policies STR/SS1 and STR/ SS3 as well as providing additional commentary on other policies, that lead to conclude the Local Draft Plan is not legally compliant, is not positively prepared, is not justified or effective or consistent with NPPF.

Landscape- Visual Impacts

No sensitivity analysis of the landscape, as well as TWBC's failure to provide a Landscape and Visual Impact Assessment, TWBC appear to be satisfied that the current landowner has conducted suitable appraisals which have not been made publicly available.

In our opinion to rely on third party analysis, regarding the Visual and Landscape impacts is extremely inappropriate, considering the vast size of these parcels of land.

Refusing to share these reports publicly is not in the interest of the community.

Important sensitivity analysis has not been undertaken in any detail, this analysis is fundamentally important to determine the identified sites are suitable for development, without such information, how can such sites be considered to be included within the LP?

However with the limited information available publicly, the Landscape Sensitivity Assessment of the Countryside of Tunbridge Wells assesses the borough and addresses the Landscape Sensitivity with a traffic light scoring system. Following this principle with Capel Parish one can assume that all scorings for Capel demonstrate an extremely high sensitivity scoring (RED).

Kent County Council's Countryside Access Improvement Plan (2007). "Although the parts of the Low Weald within the Borough are not designated as an Area of Outstanding Natural Beauty, the landscape is still of high value and should be protected".

This area borders the High Weald AONB. However, the following key qualities related to the AONB are particularly valued in this character area:

- 1) Views to the rising wooded slopes of the High Weald to the south provide an important visual feature in the area.
- 2) Sense of isolation, relative remoteness and dark skies across the whole area is particularly valued in the context of the proximity of the area to larger settlements including Tonbridge to the west and Paddock Wood to the east.
- 3) The small remaining fragments of ancient woodland, which together with more recent woodland, water channels and drainage ditches, creates an important landscape structure and biodiversity value.

Landscape Sensitivity Assessment - LUC Report Feb 2017

Physical Character- The landscape makes a strong contribution to local character- e.g. it has a distinctive landform, natural landscape with strong hedgerows, mature trees and other features of interest, such as ponds and watercourses. Strong landform features such as ghyll valleys which are likely to be more sensitive. Eg Development would have a poor relationship with the existing form, crossing a boundary feature and/ or extending into an area with a distinct landscape- eg the extension of settlement beyond a ridge crest, onto steep slopes or into a valley.

The landscape of the sub-area is important to the setting of one or more settlement areas, providing a distinctive element in many or notable views, inward or outward, that are key to the character of the settlement. The landscape of the sub- area is important in the perception of a gap between distinct settlements.

Visual Character- The sub area is prominent in views to the wider landscape (e.g. as a result of openness or landform). The sub- area plays a key role in contributing to valued views., such as scenic views, within, from or to the ANOB. Distinctive or undeveloped skylines with important landmark features are likely to be more sensitive to built development.

Perceptual Qualities - A relatively tranquil landscape, lacking strong intrusive elements. Extensively dark skies and a high perceived degree of rurality/ naturalness with few human influences. High Scenic Value.

Historic Character- With many / highly valued historic features, characteristics and heritage assets that are key to local landscape character. The presence of medieval landscapes such as assarts and commons, which are valued characteristics associated with High Weald ANOB, is likely to increase sensitivity, as is the presence of many important historic components including ancient route ways.

Built development is unlikely to be able to be hidden within the landscape.

There is no assessment of the visual impact of the developments, which given the setting and the contribution of natural beauty to the surrounding area, demonstrates further fundamental flaws and leads one to question the validity of SA Assessment data as well as exceptional circumstances within the Green Belt policy as the NPPF stipulates that decisions should be evidence based.

Question 7

***Please note** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.*

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . Yes, I wish to participate in hearing session(s)

Question 7a

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

KeepKent.green would like to attend and participate in any Inspectors Hearing regarding the TWBC Local Plan.

If you would like to attach a file in support of your comments, please upload it here.

PSLP 2026-2031, 2033, 2037-2040 KeepKent.Green
& Residents of Golden Green
Association Representation

Comment

Consultee	Paul Revell [REDACTED]
Email Address	[REDACTED]
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Paul Revell [REDACTED]
Comment ID	PSLP_636
Response Date	28/05/21 09:11
Consultation Point	Policy STR/SS 2 The Strategy for Paddock Wood Town Centre (View)
Status	Processed
Submission Type	Email
Version	0.5
Data inputter to enter their initials here	KH
Question 1	
Respondent's Name and/or Organisation	Paul Revell
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR/SS 2 The Strategy for Paddock Wood Town Centre

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

with references being made to close the railway bridge access on maidstone road paddock wood to traffic except buses could you please register my objection to this proposal. paddock wood has suffered enough lately and this scheme will most likely kill the remaining high street. the road very rarely causes traffic problems but re routing traffic certainly would especially with the 300 odd houses being built on one of the expected diversion road !

this scheme would most likely cause outlying villages to use unsuitable back lanes or completely annexe paddock wood shops and services off from the high numbers of people who currently use them.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

For office use only

If responder hasn't ticked an option on this box, data inputter to tick 'not stated' box. Not Stated

Supporting Information File Ref No: SI_15

Comment

Consultee	Richard Tribe [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Revolution Events Ltd
Address	[REDACTED] [REDACTED] Pembury [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Revolution Events Ltd (Richard Tribe - [REDACTED])
Comment ID	PSLP_234
Response Date	20/05/21 17:57
Consultation Point	Pembury (View)
Status	Processed
Submission Type	Web
Version	0.3
Files	Saltmans - Kippings Cross (Pembury) Title K607818 (TWBC).pdf
Question 1	
Respondent's Name and/or Organisation	Richard Tribe & Jane Lancashire on behalf of Susan Lancashire
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
PSTR/PE 1	
Question 4	
Do you consider that the Local Plan:	

Is legally compliant	Yes
Is sound	Yes
Complies with the Duty to Cooperate	Yes

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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Mrs Susan Lancashire would like to submit an additional plot of land for consideration in the strategic plan, known as Saltmans Meadows and situated to the south of the A21 between Pastheap Farm and the Kippings Cross roundabout.

The land falls within Title No. K607818 and comprises approx 8.8 acres of rough agricultural land shielded from the A21 by a strip of woodland, The land is currently accessed via the old route of the A21 (prior to the Pembury Bypass).

NOTE: The same Title also contains approx 5 acres of woodland known as Saltmans Shaw, which is not currently being offered for development unless necessary.

For office use only

New Site Submission? Enter site address	Saltmans Meadows, south of the A21 between Pastheap Farm and the Kippings Cross roundabout
---	--

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan 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.

N/A

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Question 7a

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If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

N/A

Question 8

If you have any separate comments you wish to make on the accompanying Sustainability Appraisal, please make them here.

N/A

If you would like to attach a file in support of your comments, please upload it here.

[Saltmans - Kippings Cross \(Pembury\) Title K607818 \(TWBC\).pdf](#)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Supporting Information File Ref No: SI_105

Comment

Agent	Ms Polly Canning [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Kember Loudon Williams
Address	[REDACTED] [REDACTED] ROYAL TUNBRIDGE WELLS [REDACTED]
Consultee	Mr Richard Barnes [REDACTED]
Company / Organisation	Richard Barnes (Farms) Limited
Address	Unknown Unknown Unknown
Event Name	Pre-Submission Local Plan
Comment by	Richard Barnes (Farms) Limited [REDACTED] [REDACTED]
Comment ID	PSLP_1809
Response Date	03/06/21 16:51
Consultation Point	Policy STR 1 The Development Strategy (View)
Status	Processed
Submission Type	Email
Version	0.5
Files	PSLP_1809, 1811-1812_KLW_for_R Barnes_SI_Representation.pdf
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Richard Barnes (Farms) Limited
Question 2	
Agent's Name and Organisation (if applicable)	Kember Loudon Williams Ltd
Question 3	

To which part of the Local Plan does this representation relate?

Policy

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR 1 The Development Strategy

[TWBC: for further comments, please see Comment Numbers PSLP_1809, 1811 and 1812]

Question 4

Do you consider that the Local Plan:

Is sound

No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not positively prepared
- . It is not effective
- . It is not justified
- . It is not consistent with national policy

Question 5

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Introduction and Background

Our client owns land at Stone Court Farm (from hereon in referred to as "the Site") which is positioned on the north-eastern side of Pembury, in one of the only areas around Pembury that is **not** located in an Area of Outstanding Natural Beauty. It adjoins the Limits to Built development and is well related to the village core area. It is considered entirely suitable for residential development. Furthermore, it is available now and it is deliverable. The purpose of this submission therefore is to request the release of the site from the Green Belt (like Tunbridge Wells Borough Council have done for other 6 other sites in Pembury) and to allocate the land for housing. Submissions are therefore being made in relation to:

- . Policy STR1: The Development Strategy;
- . Policy STR9: The Green Belt;
- . Policy PSTR/PE1: The Strategy for Pembury Parish

Policy STR1: The Development Strategy

One of the tests of soundness is that the Plan must be effective. This means that it should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities. It is our assertion that Policy STR1 is not effective because there are not enough housing allocations to meet the housing needs in adjoining authority areas. We are also of the view that additional smaller housing sites should be required to ensure a sustainable delivery from early in the Plan Period.

The Development Strategy depends on the large strategic sites which will inevitably take a long time to deliver. When they do start delivery, the housing market will only be able to sustain a certain volume of new homes per annum – otherwise the market is flooded in specific localities and homes take longer to sell.

It is important therefore that additional smaller housing sites are allocated in the Plan, especially Site 354 (Land at Stone Court Farm) which is available now and can importantly be delivered within the 5 years.

Question 6

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In order for Policy STR1 to be effective, housing numbers need to increase, and additional smaller sites need to be identified for allocation – specifically Site 354 Land at Stone Court Farm.

We welcome the fact that point 7 of Policy STR1 provides for some reductions in the area of the Green Belt around Pembury where exceptional circumstances warrant this and where an effective long-term Green Belt is maintained. Site 354 Land at Stone Court Farm is another site that should be identified for release from the Green Belt.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . Yes, I wish to participate in hearing session(s)

Question 7a

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If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

In order to ensure the Plan is found sound.

If you would like to attach a file in support of your comments, please upload it here. [PSLP 1809, 1811-1812 KLV for R Barnes SI Representation.pdf](#)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Supporting Information File Ref No: SI_105

Comment

Agent	Ms Polly Canning [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Kember Loudon Williams
Address	[REDACTED] [REDACTED] ROYAL TUNBRIDGE WELLS [REDACTED]
Consultee	Mr Richard Barnes [REDACTED]
Company / Organisation	Richard Barnes (Farms) Limited
Address	Unknown Unknown Unknown
Event Name	Pre-Submission Local Plan
Comment by	Richard Barnes (Farms) Limited [REDACTED] [REDACTED]
Comment ID	PSLP_1811
Response Date	03/06/21 16:51
Consultation Point	Policy STR 9 Green Belt (View)
Status	Processed
Submission Type	Email
Version	0.5
Files	PSLP_1809, 1811-1812_KLW_for_R_Barnes_SI_Representation.pdf
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Richard Barnes (Farms) Limited
Question 2	
Agent's Name and Organisation (if applicable)	Kember Loudon Williams Ltd
Question 3	

To which part of the Local Plan does this representation relate?

Policy

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR 9 Green Belt

Table 6

Policies Map (Inset Map No(s)) 29

[TWBC: for further comments, please see Comment Numbers PSLP_1809, 1811 and 1812]

Question 4

Do you consider that the Local Plan:

Is sound

No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not positively prepared
- . It is not effective
- . It is not justified
- . It is not consistent with national policy

Question 5

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Introduction and Background

Our client owns land at Stone Court Farm (from hereon in referred to as "the Site") which is positioned on the north-eastern side of Pembury, in one of the only areas around Pembury that is **not** located in an Area of Outstanding Natural Beauty. It adjoins the Limits to Built development and is well related to the village core area. It is considered entirely suitable for residential development. Furthermore, it is available now and it is deliverable. The purpose of this submission therefore is to request the release of the site from the Green Belt (like Tunbridge Wells Borough Council have done for other 6 other sites in Pembury) and to allocate the land for housing. Submissions are therefore being made in relation to:

- . Policy STR1: The Development Strategy;
- . Policy STR9: The Green Belt;
- . Policy PSTR/PE1: The Strategy for Pembury Parish

Policy STR9: Green Belt

Policy STR9 removes land from the Green Belt and explains that this move is justified through the consideration of reasonable alternatives and is supported by 'exceptional circumstances'.

It is noted that a large proportion of land being released from the Green Belt is in Pembury - Table 6 on page 68 of the Pre-Submission version of the Plan shows that there are 6 sites in Pembury being released from the Green Belt (AL/PE 1, AL/PE 2, AL/PE 3, AL/PE 4, AL/PE 5, and AL/PE 7) equating to an overall total of 22.447 hectares of land.

The evidence and justification to release land from the Green Belt are explained in the Development Strategy Topic Paper (February 2021). One of the 'exceptional circumstances' given in Paragraph 6.201 on page 65 of the Topic Paper is "Individual site allocations located on the edge of settlements". Under this heading the text reads:

"Individual (mainly smaller scale) sites have been identified as logical extensions to the existing LBD of a settlement, or as a 'rounding off' small local adjustment to the Green Belt boundary (and in some cases providing a stronger Green Belt boundary), and where all other planning considerations support the allocation, facilitating development in a sustainable location. For example, the release of Green Belt land at a number of locations at Pembury will provide a range of development opportunities, including housing and community facilities, in a sustainable location".

It is considered that the subject Site meets the criteria above. It represents a logical extension to the existing Limits to Built Development of Pembury and is in a sustainable location.

Furthermore, it is important to note that the consents given to converting the former fruit farm buildings on the boundary edge of the Site (LPA Ref: 19/01696/FULL & 19/01430/PNQCLA) have now all been implemented. An image of this development is provided below.

[TWBC: for image, please see full representation attached as a supporting document]

This new residential development along with the road providing access to it (Stone Court Lane) are clear strong defensible boundaries to any settlement expansion, thus protecting from future incursion into the Green Belt. Any development on this site would therefore effectively act as infill development up to these boundaries.

In addition, it should be noted that directly to the northeast of Pembury there are no settlements for several miles so there would be no future merger of settlements.

[TWBC: for site plan, please see full representation attached as a supporting document]

Policy ST1 provides for some reductions in the area of the Green Belt around Pembury "where an effective long-term Green Belt is maintained". In this instance, it is clear that an effective long-term Green Belt can be maintained and as such we ask that this site is reconsidered for Green Belt release.

Question 6

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In order for Policy STR9 to be found sound, Table 6 on page 68 of the Plan should be modified to include Stone Court Farm (1.62 hectares) as a site that should be released from the Green Belt. Insert Map 29 should be amended to release this site from the Green Belt.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . Yes, I wish to participate in hearing session(s)

Question 7a

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

In order for the Plan to be found sound.

Question 8

If you have any separate comments you wish to make on the accompanying Sustainability Appraisal, please make them here.

The Sustainability Statement was wrong not to consider this site as a "reasonable alternative" to and not to have attributed greater weight to the site's status outside of the AONB.

If you would like to attach a file in support of your comments, please upload it here. [PSLP 1809, 1811-1812 K LW for R Barnes SI Representation.pdf](#)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box: Yes, I wish to be notified of future stages of the Local Plan

Supporting Information File Ref No: SI_105

Comment

Agent	Ms Polly Canning [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Kember Loudon Williams
Address	[REDACTED] [REDACTED] ROYAL TUNBRIDGE WELLS [REDACTED]
Consultee	Mr Richard Barnes [REDACTED]
Company / Organisation	Richard Barnes (Farms) Limited
Address	Unknown Unknown Unknown
Event Name	Pre-Submission Local Plan
Comment by	Richard Barnes (Farms) Limited [REDACTED] [REDACTED]
Comment ID	PSLP_1812
Response Date	03/06/21 16:51
Consultation Point	Policy PSTR/PE 1 The Strategy for Pembury parish (View)
Status	Processed
Submission Type	Email
Version	0.5
Files	PSLP_1809, 1811-1812_KLW_for_R_Barnes_SI_Representation.pdf
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Richard Barnes (Farms) Limited
Question 2	
Agent's Name and Organisation (if applicable)	Kember Loudon Williams Ltd
Question 3	

To which part of the Local Plan does this representation relate?

Policy

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy PSTR/PE 1 The Strategy for Pembury parish

Policies Map (Inset Map No(s)) 29

[TWBC: for further comments, please see Comment Numbers PSLP_1809, 1811 and 1812]

Question 4

Do you consider that the Local Plan:

Is sound

No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not positively prepared
- . It is not effective
- . It is not justified
- . It is not consistent with national policy

Question 5

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Introduction and Background

Our client owns land at Stone Court Farm (from hereon in referred to as "the Site") which is positioned on the north-eastern side of Pembury. It is positioned in the Green Belt but it is one of the only areas around Pembury that is **not** located in an Area of Outstanding Natural Beauty. It adjoins the Limits to Built development and is well related to the village core area. It is considered entirely suitable for residential development. Importantly, it is also available now and could be delivered within the next 5 years.

The purpose of this submission therefore is to request the release of the site from the Green Belt (like Tunbridge Wells Borough Council have done for 6 other sites in Pembury) and to allocate the land for housing. Submissions are therefore being made in relation to:

- . Policy STR1: The Development Strategy;
 - . Policy STR9: The Green Belt;
 - . Policy PSTR/PE1: The Strategy for Pembury Parish
- Policy PSTR/PE1: The Strategy for Pembury Parish

Significant growth is proposed in Pembury with between 389-417 units being built out across eight sites. The boundary for the Limits to Built Development will be adjusted and reductions are proposed in the area of Green Belt.

It is right that Pembury should grow to accommodate some of the pressing need for housing in the Borough. It is a thriving and sustainable settlement which employment opportunities nearby (not least with the hospital) and good transport links. However, we believe that there should be a further site allocated for housing: Land at Stone Court Farm.

Below is a copy of map taken from the Sustainability Appraisal of the Pre-Submission Local Plan, showing the location of the subject site along with the proposed allocated sites in Pembury.

[TWBC: for map, please see full representation attached as a supporting document]

Another allocation in Pembury would further assist with helping the Council meet additional housing requirements which have yet to be properly accounted for when taking into account unmet need from neighbouring authorities (see KLV comments on Policy STR1: The Development Strategy).

Furthermore, there are no deliverability constraints and so the site could forward for straight away. This is an important consideration when the three largest allocations for housing (AL/PE 1, PE 2 and PE3) which together result in a cumulative figure of 220 + units are all within multiple ownership. Reliance on these sites will inevitably take a long time to come forward and so consequently, suitable smaller additional sites that are available now should also be allocated.

Site Selection Process Concerns

We have concerns about the ways in which the SHELAA went about assessing this site, believing that the subject site has been unfairly judged. In particular, the failure to take on the technical highway information suggest to us that the Plan is not justified and has not been properly prepared.

As part of the Regulation 18 consultation stage in 2019, we put forward a strong and credible planning case to include the Site as a housing allocation within the Local Plan. A copy of the submission has been attached for ease of reference. We also provided technical evidence from a well-established highways consultancy demonstrating how the site could be accessed. The Transport Statement confirmed that the proposed access arrangements were acceptable and gave recommendations to the improvements that could be made to Stone Court Lane to make the site more accessible for pedestrians and mobility scooters. Despite providing evidence to demonstrate that the highway issues could be addressed the Council have still dismissed the site.

The Council have assessed the site in the Strategic Housing and Economic Land Availability Assessment (January 2021) Site Reference 354 and have deemed the site unsuitable for two main reasons:

- . Green Belt concerns;
- . Appropriate means of access.

Below is an extract from the SHELAA January 2021 assessment sheet for ease of reference.

[TWBC: for extract, please see full representation attached as a supporting document]

The rationale for not taking the site forward seems somewhat perverse when a considerable number of other sites in Pembury in the Green Belt are being released. Furthermore, these draft allocations also have the added constraint of being located in an Area of Outstanding Natural Beauty. The subject site on the other hand is one of the only sites available for development that is not in the AONB.

The National Planning Policy Framework explains that planning policies should protect and enhance valued landscapes in a manner commensurate with their statutory status and specifically states at Paragraph 171 that plans should “allocate land with the least environmental or amenity value”. **This is a clear failure to follow this process, with the Council favouring other sites in Pembury which are in the AONB above the subject which is not.**

The Development Strategy Topic Paper (February 2021) which is a supporting document to the Regulation 19 version of the Plan sets out the reasons why there are exceptional circumstances to alter the boundaries of the Green Belt. Five exceptional circumstances are given at Paragraph 6.201, one of which is “Individual site allocations located on the edge of settlements” (Page 67). Under this heading the text reads:

“Individual (mainly smaller scale) sites have been identified as logical extensions to the existing LBD of a settlement, or as a ‘rounding off’ small local adjustment to the Green Belt boundary (and in some

cases providing a stronger Green Belt boundary), and where all other planning considerations support the allocation, facilitating development in a sustainable location. For example, the release of Green Belt land at a number of locations at Pembury will provide a range of development opportunities, including housing and community facilities in a sustainable location”.

It is considered that the subject Site meets the criteria above. It represents a logical extension to the existing Limits to Built Development of Pembury and is in a sustainable location.

Furthermore, it is important to note that the consents given to converting the former fruit farm buildings on the boundary edge of the Site (LPA Ref: 19/01696/FULL & 19/01430/PNQCLA) have now all been implemented. An image of this development is provided below.

[TWBC: for image, please see full representation attached as a supporting document]

This new residential development along with the road providing access to it (Stone Court Lane) are clear strong defensible boundaries to any settlement expansion, thus protecting from future incursion into the Green Belt. Any development on this site would therefore effectively act as infill development up to these boundaries.

In addition, it should be noted that directly to the northeast of Pembury there are no settlements for several miles so there would be no future merger of settlements.

[TWBC: for site plan, please see full representation attached as a supporting document]

Policy ST1 provides for some reductions in the area of the Green Belt around Pembury “*where an effective long-term Green Belt is maintained*”. In this instance, it is clear that an effective long-term Green Belt can be maintained and as such we ask that this site is reconsidered for Green Belt release.

The site assessment refers to the site as having grade 2 agricultural soils but in reality, there is no agricultural potential for the site. There are no longer any buildings to support the agricultural use and there is no prospect of the site being used in the future. The site is vacant and the former agricultural buildings on the edge of the site have now been converted to a residential use.

The site assessment also refers to negative scores being given to air quality due to distance to local facilities and reliance on the private car. But again, this directly contradicts the specialist and technical evidence which was submitted as evidence as part of our Regulation 18 Representations where a specific section of the Highway Statement (Section 2) set out the sustainability credentials of the site, highlighting inter alia that:

- . It lies approximately 800m walking and cycling distance from the centre of Pembury.
- . That local facilities including a doctors surgery, library, school, village store, public house and takeaways are within 800m of the site.
- . That there are excellent bus based public transport services available within a very short walk of the site with the nearest bus stops to the site are approximately 200m from the site.

Overall, therefore, this submission objects to the way in which the draft Plan has been prepared finding that the housing allocations have not been chosen on the basis of a robust and transparent process.

Question 6

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After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan 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.

To ensure that the Plan is justified and fair, it is crucial that the Council reassesses Site 354 (Stone Court Farm) based on the detailed and up to date highway information provided.

Following this assessment process, Land at Stone Court Farm (Site 354 SHELAA) should be allocated for housing in the Plan for up to 40 - 50 dwellings and the site should be removed from the Green Belt.

Inset Map 29 should be amended to show an allocation for residential development at Stone Court Farm. The boundary representing the Limits to Built Development on Inset Map 29 should also be amended to include Stone Court Farm.

Housing numbers in Pembury should be increased from 389-417 to 429 -467 to accommodate this additional site.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . Yes, I wish to participate in hearing session(s)

Question 7a

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

In order for the Plan to be found sound.

Question 8

If you have any separate comments you wish to make on the accompanying Sustainability Appraisal, please make them here.

For the reasons set out above we do not believe the Sustainability Assessment for Site Reference 354 Stone Court Farm, Stone Court Lane, Pembury is sound.

The NPPF states that in order for a Plan to be found sound, it must, inter alia, be justified. The negative scores attributed towards Site 354 (particularly in relation to distance to local road network, air quality scores and the loss of agricultural soil) are not fair and are not justified.

Technical evidence has been provided to the Council to demonstrate that the site is located in a sustainable location and within easy walking distance of a large number of facilities. It also shows how improvements could be made to Stone Court Lane to make it user friendly for those with mobility problems. The Sustainability Assessment scoring system needs to be reviewed in light of this technical evidence.

Furthermore, the Sustainability Appraisal is wrong to attribute no greater weight to the site's status outside of the AONB.

If you would like to attach a file in support of your comments, please upload it here. [PSLP 1809, 1811-1812 KLV for R Barnes SI Representation.pdf](#)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box: Yes, I wish to be notified of future stages of the Local Plan

Supporting Information File Ref No: SI_147

Comment

Consultee	Andrew Richards ([REDACTED])
Email Address	[REDACTED]
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Andrew Richards ([REDACTED])
Comment ID	PSLP_2090
Response Date	03/06/21 21:42
Consultation Point	Policy STR 1 The Development Strategy (View)
Status	Processed
Submission Type	Email
Version	0.4
Files	Supporting Information - Andrew Richards Redacted.pdf
Data inputter to enter their initials here	KH
Question 1	
Respondent's Name and/or Organisation	Mr Andrew Richards
Question 3	
To which part of the Local Plan does this representation relate?	Paragraph(s)
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
	Paragraph 2.8 and 4.10
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Don't know

Is sound

No

Complies with the Duty to Cooperate

Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not justified
- . It is not consistent with national policy

Question 5

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Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

Objectively Assessed Need

1 I **object** to the approach used in the Pre-submission Local Plan (PSLP) to determine the Borough's housing needs. This is reliant on an over-zealous application of the standard method set out in the NPPF and fails to apply the relaxations available through policy.

2 Planning policy requires:

a. *"The preparation and review of all policies should be underpinned by relevant and up-to-date evidence . . . and take into account relevant market signals"* (NPPF 31)

b. *"strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance – unless exceptional circumstances justify an alternative approach which also reflects current and future demographic trends and market signals"* (NPPF 60)

c. *"Is the use of the standard method for strategic policy making purposes mandatory?"*

No, if it is felt that circumstances warrant an alternative approach but authorities can expect this to be scrutinised more closely at examination. There is an expectation that the standard method will be used and that any other method will be used only in exceptional circumstances" (PPG 2a-003-20190220)

d. *Within the current planning system the standard method does not present a 'target' in plan-making, but instead provides a starting point for determining the level of need for the area, . . . It is for local authorities to determine precisely how many homes to plan for and where those homes most appropriately located.* (Government response to the local housing need proposals, Apr 2021:

see web link)

1 Whereas:

a. The threshold of an "exceptional" need has already been applied in the PSLP to the destruction of Green Belt land, and therefore presumably should be applied to the planning policy associated with determining housing need. It therefore follows that exceptional circumstances **do indeed** apply and that alternatives to the Standard Method are allowable. To do otherwise would be inconsistent.

b. Para 2.30 of the Housing Needs Assessment Topic Paper demonstrates that deliverability of the housing need is challenging and therefore potentially unachievable. It identifies that the new capped Standard Method figure of 678 dwellings per year represents more than double the 2010 Core Strategy requirement and a 37% increase in recent house-building rates. By any measure, this is not deliverable and is therefore planning to fail – it is therefore **unsound**.

c. The PSLP should have examined the latest demographic data to determine if any adjustments to the Standard Method were appropriate. This would have identified that:

1. Population growth is slowing: “*The UK population growth rate is slower than in the 2014-based projections; the projected population is 0.6 million less in mid-2026 and 2.0 million less in mid-2041*” (Office of national Statistics (ONS), Source – Subnational population projections for England: 2016-based[1]. This showed a 10 year population growth for Tunbridge Wells Borough of 3758 over the period 2016-2026 – see below:

(TWBC Comment - see attached document for maps included within comment - Figure 2 : Population change for local authorities in England between mid 2016 and mid 2026)

2. Household growth is also slowing, having reduced from 210,000 per year for England in 2014 to 159,000 per year in 2016. The ONS identifies an increase in households for TWBC over the period 2016 – 2041 of 8085 (16.6%). = 323/yr vs the 484 from the standard method (Source – ONS Household projections in England: 2016-based)[2]

(TWBC Comment - see attached document for maps included within comment - Figure 3: Projected percentage change in number of households for local authorities in England 2016 to 2041)

3. And updated projections based on 2018 data shows a further slowdown in population growth “*The UK population growth rate is slower than in the 2016-based projections; the projected population is 0.4 million less in mid 2028 and 0.9 million less in mid 2043*” (Source – ONS National population projections: 2018-based)[3]

4. Overall, the 2016-based data suggests that TWBC will need around 4.5% less housing than projected using the 2014 figures.

d. The assertion in para 4.10 of the PSLP that “*national policy clarifies that this would be a minimum target*” is inaccurate. The concept of the OAN being a ‘target’ is not supported by the NPPF nor by the most recent Government guidance (see 2d above).

1 On this basis, TWBC have failed to underpin their analysis using “*relevant and up-to-date evidence*”, and the PSLP is therefore **unsound**.

[1]

(see web link)

[2]

(see web link)

[3]

(see web link)

Question 6

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TWBC needs to re-assess its demand projections to reflect more up-to-date figures produced by the ONS, resulting in a lower OAN.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box: Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Andrew Richards ([REDACTED])
Email Address	[REDACTED]
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Andrew Richards ([REDACTED])
Comment ID	PSLP_2096
Response Date	03/06/21 21:42
Consultation Point	Policy STR 9 Green Belt (View)
Status	Processed
Submission Type	Email
Version	0.7

Data inputter to enter their initials here KH

Question 1

Respondent's Name and/or Organisation Mr Andrew Richards

Question 3

To which part of the Local Plan does this representation relate? Policy

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR 9 Green Belt

Policy STR/SS 1 The Strategy for Paddock Wood, including land at east Capel

Policy STR/SS 3 The Strategy for Tudeley Village

[TWBC: this representation has been input against Policies STR 9, STR/SS 1 and STR/SS3 – see Comment Numbers PSLP_2096, PSLP_2101 and PSLP_2102]

Question 4

Do you consider that the Local Plan:

Is legally compliant	Don't know
Is sound	No
Complies with the Duty to Cooperate	No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not positively prepared
- . It is not justified
- . It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

Green Belt

- 1 The Pre-submission Local Plan (PSLP) proposes to remove over 330ha of land from the Green Belt to satisfy the Tudeley and Paddock Wood garden settlements (PSLP table 6). However, this use of Green Belt land runs counter to the NPPF and more recent clarifications provided by Government. Specifically:
 - a. The Government first set out its position in 2014 when posing the question “Do local planning authorities have to meet in full housing needs identified in needs assessments?” (<https://www.gov.uk/government/news/councils-must-protect-our-precious-green-belt-land>). The answer provided was as follows:
 - (1) Local authorities should prepare a Strategic Housing Market Assessment to assess their full housing needs.
 - (2) However, assessing need is just the first stage in developing a Local Plan. Once need has been assessed, the local planning authority should prepare a strategic housing land availability assessment to establish realistic assumptions about the availability, suitability and the likely economic viability of land to meet the identified need for housing over the plan period, and in so doing take account of any constraints such as green belt, which indicate that development should be restricted and which may restrain the ability of an authority to meet its need. (my emphasis)
 - b. This was amplified in 2016 when the Minister for Housing and Planning stated:

“The Government are committed to the strong protection and enhancement of green-belt land. Within the green belt, most new building is inappropriate and should be refused planning permission except in very special circumstances”. (Hansard, 18 Jul 16)
 - c. This is reinforced by the NPPF para 11b which states:

“Strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas, unless

 - (1) the application of policies in this Framework that protect areas or assets of particular importance [footnote refers to Green Belt] provides a strong reason for restricting the overall scale, type or distribution of development in the plan area, or
 - (2) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole”.

d. This is further supported by the NPPF para 145: “A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt”, with a list of exceptions, none of which apply to proposals of the magnitude proposed for Tudeley or Paddock Wood.

e. The Government has recently (April 2021) clarified its position on the use of Green Belt. (see web link). Specifically:

(1) “We heard suggestions in the consultation that in some places the numbers produced by the standard method pose a risk to protected landscapes and Green Belt. We should be clear that meeting housing need is never a reason to cause unacceptable harm to such places.”

(2) “Within the current planning system the standard method does not present a ‘target’ in plan-making, but instead provides a starting point for determining the level of need for the area, and it is only after consideration of this, alongside what constraints areas face, such as the Green Belt, and the land that is actually available for development, that the decision on how many homes should be planned for is made. It does not override other planning policies, including the protections set out in Paragraph 11b of the NPPF or our strong protections for the Green Belt. It is for local authorities to determine precisely how many homes to plan for and where those homes most appropriately located. In doing this they should take into account their local circumstances and constraints.”

f. This is reinforced by other guidance, for instance

<https://www.gov.uk/guidance/housing-and-economic-land-availability-assessment>:

(1) Should plan-makers override constraints, such as Green Belt, when carrying out the assessment to meet identified needs?

“Plan-making bodies should consider constraints when assessing the suitability, availability and achievability of sites and broad locations. For example, assessments should reflect the policies in footnote 6 of the National Planning Policy Framework, which sets out the areas where the Framework would provide strong reasons for restricting the overall scale, type or distribution of development in the plan area (such as the Green Belt and other protected areas).” (Paragraph: 002 Reference ID: 3-002-20190722)

g. The above policy and guidance is summarised concisely in the following terms

(https://www.designingbuildings.co.uk/wiki/Green_belt_planning_practice_guidance):

“The government's policy position is broadly that the green belt be protected almost at all costs, but consequently that development needs (in particular for new housing) will have to be accommodated in sustainable locations in other areas (including open countryside) outside the specific designations where planning policy imposes specific constraints”

1 It is worth noting, consistent with the above guidance, that TWBC rejected a planning application ref 18/01767 from the Poacher pub on Hartlake Road (immediately adjacent to the proposed garden settlement at Tudeley) on the grounds it would intrude on Green Belt, noting as a reason for the refusal:

a. “The proposal would constitute inappropriate development within the Metropolitan Green Belt, which by definition is harmful to its openness. There is insufficient evidence of the necessary ‘very special circumstances’ to overcome this harm. The proposal is thus contrary to . . . and the National Planning Policy Framework 2018” (rejection letter dated 31 Jul 18)

3.. Supporting documents to the PSLP recognise the harm that would be caused to the Green Belt by the two proposed settlements at Tudeley and Paddock Wood. Specifically,

a. The Development Strategy Topic Paper identifies that there would be a ‘high’ level of harm to the Green Belt from the two settlements, which would remove more than 330ha from Green Belt (https://tunbridgewells.gov.uk/__data/assets/pdf_file/0008/388016/Development-Strategy-Topic-Paper.pdf) – table 4

b. The Stage 3 Green Belt Study identifies the risk of the Tudeley and Paddock Wood settlements merging into each other when it states (https://tunbridgewells.gov.uk/__data/assets/pdf_file/0009/385317/Green-Belt-Study-Stage-Three_Rev1.pdf):

(1) “The fundamental purpose of the Metropolitan Green Belt is to prevent the sprawl of London and, as part of that, preventing other settlements growing towards London. Therefore, it makes sense to prevent Tunbridge Wells, Paddock Wood and Tonbridge from merging into one another” (para 5.32).

(2) “To the east, the release of AL/CA1 along with the expanded Paddock Wood (AL/PW1) will create a gap of approximately 1.8km between Tudeley Village and Paddock Wood. However, existing intervening

urban development at Five Oak Green, washed over development on Badsell Road, rail and road connections, and a lack of significant separating features will reduce the perceived gap. This will, without mitigation, weaken the strength of separation between the inset edge of Tudeley Village and existing inset development at Five Oak Green, although will still provide a level of distinction between the two settlements" (para 4.114).

4. The NPPF (para 137) requires LPA's to engage with others through statements of common ground to address any remaining unmet need before any encroachment on Green Belt:

Before concluding that exceptional circumstances exist to justify changes to Green Belt boundaries, the strategic policy-making authority should be able to demonstrate that it has examined fully all other reasonable options for meeting its identified need for development. This will be assessed through the examination of its strategic policies, which will take into account the preceding paragraph, and whether the strategy:

(c) has been informed by discussions with neighbouring authorities about whether they could accommodate some of the identified need for development, as demonstrated through the statement of common ground.

However, there is limited evidence of TWBC having engaged with other LPAs to address any unmet need that would arise from removal of the Tudeley and Paddock Wood proposals. For instance, there is no agreed Statement of Common Ground between TWBC and TMBC. Similarly, the engagement record between TWBC and TMBC shows only limited discussion of unmet needs and what seems to be a belated realisation by TWBC that it needed assistance (Duty to Cooperate Statement, Appendix C5 - https://tunbridgewells.gov.uk/__data/assets/pdf_file/0003/388020/Duty-to-Cooperate-Statement_2021.pdf)

- . 14 Dec 18 meeting stated "TWBC indicated could meet their own OAN"
- . 18 May 20 "discussion about unmet need"
- . 6 Oct 20 "TWBC formal request to TMBC to meet unmet TWBC housing/employment need"
- . 14 Oct 20: "TMBC response"

I am therefore of the view that TWBC has failed to meet its duty under the NPPF to engage meaningfully with neighbouring LPAs to seek their assistance to meet the TWBC identified need for development (see also separate representation on the wider failure to meet the Duty to Cooperate).

5. The Development Strategy Topic Paper adopts a circular argument when it states (para 6.200) "*The assessments undertaken to determine the most appropriate locations for a garden settlement were unable to identify sufficient suitable and deliverable land in areas wholly outside of the Green Belt*". This presumes a need to establish a garden settlement, whereas other options (such as urban infill) have not been fully explored.

6. I therefore conclude that TWBC has failed to meet the policy requirements placed on it regarding Green Belt land, and that its proposals in respect of Tudeley and Paddock Wood are therefore **unsound** and should be withdrawn from the PSLP

Question 6

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- 1 I acknowledge the challenge TWBC faces in balancing the competing demands for housing with the need to protect the Green Belt. However, the NPPF and other guidelines are clear about the need to preserve the Green Belt. The council therefore needs to investigate alternative sites, engage more pro-actively with neighbouring boroughs that do not face similar constraints on Green Belt,

and if necessary declare that the OAN is not achievable. Government guidance on this is set out in a range of ways:

a. Recent guidance (April 2021) encouraged greater scrutiny of urban areas: (see web link). Specifically:

(1) "In relation to the cities and urban centres uplift, we have heard representations that we can do more to increase home-building in existing urban areas to make the most of previously developed brownfield land over and above that in the existing standard method. There are three strong reasons for doing so. First, building in existing cities and urban centres ensures that new homes can maximise existing infrastructure such as public transport, schools, medical facilities and shops. Second, there is potentially a profound structural change working through the retail and commercial sector, and we should expect more opportunities for creative use of land in urban areas to emerge. Utilising this land allows us to give priority to the development of brownfield land, and thereby protect our green spaces. And third, our climate aspirations demand that we aim for a spatial pattern of development that reduces the need for unnecessary high-carbon travel."

b. TWBC has examined only settlement options presented to it through its Call for Sites, a reactive approach, and has not adopted a more pro-active approach of searching out sites suitable for garden settlements outside the Green Belt that could be acquired through compulsory purchase or other means.

(1) The planning guidance on this clearly encourages a pro-active approach (see <https://www.gov.uk/guidance/housing-and-economic-land-availability-assessment>):

How can sites/broad locations be identified?

"When carrying out a desktop review, plan-makers need to be proactive in identifying as wide a range of sites and broad locations for development as possible (including those existing sites that could be improved, intensified or changed)"

"It is important that plan-makers do not simply rely on sites that they have been informed about, but actively identify sites through the desktop review process that may assist in meeting the development needs of an area" (Paragraph: 010 Reference ID: 3-010-20190722)

2. Given this policy context, I believe TWBC needs to take a second look at some areas it has currently discounted from consideration. For instance, Frittenden lies outside the Green Belt, is in a very rural area (similar to the proposed development at Tudeley), benefits from a railway station at Headcorn and (a little further away) a separate railway line at Ashford, and would yield around 1,500 dwellings, yet is declared in the SHELLA as unsuitable in the following terms (see web link):

"Matters relating to the very rural setting and remoteness of the settlement, highway infrastructure, and distance from access to high level services and employment, heritage and land ownership mean that this site is unsuitable"

I appreciate that the fragmented nature of the land parcels would require more effort from TWBC, including a more active role in masterplanning, and that investment would be required in the road and gas network. However, a level of infrastructure investment will already be required for the proposed Tudeley settlement, so at a superficial level the two options are comparable. More fundamentally, exploring options such as Frittenden could ease pressure on Green Belt whilst allowing the vision of self-contained garden settlements to endure.

3. Similarly given the policy context, even at this late stage, TWBC should establish a dialogue with neighbouring LPAs that do not face similar Green Belt or AONB constraints (notably TMBC and Maidstone) to explore the scope for them to address some of the identified need from TWBC.

4. If these various avenues do not allow TWBC to achieve its identified needs, then per the planning guidance the PSLP will need to declare this.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

Yes, I wish to participate in hearing session(s)

Question 7a

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

I feel strongly that Green Belt land should be maintained for that purpose and would wish to contribute to any discussion on this topic.

Comment

Consultee	Andrew Richards ([REDACTED])
Email Address	[REDACTED]
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Andrew Richards ([REDACTED])
Comment ID	PSLP_2101
Response Date	03/06/21 21:42
Consultation Point	Policy STR/SS 1 The Strategy for Paddock Wood, including land at east Capel (View)
Status	Processed
Submission Type	Email
Version	0.5
Data inputter to enter their initials here	KH
Question 1	
Respondent's Name and/or Organisation	Mr Andrew Richards
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR 9 Green Belt

Policy STR/SS 1 The Strategy for Paddock Wood, including land at east Capel

Policy STR/SS 3 The Strategy for Tudeley Village

[TWBC: this representation has been input against Policies STR 9, STR/SS 1 and STR/SS3 – see Comment Numbers PSLP_2096, PSLP_2101 and PSLP_2102]

Question 4

Do you consider that the Local Plan:

Is legally compliant	Don't know
Is sound	No
Complies with the Duty to Cooperate	No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:	. It is not positively prepared
	. It is not justified
	. It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

Green Belt

- 1 The Pre-submission Local Plan (PSLP) proposes to remove over 330ha of land from the Green Belt to satisfy the Tudeley and Paddock Wood garden settlements (PSLP table 6). However, this use of Green Belt land runs counter to the NPPF and more recent clarifications provided by Government. Specifically:
 - a. The Government first set out its position in 2014 when posing the question “Do local planning authorities have to meet in full housing needs identified in needs assessments?” (<https://www.gov.uk/government/news/councils-must-protect-our-precious-green-belt-land>). The answer provided was as follows:
 - (1) Local authorities should prepare a Strategic Housing Market Assessment to assess their full housing needs.
 - (2) However, assessing need is just the first stage in developing a Local Plan. Once need has been assessed, the local planning authority should prepare a strategic housing land availability assessment to establish realistic assumptions about the availability, suitability and the likely economic viability of land to meet the identified need for housing over the plan period, and in so doing take account of any constraints such as green belt, which indicate that development should be restricted and which may restrain the ability of an authority to meet its need. (my emphasis)
 - b. This was amplified in 2016 when the Minister for Housing and Planning stated:

“The Government are committed to the strong protection and enhancement of green-belt land. Within the green belt, most new building is inappropriate and should be refused planning permission except in very special circumstances”. (Hansard, 18 Jul 16)
 - c. This is reinforced by the NPPF para 11b which states:

“Strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas, unless

 - (1) the application of policies in this Framework that protect areas or assets of particular importance [footnote refers to Green Belt] provides a strong reason for restricting the overall scale, type or distribution of development in the plan area, or

(2) *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole*".

d. This is further supported by the NPPF para 145: "A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt", with a list of exceptions, none of which apply to proposals of the magnitude proposed for Tudeley or Paddock Wood.

e. The Government has recently (April 2021) clarified its position on the use of Green Belt. (see web link). Specifically:

(1) *"We heard suggestions in the consultation that in some places the numbers produced by the standard method pose a risk to protected landscapes and Green Belt. We should be clear that meeting housing need is never a reason to cause unacceptable harm to such places."*

(2) *"Within the current planning system the standard method does not present a 'target' in plan-making, but instead provides a starting point for determining the level of need for the area, and it is only after consideration of this, alongside what constraints areas face, such as the Green Belt, and the land that is actually available for development, that the decision on how many homes should be planned for is made. It does not override other planning policies, including the protections set out in Paragraph 11b of the NPPF or our strong protections for the Green Belt. It is for local authorities to determine precisely how many homes to plan for and where those homes most appropriately located. In doing this they should take into account their local circumstances and constraints."*

f. This is reinforced by other guidance, for instance

<https://www.gov.uk/guidance/housing-and-economic-land-availability-assessment>:

(1) Should plan-makers override constraints, such as Green Belt, when carrying out the assessment to meet identified needs?

"Plan-making bodies should consider constraints when assessing the suitability, availability and achievability of sites and broad locations. For example, assessments should reflect the policies in footnote 6 of the National Planning Policy Framework, which sets out the areas where the Framework would provide strong reasons for restricting the overall scale, type or distribution of development in the plan area (such as the Green Belt and other protected areas)." (Paragraph: 002 Reference ID: 3-002-20190722)

g. The above policy and guidance is summarised concisely in the following terms

(https://www.designingbuildings.co.uk/wiki/Green_belt_planning_practice_guidance):

"The government's policy position is broadly that the green belt be protected almost at all costs, but consequently that development needs (in particular for new housing) will have to be accommodated in sustainable locations in other areas (including open countryside) outside the specific designations where planning policy imposes specific constraints"

1 It is worth noting, consistent with the above guidance, that TWBC rejected a planning application ref 18/01767 from the Poacher pub on Hartlake Road (immediately adjacent to the proposed garden settlement at Tudeley) on the grounds it would intrude on Green Belt, noting as a reason for the refusal:

a. *"The proposal would constitute inappropriate development within the Metropolitan Green Belt, which by definition is harmful to its openness. There is insufficient evidence of the necessary 'very special circumstances' to overcome this harm. The proposal is thus contrary to . . . and the National Planning Policy Framework 2018"* (rejection letter dated 31 Jul 18)

3.. Supporting documents to the PSLP recognise the harm that would be caused to the Green Belt by the two proposed settlements at Tudeley and Paddock Wood. Specifically,

a. The Development Strategy Topic Paper identifies that there would be a 'high' level of harm to the Green Belt from the two settlements, which would remove more than 330ha from Green Belt (https://tunbridgewells.gov.uk/__data/assets/pdf_file/0008/388016/Development-Strategy-Topic-Paper.pdf) – table 4

b. The Stage 3 Green Belt Study identifies the risk of the Tudeley and Paddock Wood settlements merging into each other when it states (https://tunbridgewells.gov.uk/__data/assets/pdf_file/0009/385317/Green-Belt-Study-Stage-Three_Rev1.pdf):

(1) *"The fundamental purpose of the Metropolitan Green Belt is to prevent the sprawl of London and, as part of that, preventing other settlements growing towards London. Therefore, it makes sense to prevent Tunbridge Wells, Paddock Wood and Tonbridge from merging into one another"* (para 5.32).

(2) *“To the east, the release of AL/CA1 along with the expanded Paddock Wood (AL/PW1) will create a gap of approximately 1.8km between Tudeley Village and Paddock Wood. However, existing intervening urban development at Five Oak Green, washed over development on Badsell Road, rail and road connections, and a lack of significant separating features will reduce the perceived gap. This will, without mitigation, weaken the strength of separation between the inset edge of Tudeley Village and existing inset development at Five Oak Green, although will still provide a level of distinction between the two settlements”* (para 4.114).

4. The NPPF (para 137) requires LPA's to engage with others through statements of common ground to address any remaining unmet need before any encroachment on Green Belt:

Before concluding that exceptional circumstances exist to justify changes to Green Belt boundaries, the strategic policy-making authority should be able to demonstrate that it has examined fully all other reasonable options for meeting its identified need for development. This will be assessed through the examination of its strategic policies, which will take into account the preceding paragraph, and whether the strategy:

(c) has been informed by discussions with neighbouring authorities about whether they could accommodate some of the identified need for development, as demonstrated through the statement of common ground.

However, there is limited evidence of TWBC having engaged with other LPAs to address any unmet need that would arise from removal of the Tudeley and Paddock Wood proposals. For instance, there is no agreed Statement of Common Ground between TWBC and TMBC. Similarly, the engagement record between TWBC and TMBC shows only limited discussion of unmet needs and what seems to be a belated realisation by TWBC that it needed assistance (Duty to Cooperate Statement, Appendix C5 - https://tunbridgewells.gov.uk/__data/assets/pdf_file/0003/388020/Duty-to-Cooperate-Statement_2021.pdf)

- . 14 Dec 18 meeting stated “TWBC indicated could meet their own OAN”
- . 18 May 20 “discussion about unmet need”
- . 6 Oct 20 “TWBC formal request to TMBC to meet unmet TWBC housing/employment need”
- . 14 Oct 20: “TMBC response”

I am therefore of the view that TWBC has failed to meet its duty under the NPPF to engage meaningfully with neighbouring LPAs to seek their assistance to meet the TWBC identified need for development (see also separate representation on the wider failure to meet the Duty to Cooperate).

5. The Development Strategy Topic Paper adopts a circular argument when it states (para 6.200) *“The assessments undertaken to determine the most appropriate locations for a garden settlement were unable to identify sufficient suitable and deliverable land in areas wholly outside of the Green Belt”*. This presumes a need to establish a garden settlement, whereas other options (such as urban infill) have not been fully explored.

6. I therefore conclude that TWBC has failed to meet the policy requirements placed on it regarding Green Belt land, and that its proposals in respect of Tudeley and Paddock Wood are therefore **unsound** and should be withdrawn from the PSLP

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan 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.

- 1 I acknowledge the challenge TWBC faces in balancing the competing demands for housing with the need to protect the Green Belt. However, the NPPF and other guidelines are clear about the need to preserve the Green Belt. The council therefore needs to investigate alternative sites, engage

more pro-actively with neighbouring boroughs that do not face similar constraints on Green Belt, and if necessary declare that the OAN is not achievable. Government guidance on this is set out in a range of ways:

a. Recent guidance (April 2021) encouraged greater scrutiny of urban areas:

(see web link). Specifically:

(1) *"In relation to the cities and urban centres uplift, we have heard representations that we can do more to increase home-building in existing urban areas to make the most of previously developed brownfield land over and above that in the existing standard method. There are three strong reasons for doing so. First, building in existing cities and urban centres ensures that new homes can maximise existing infrastructure such as public transport, schools, medical facilities and shops. Second, there is potentially a profound structural change working through the retail and commercial sector, and we should expect more opportunities for creative use of land in urban areas to emerge. Utilising this land allows us to give priority to the development of brownfield land, and thereby protect our green spaces. And third, our climate aspirations demand that we aim for a spatial pattern of development that reduces the need for unnecessary high-carbon travel."*

b. TWBC has examined only settlement options presented to it through its Call for Sites, a reactive approach, and has not adopted a more pro-active approach of searching out sites suitable for garden settlements outside the Green Belt that could be acquired through compulsory purchase or other means.

(1) The planning guidance on this clearly encourages a pro-active approach (see <https://www.gov.uk/guidance/housing-and-economic-land-availability-assessment>):

How can sites/broad locations be identified?

"When carrying out a desktop review, plan-makers need to be proactive in identifying as wide a range of sites and broad locations for development as possible (including those existing sites that could be improved, intensified or changed)"

"It is important that plan-makers do not simply rely on sites that they have been informed about, but actively identify sites through the desktop review process that may assist in meeting the development needs of an area" (Paragraph: 010 Reference ID: 3-010-20190722)

2. Given this policy context, I believe TWBC needs to take a second look at some areas it has currently discounted from consideration. For instance, Frittenden lies outside the Green Belt, is in a very rural area (similar to the proposed development at Tudeley), benefits from a railway station at Headcorn and (a little further away) a separate railway line at Ashford, and would yield around 1,500 dwellings, yet is declared in the SHELLA as unsuitable in the following terms (see web link):

"Matters relating to the very rural setting and remoteness of the settlement, highway infrastructure, and distance from access to high level services and employment, heritage and land ownership mean that this site is unsuitable"

I appreciate that the fragmented nature of the land parcels would require more effort from TWBC, including a more active role in masterplanning, and that investment would be required in the road and gas network. However, a level of infrastructure investment will already be required for the proposed Tudeley settlement, so at a superficial level the two options are comparable. More fundamentally, exploring options such as Frittenden could ease pressure on Green Belt whilst allowing the vision of self-contained garden settlements to endure.

3. Similarly given the policy context, even at this late stage, TWBC should establish a dialogue with neighbouring LPAs that do not face similar Green Belt or AONB constraints (notably TMBC and Maidstone) to explore the scope for them to address some of the identified need from TWBC.

4. If these various avenues do not allow TWBC to achieve its identified needs, then per the planning guidance the PSLP will need to declare this.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

Yes, I wish to participate in hearing session(s)

Question 7a

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Comment

Consultee	Andrew Richards ([REDACTED])
Email Address	[REDACTED]
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Andrew Richards ([REDACTED])
Comment ID	PSLP_2102
Response Date	03/06/21 21:42
Consultation Point	Policy STR/SS 3 The Strategy for Tudeley Village (View)
Status	Processed
Submission Type	Email
Version	0.4

Data inputter to enter their initials here KH

Question 1

Respondent's Name and/or Organisation Mr Andrew Richards

Question 3

To which part of the Local Plan does this representation relate? Policy

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR 9 Green Belt

Policy STR/SS 1 The Strategy for Paddock Wood, including land at east Capel

Policy STR/SS 3 The Strategy for Tudeley Village

[TWBC: this representation has been input against Policies STR 9, STR/SS 1 and STR/SS3 – see Comment Numbers PSLP_2096, PSLP_2101 and PSLP_2102]

Question 4

Do you consider that the Local Plan:

Is legally compliant Don't know

Is sound No

Complies with the Duty to Cooperate No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not positively prepared
- . It is not justified
- . It is not consistent with national policy

Question 5

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(2) However, assessing need is just the first stage in developing a Local Plan. Once need has been assessed, the local planning authority should prepare a strategic housing land availability assessment to establish realistic assumptions about the availability, suitability and the likely economic viability of land to meet the identified need for housing over the plan period, and in so doing take account of any constraints such as green belt, which indicate that development should be restricted and which may restrain the ability of an authority to meet its need. (my emphasis)

b. This was amplified in 2016 when the Minister for Housing and Planning stated:

“The Government are committed to the strong protection and enhancement of green-belt land. Within the green belt, most new building is inappropriate and should be refused planning permission except in very special circumstances”. (Hansard, 18 Jul 16)

c. This is reinforced by the NPPF para 11b which states:

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(1) the application of policies in this Framework that protect areas or assets of particular importance [footnote refers to Green Belt] provides a strong reason for restricting the overall scale, type or distribution of development in the plan area, or

(2) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole”.

d. This is further supported by the NPPF para 145: “A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt”, with a list of exceptions, none of which apply to proposals of the magnitude proposed for Tudeley or Paddock Wood.

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f. This is reinforced by other guidance, for instance

see web link:

(1) Should plan-makers override constraints, such as Green Belt, when carrying out the assessment to meet identified needs?

“Plan-making bodies should consider constraints when assessing the suitability, availability and achievability of sites and broad locations. For example, assessments should reflect the policies in footnote 6 of the National Planning Policy Framework, which sets out the areas where the Framework would provide strong reasons for restricting the overall scale, type or distribution of development in the plan area (such as the Green Belt and other protected areas).” (Paragraph: 002 Reference ID: 3-002-20190722)

g. The above policy and guidance is summarised concisely in the following terms (see web link):

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3.. Supporting documents to the PSLP recognise the harm that would be caused to the Green Belt by the two proposed settlements at Tudeley and Paddock Wood. Specifically,

a. The Development Strategy Topic Paper identifies that there would be a ‘high’ level of harm to the Green Belt from the two settlements, which would remove more than 330ha from Green Belt (see web link) – table 4

b. The Stage 3 Green Belt Study identifies the risk of the Tudeley and Paddock Wood settlements merging into each other when it states ((see web link):

(1) “The fundamental purpose of the Metropolitan Green Belt is to prevent the sprawl of London and, as part of that, preventing other settlements growing towards London. Therefore, it makes sense to prevent Tunbridge Wells, Paddock Wood and Tonbridge from merging into one another” (para 5.32).

(2) "To the east, the release of AL/CA1 along with the expanded Paddock Wood (AL/PW1) will create a gap of approximately 1.8km between Tudeley Village and Paddock Wood. However, existing intervening urban development at Five Oak Green, washed over development on Badsell Road, rail and road connections, and a lack of significant separating features will reduce the perceived gap. This will, without mitigation, weaken the strength of separation between the inset edge of Tudeley Village and existing inset development at Five Oak Green, although will still provide a level of distinction between the two settlements" (para 4.114).

4. The NPPF (para 137) requires LPA's to engage with others through statements of common ground to address any remaining unmet need before any encroachment on Green Belt:

Before concluding that exceptional circumstances exist to justify changes to Green Belt boundaries, the strategic policy-making authority should be able to demonstrate that it has examined fully all other reasonable options for meeting its identified need for development. This will be assessed through the examination of its strategic policies, which will take into account the preceding paragraph, and whether the strategy:

(c) has been informed by discussions with neighbouring authorities about whether they could accommodate some of the identified need for development, as demonstrated through the statement of common ground.

However, there is limited evidence of TWBC having engaged with other LPAs to address any unmet need that would arise from removal of the Tudeley and Paddock Wood proposals. For instance, there is no agreed Statement of Common Ground between TWBC and TMBC. Similarly, the engagement record between TWBC and TMBC shows only limited discussion of unmet needs and what seems to be a belated realisation by TWBC that it needed assistance (Duty to Cooperate Statement, Appendix C5 -

see web link)

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I am therefore of the view that TWBC has failed to meet its duty under the NPPF to engage meaningfully with neighbouring LPAs to seek their assistance to meet the TWBC identified need for development (see also separate representation on the wider failure to meet the Duty to Cooperate).

5. The Development Strategy Topic Paper adopts a circular argument when it states (para 6.200) "The assessments undertaken to determine the most appropriate locations for a garden settlement were unable to identify sufficient suitable and deliverable land in areas wholly outside of the Green Belt". This presumes a need to establish a garden settlement, whereas other options (such as urban infill) have not been fully explored.

6. I therefore conclude that TWBC has failed to meet the policy requirements placed on it regarding Green Belt land, and that its proposals in respect of Tudeley and Paddock Wood are therefore **unsound** and should be withdrawn from the PSLP

Question 6

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- 1 I acknowledge the challenge TWBC faces in balancing the competing demands for housing with the need to protect the Green Belt. However, the NPPF and other guidelines are clear about the need to preserve the Green Belt. The council therefore needs to investigate alternative sites, engage more pro-actively with neighbouring boroughs that do not face similar constraints on Green Belt, and if necessary declare that the OAN is not achievable. Government guidance on this is set out in a range of ways:

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(see web link). Specifically:

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b. TWBC has examined only settlement options presented to it through its Call for Sites, a reactive approach, and has not adopted a more pro-active approach of searching out sites suitable for garden settlements outside the Green Belt that could be acquired through compulsory purchase or other means.

(1) The planning guidance on this clearly encourages a pro-active approach (see web link):

How can sites/broad locations be identified?

"When carrying out a desktop review, plan-makers need to be proactive in identifying as wide a range of sites and broad locations for development as possible (including those existing sites that could be improved, intensified or changed)"

"It is important that plan-makers do not simply rely on sites that they have been informed about, but actively identify sites through the desktop review process that may assist in meeting the development needs of an area" (Paragraph: 010 Reference ID: 3-010-20190722)

2. Given this policy context, I believe TWBC needs to take a second look at some areas it has currently discounted from consideration. For instance, Frittenden lies outside the Green Belt, is in a very rural area (similar to the proposed development at Tudeley), benefits from a railway station at Headcorn and (a little further away) a separate railway line at Ashford, and would yield around 1,500 dwellings, yet is declared in the SHELLA as unsuitable in the following terms

(see web link):

"Matters relating to the very rural setting and remoteness of the settlement, highway infrastructure, and distance from access to high level services and employment, heritage and land ownership mean that this site is unsuitable"

I appreciate that the fragmented nature of the land parcels would require more effort from TWBC, including a more active role in masterplanning, and that investment would be required in the road and gas network. However, a level of infrastructure investment will already be required for the proposed Tudeley settlement, so at a superficial level the two options are comparable. More fundamentally, exploring options such as Frittenden could ease pressure on Green Belt whilst allowing the vision of self-contained garden settlements to endure.

3. Similarly given the policy context, even at this late stage, TWBC should establish a dialogue with neighbouring LPAs that do not face similar Green Belt or AONB constraints (notably TMBC and Maidstone) to explore the scope for them to address some of the identified need from TWBC.

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Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . Yes, I wish to participate in hearing session(s)

Question 7a

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If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

I feel strongly that Green Belt land should be maintained for that purpose and would wish to contribute to any discussion on this topic.

Comment

Consultee	Andrew Richards ([REDACTED])
Email Address	[REDACTED]
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Andrew Richards ([REDACTED])
Comment ID	PSLP_2105
Response Date	03/06/21 21:42
Consultation Point	Policy STR 5 Infrastructure and Connectivity (View)
Status	Processed
Submission Type	Email
Version	0.5
Data inputter to enter their initials here	KH
Question 1	
Respondent's Name and/or Organisation	Mr Andrew Richards
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy STR 5 Infrastructure and Connectivity	
Policy STR 6 Transport and Parking	
Question 4	
Do you consider that the Local Plan:	
Is sound	No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not positively prepared
- . It is not justified
- . It is not consistent with national policy

Question 5

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Duty to Cooperate and broader engagement

1. I believe TWBC has failed in its Duty to Cooperate and engage with neighbouring communities, infrastructure providers and relevant LPAs, notably those in TMBC. The NPPF states that:

a. 16. "Plans should:

c) be shaped by early, proportionate and effective engagement between planmakers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees"

b. "27. In order to demonstrate effective and on-going joint working, strategic policymaking authorities should prepare and maintain one or more statements of common ground, documenting the cross-boundary matters being addressed and progress in cooperating to address these. These should be . . . made publicly available throughout the plan-making process to provide transparency"

c. " 35 . . . Plans are 'sound' if they are:

c) Effective - . . . based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground"

2. These policy requirements are of particular importance in the context of the Pre-submission Local Plan (PSLP), given the location of the Tudeley and Paddock Wood proposals on the boundary with TMBC. These proposals will have a significant impact on Tonbridge, Golden Green, East Peckham and other communities that lie close to the proposed garden settlements. As a result, TWBC should have engaged early, both with the local communities and with TMBC as the LPA. However:

a. Community engagement has been very limited (a copy of the Draft Local Plan was not automatically lodged at the Tonbridge library).

b. 202 responses were received by TWBC in response to questions regarding Settlement Groupings (which introduced the concept of garden settlements), and of those that expressed an opinion (around 92%) the majority (around 70%) disagreed with the suggested groupings. Despite this, the plan process ignored these responses and in the DLP proposed a garden settlement at Tudeley. This undermines the effectiveness of and confidence in the public consultation process run by TWBC.

c. Further to the above point, TWBC jumped straight from a broad identification of Strategic Option 5 in its Issues and Options paper, which was to consider the principle of garden settlements, to the selection of that as an adopted policy and then to the actual selection of specific sites (notably Tudeley (2,800 dwellings) and Paddock Wood (4,000 dwellings)) in the DLP. To announce, without public notice, allocations representing 50% of the OAN with such a significant impact on a neighbouring borough does not represent the "early, proportionate and effective engagement" required by policy.

d. The PSLP (STR 5) asserts that TWBC has “*fully consulted*” with Southern Water regarding the supply of fresh water and removal of foul, yet Greg Clark (the MP for Tunbridge Wells) is on record in advising that:

(1) “*Plans to upgrade the sewerage network in Paddock Wood, despite repeated discussions with Paddock Wood Town Council, have come to nothing. Residents of Paddock Wood now see development happening that they were assured would take place only when the sewerage system had been upgraded to deal with the current overuse and problems and to remove the worsening of that situation, let alone to cope with the planned development*” (House of Commons, 28 Oct 2019)

(2) This demonstrates the ineffectiveness of infrastructure planning, where this fails to provide the up-front investment needed to put in place the infrastructure needed in advance of development taking place. Without addressing such past poor performance the PSLP is unsound.

e. The PSLP (but not the preceding DLP) sets out proposals to close the Hartlake Road at its junction with Tudeley Road, and to close Maidstone Road in Paddock Wood. Both of these routes are well-used by communities in Tonbridge and Malling and their closure would add significantly to journey times, traffic congestion and pollution. Yet the absence of any effective dialogue from TWBC means that these proposals are only now being made visible.

f. A Statement of Common Ground has yet to be agreed between TWBC and TMBC. Yet the PSLP is at Reg 19 stage, far too late for constructive engagement with TMBC.

3. TMBC is on record in objecting to the DLP, noting that (letter of 16 Oct 19 from TMBC):

a. “*this is the first opportunity to comment on the detailed development strategy set out in the draft Local Plan*”.

b. “*the proximity of some of the major development proposals to the borough boundary . . . is a matter of serious concern due to the potential impacts on the local highway network, rail services and other community infrastructure including health care and education*”.

c. “*appropriate access across the railway will be an important consideration for master planning and viability*”.

These is hardly the response to be expected from an adjoining Borough that has had effective cross-boundary consultation on strategic matters.

4. As noted in another representation, this lack of engagement has also meant that any discussion with other LPAs about “*whether they could accommodate some of the identified need for development, as demonstrated through the statement of common ground (NPPF para 137c)*” has not been possible.

5. I therefore conclude that TWBC has failed in its Duty to Cooperate and that the PSLP is therefore **unsound**.

Question 6

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This is not capable of resolution at this stage. A Duty to Cooperate is a policy requirement during plan preparation that TWBC has failed to address.

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Question 7a

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Comment

Consultee	Andrew Richards ([REDACTED])
Email Address	[REDACTED]
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Andrew Richards ([REDACTED])
Comment ID	PSLP_2111
Response Date	03/06/21 21:42
Consultation Point	Policy STR 6 Transport and Parking (View)
Status	Processed
Submission Type	Email
Version	0.4

Data inputter to enter their initials here KH

Question 1

Respondent's Name and/or Organisation Mr Andrew Richards

Question 3

To which part of the Local Plan does this representation relate? Policy

Question 3a

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Policy STR 6 Transport and Parking

[TWBC: this representation has been input against Policies STR 5 and STR 6 – see Comment Numbers PSLP_2105 and PSLP_2111]

Question 4

Do you consider that the Local Plan:

Is sound No
Complies with the Duty to Cooperate No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

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This is not capable of resolution at this stage. A Duty to Cooperate is a policy requirement during plan preparation that TWBC has failed to address.

Question 7

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Question 7a

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Comment

Consultee	Andrew Richards ([REDACTED])
Email Address	[REDACTED]
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Andrew Richards ([REDACTED])
Comment ID	PSLP_2113
Response Date	03/06/21 21:42
Consultation Point	Policy STR/SS 3 The Strategy for Tudeley Village (View)
Status	Processed
Submission Type	Email
Version	0.4
Data inputter to enter their initials here	KH
Question 1	
Respondent's Name and/or Organisation	Mr Andrew Richards
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy STR/SS 3 The Strategy for Tudeley Village	
Question 4	
Do you consider that the Local Plan:	
Is sound	No
Question 4a	

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

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- . It is not effective
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Question 5

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Tudeley

1. The proposed new Tudeley garden settlement is located in the western part of the Borough and will inevitably lead to a huge growth of commuter traffic into and out of Tonbridge, which is already congested, and onto the Tonbridge rail link into London. This line is already at capacity and the policy is therefore **unsustainable**. Growth should instead be encouraged in alternative areas within the Borough that are capable of channelling commuter travel towards alternative rail links, such as those provided through Ashford.
2. The proposed new Tudeley garden settlement will represent a serious degradation of the Green Belt (see also separate representation), not justified by the "exceptional" threshold.

Question 6

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STR/SS 3 should be withdrawn

Question 7

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Yes, I wish to be notified of future stages of the Local Plan

Supporting Information File Ref No: SI_149

Comment

Consultee	Andrew Richards ([REDACTED])
Email Address	[REDACTED]
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Andrew Richards ([REDACTED])
Comment ID	PSLP_2116
Response Date	03/06/21 21:42
Consultation Point	Policy STR 1 The Development Strategy (View)
Status	Processed
Submission Type	Email
Version	0.5
Files	Supporting Information STR1 Appendix D.pdf

Data inputter to enter their initials here	KH
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Question 1

Respondent's Name and/or Organisation	Mr Andrew Richards
---------------------------------------	--------------------

Question 3

To which part of the Local Plan does this representation relate?	Policy
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Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR 1 The Development Strategy

Policy STR/SS 1 The Strategy for Paddock Wood, including land at east Capel

Policy EN 25 Flood Risk

Question 4

Do you consider that the Local Plan:

Is sound

No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not effective
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Flood risk – Paddock Wood

- 1 I believe the Pre-submission Local Plan (PSLP) has failed to address adequately the risk of flooding, both now and in the future. Policy on this is clear:
 - 1 The NPPF states that:
 - . *“Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere”.*
 - 2 And the PPG provides further clarification:

“What is considered to be the lifetime of development in terms of flood risk and coastal change?”

 - . *Residential development should be considered for a minimum of 100 years . . .*” (Paragraph: 026 Reference ID: 7-026-20140306”
 - 1 The PSLP correctly identifies flooding as a key issue/challenge in a number of places such as para 2.33, the Development Strategy (STR 1), and against the strategy for Paddock Wood (STR/SS1) in particular. The Level 2 SFRA (para 5.1.4) concludes that *“the assessment generally shows that the principle of development can be supported. . . . An exception to this general conclusion is the eastern development area considered at parcel 1 [in Paddock Wood]”*.
 - 2 However, it is not clear that the analysis is sufficiently complete to make such statements. For instance, flood risk modelling was undertaken by *“raising developed areas completely above the flood level”* with the unsurprising result of removing flood risk to the affected parcel and increasing downstream risk. The SFRA acknowledges that *“the representation of development in the model has been simplistic”* and identifies a range of measures (unmodelled) that could be adopted to improve flood resilience, but then surprisingly concludes *“the outputs show that the principle of development can be supported”*. I disagree and regard this statement as **unsound**.
 - 3 For those sites facing more pronounced flood risks (parcels 1, 2, 3, 5 & 6) the SFRA states that *“more substantive interventions are needed to manage the change in flood risk”*. In particular, for parcel 1 (part of the Paddock Wood site), *“strategic storage of flood water was the approach with the potential to mitigate the increased risk . . . (although other flood risk management measures considered could contribute)”*. This is both vague and likely to be expensive, so the SFRA unsurprisingly concludes *“it is important to investigate the potential for this measure to be realised”*. Such incomplete analysis is no basis on which to state that the principle of development on such a strategic site as Paddock Wood can be supported, so again this assertion is **unsound**.
 - 4 There is also a not unreasonable presumption that developers will pay for the flood mitigation measures. For instance, para 4.91 specifies that *“it is expected that future infrastructure to mitigate the impact of development, or in the case of the strategic sites at Paddock Wood to deliver*

'betterment' in flooding terms to particular areas, should be largely funded by development to ensure that the development is acceptable in planning terms".

- 5 However, the level of flood risk mitigation set out in the SFRA for Paddock Wood and some other parcels is acknowledged to require the raising of land, storage of water, and potentially further measures, and then additional analysis (see para 4 above). The costs associated with these measures are not consistent with the aspiration in para 4.91 to seek development funding. Indeed, this logic of seeking developer funding for such significant interventions is particularly flawed given the acknowledgement in the SFRA Appendix I (Parcel 1) that raised ground floors (for individual properties) *"was not implemented as it was agreed with the council that it would be unlikely to be deliverable given the scale and type of development being proposed"*. If developers cannot be expected to pay for raising ground floors then it is **unsound** for the PSLP to assume they will pay for the larger scale interventions illustrated in the SFRA.
- 6 In passing, it is worth noting (anecdotally) that housing currently being built in Paddock Wood is not popular with prospective purchasers, who are put off both by the area's reputation for flooding and by the cost associated with flood mitigation measures.
- 7 There is then the issue of climate change to consider, and the impact of the 2080 forecasts on flood risk. The NPPF para 155 requires the PSLP to demonstrate that each development will be *"safe for its lifetime"*, defined as 100 years. The developments at Paddock Wood (hand-drawn outline in red) have been overlaid against the maps in SFRA Appendix D and the results are shown below.

(TWBC Comment - map included within comment has been appended to this comment)

9. This shows (in orange and green) the expansion to be expected in the extent of flood zone 3a arising from climate change in 60 years time, which increases the already considerable risk facing Paddock Wood. These developments would not be safe for their lifetime, so the PSLP in this respect is not compliant with national policy.

Question 6

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The policy for Paddock Wood needs to be re-appraised. It is a known flood risk area that will get worse with climate change. Proposals to seek developer funding for the significant flood mitigation measures required are not credible (at levels that would be economically attractive for purchasers) and need to be re-thought.

Question 7

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Supporting Information File Ref No: SI_149

Comment

Consultee	Andrew Richards ([REDACTED])
Email Address	[REDACTED]
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Andrew Richards ([REDACTED])
Comment ID	PSLP_2123
Response Date	03/06/21 21:42
Consultation Point	Policy STR/SS 1 The Strategy for Paddock Wood, including land at east Capel (View)
Status	Processed
Submission Type	Email
Version	0.3
Files	Supporting Information STR1 Appendix D.pdf
Data inputter to enter their initials here	KH
Question 1	
Respondent's Name and/or Organisation	Mr Andrew Richards
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Policy STR 1 The Development Strategy

Policy STR/SS 1 The Strategy for Paddock Wood, including land at east Capel

Policy EN 25 Flood Risk

Question 4

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Question 4a

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- 2 However, it is not clear that the analysis is sufficiently complete to make such statements. For instance, flood risk modelling was undertaken by “raising developed areas completely above the flood level” with the unsurprising result of removing flood risk to the affected parcel and increasing downstream risk. The SFRA acknowledges that “the representation of development in the model has been simplistic” and identifies a range of measures (unmodelled) that could be adopted to improve flood resilience, but then surprisingly concludes “the outputs show that the principle of development can be supported”. I disagree and regard this statement as **unsound**.
- 3 For those sites facing more pronounced flood risks (parcels 1, 2, 3, 5 & 6) the SFRA states that “more substantive interventions are needed to manage the change in flood risk”. In particular, for parcel 1 (part of the Paddock Wood site), “strategic storage of flood water was the approach with the potential to mitigate the increased risk . . . (although other flood risk management measures considered could contribute)”. This is both vague and likely to be expensive, so the SFRA unsurprisingly concludes “it is important to investigate the potential for this measure to be realised”. Such incomplete analysis is no basis on which to state that the principle of development on such a strategic site as Paddock Wood can be supported, so again this assertion is **unsound**.

- 4 There is also a not unreasonable presumption that developers will pay for the flood mitigation measures. For instance, para 4.91 specifies that “*it is expected that future infrastructure to mitigate the impact of development, or in the case of the strategic sites at Paddock Wood to deliver 'betterment' in flooding terms to particular areas, should be largely funded by development to ensure that the development is acceptable in planning terms*”.
- 5 However, the level of flood risk mitigation set out in the SFRA for Paddock Wood and some other parcels is acknowledged to require the raising of land, storage of water, and potentially further measures, and then additional analysis (see para 4 above). The costs associated with these measures are not consistent with the aspiration in para 4.91 to seek development funding. Indeed, this logic of seeking developer funding for such significant interventions is particularly flawed given the acknowledgement in the SFRA Appendix I (Parcel 1) that raised ground floors (for individual properties) “*was not implemented as it was agreed with the council that it would be unlikely to be deliverable given the scale and type of development being proposed*”. If developers cannot be expected to pay for raising ground floors then it is **unsound** for the PSLP to assume they will pay for the larger scale interventions illustrated in the SFRA.
- 6 In passing, it is worth noting (anecdotally) that housing currently being built in Paddock Wood is not popular with prospective purchasers, who are put off both by the area’s reputation for flooding and by the cost associated with flood mitigation measures.
- 7 There is then the issue of climate change to consider, and the impact of the 2080 forecasts on flood risk. The NPPF para 155 requires the PSLP to demonstrate that each development will be “*safe for its lifetime*”, defined as 100 years. The developments at Paddock Wood (hand-drawn outline in red) have been overlaid against the maps in SFRA Appendix D and the results are shown below.

(TWBC Comment - map included within comment has been appended to this comment)

9. This shows (in orange and green) the expansion to be expected in the extent of flood zone 3a arising from climate change in 60 years time, which increases the already considerable risk facing Paddock Wood. These developments would not be safe for their lifetime, so the PSLP in this respect is not compliant with national policy.

Question 6

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The policy for Paddock Wood needs to be re-appraised. It is a known flood risk area that will get worse with climate change. Proposals to seek developer funding for the significant flood mitigation measures required are not credible (at levels that would be economically attractive for purchasers) and need to be re-thought.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Supporting Information File Ref No: SI_149

Comment

Consultee	Andrew Richards ([REDACTED])
Email Address	[REDACTED]
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Andrew Richards ([REDACTED])
Comment ID	PSLP_2124
Response Date	03/06/21 21:42
Consultation Point	Policy EN 25 Flood Risk (View)
Status	Processed
Submission Type	Email
Version	0.5
Files	Supporting Information STR1 Appendix D.pdf

Data inputter to enter their initials here KH

Question 1

Respondent's Name and/or Organisation Mr Andrew Richards

Question 3

To which part of the Local Plan does this representation relate? Policy

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR 1 The Development Strategy

Policy STR/SS 1 The Strategy for Paddock Wood, including land at east Capel

Policy EN 25 Flood Risk

Question 4

Do you consider that the Local Plan:

Is sound

No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not effective
- . It is not justified
- . It is not consistent with national policy

Question 5

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Flood risk – Paddock Wood

- 1 I believe the Pre-submission Local Plan (PSLP) has failed to address adequately the risk of flooding, both now and in the future. Policy on this is clear:
 - 1 The NPPF states that:
 - . *“Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere”.*
 - 2 And the PPG provides further clarification:

“What is considered to be the lifetime of development in terms of flood risk and coastal change?”

 - . *Residential development should be considered for a minimum of 100 years . . .*” (Paragraph: 026 Reference ID: 7-026-20140306”
 - 1 The PSLP correctly identifies flooding as a key issue/challenge in a number of places such as para 2.33, the Development Strategy (STR 1), and against the strategy for Paddock Wood (STR/SS1) in particular. The Level 2 SFRA (para 5.1.4) concludes that *“the assessment generally shows that the principle of development can be supported. . . . An exception to this general conclusion is the eastern development area considered at parcel 1 [in Paddock Wood]”*.
 - 2 However, it is not clear that the analysis is sufficiently complete to make such statements. For instance, flood risk modelling was undertaken by *“raising developed areas completely above the flood level”* with the unsurprising result of removing flood risk to the affected parcel and increasing downstream risk. The SFRA acknowledges that *“the representation of development in the model has been simplistic”* and identifies a range of measures (unmodelled) that could be adopted to improve flood resilience, but then surprisingly concludes *“the outputs show that the principle of development can be supported”*. I disagree and regard this statement as **unsound**.
 - 3 For those sites facing more pronounced flood risks (parcels 1, 2, 3, 5 & 6) the SFRA states that *“more substantive interventions are needed to manage the change in flood risk”*. In particular, for parcel 1 (part of the Paddock Wood site), *“strategic storage of flood water was the approach with the potential to mitigate the increased risk . . . (although other flood risk management measures considered could contribute)”*. This is both vague and likely to be expensive, so the SFRA unsurprisingly concludes *“it is important to investigate the potential for this measure to be realised”*. Such incomplete analysis is no basis on which to state that the principle of development on such a strategic site as Paddock Wood can be supported, so again this assertion is **unsound**.
 - 4 There is also a not unreasonable presumption that developers will pay for the flood mitigation measures. For instance, para 4.91 specifies that *“it is expected that future infrastructure to mitigate the impact of development, or in the case of the strategic sites at Paddock Wood to deliver*

'betterment' in flooding terms to particular areas, should be largely funded by development to ensure that the development is acceptable in planning terms".

- 5 However, the level of flood risk mitigation set out in the SFRA for Paddock Wood and some other parcels is acknowledged to require the raising of land, storage of water, and potentially further measures, and then additional analysis (see para 4 above). The costs associated with these measures are not consistent with the aspiration in para 4.91 to seek development funding. Indeed, this logic of seeking developer funding for such significant interventions is particularly flawed given the acknowledgement in the SFRA Appendix I (Parcel 1) that raised ground floors (for individual properties) *"was not implemented as it was agreed with the council that it would be unlikely to be deliverable given the scale and type of development being proposed"*. If developers cannot be expected to pay for raising ground floors then it is **unsound** for the PSLP to assume they will pay for the larger scale interventions illustrated in the SFRA.
- 6 In passing, it is worth noting (anecdotally) that housing currently being built in Paddock Wood is not popular with prospective purchasers, who are put off both by the area's reputation for flooding and by the cost associated with flood mitigation measures.
- 7 There is then the issue of climate change to consider, and the impact of the 2080 forecasts on flood risk. The NPPF para 155 requires the PSLP to demonstrate that each development will be *"safe for its lifetime"*, defined as 100 years. The developments at Paddock Wood (hand-drawn outline in red) have been overlaid against the maps in SFRA Appendix D and the results are shown below.

(TWBC Comment - map included within comment has been appended to this comment)

9. This shows (in orange and green) the expansion to be expected in the extent of flood zone 3a arising from climate change in 60 years time, which increases the already considerable risk facing Paddock Wood. These developments would not be safe for their lifetime, so the PSLP in this respect is not compliant with national policy.

Question 6

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The policy for Paddock Wood needs to be re-appraised. It is a known flood risk area that will get worse with climate change. Proposals to seek developer funding for the significant flood mitigation measures required are not credible (at levels that would be economically attractive for purchasers) and need to be re-thought.

Question 7

Please note *the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.*

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Future Notifications

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Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Mr Gary Richards ([REDACTED])
Email Address	[REDACTED]
Company / Organisation	Tax Assist Accountants
Address	[REDACTED] Paddock Wood TN12 [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Tax Assist Accountants (Mr Gary Richards - [REDACTED])
Comment ID	PSLP_2146
Response Date	03/06/21 12:00
Consultation Point	Policy STR/SS 2 The Strategy for Paddock Wood Town Centre (View)
Status	Processed
Submission Type	Letter
Version	0.4
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Gary Richards, Tax Assist Accountants
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR/SS 2 The Strategy for Paddock Wood Town Centre

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

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PADDOCK WOOD

OBJECTION TO ROAD CLOSURES - Bridge over the Railway Line.

I am writing because I have tried and failed to lodge a comment or objection in the official manner on the TWBC portal. You might ponder on the future of local involvement if you make it impossible for a comment to be heard. I have a degree and several professional qualifications and deal with HMRC filings every day - yet still I failed.

I wish to register the view of a business owner in Paddock Wood.

The local plan is specifically aimed at making Paddock Wood a low traffic town. Clearly any successful business will wish to put down roots in a high traffic environment. Taking actions to discourage business in satellite towns in the borough will merely push demand to the parking nightmare towns of Tonbridge, West Malling and Tunbridge Wells.

The plan regards Paddock Wood as a self-contained sleepy hamlet rather than as a commercial catchment for the surrounding ten-mile radius. The commercial catchment of specialist stores such as Barsleys, the jewellers, florists, butchers, professional services and food outlets extend far beyond the local residents.

The commercial catchment is more than walking or cycling distances. The report's authors are clearly townies who are unused to the distances that rural living imposes.

Cutting the railway bridge adds several miles to every journey into the town and station from the north of Paddock Wood. At its most ridiculous a person working in the Henley Road within 200m of Waitrose will have a five-mile round trip to get there for shopping.

Making a pedestrian precinct out of the last 100m of the Commercial Road only adds to the misery of getting to the Paddock Wood businesses from East Peckham, Yalding or the new town of Capel, as well as adding miles from the south-Goudhurst, Matfield, Horsmonden and Brenchley.

Similarly traffic heading from South and East of Paddock Wood will have a long detour (avoiding the town) to head in the direction of West Malling. This is a commute I make often, and the closure will add time and CO2 without any benefit to Paddock Wood whatsoever.

Paddock Wood should be encouraged to grow as an alternative commercial centre to Royal Tunbridge Wells. It has excellent rail connections, a five-mile catchment devoid of other shops and room to expand.

The elements of the local plan that focus on killing vehicle traffic into Paddock Wood, will eventually kill the town, and should be reconsidered.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

Comment

Consultee	Mrs Carol Richards [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] Tonbridge [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Mrs Carol Richards [REDACTED]
Comment ID	PSLP_1837
Response Date	04/06/21 11:43
Consultation Point	Foreword (View)
Status	Processed
Submission Type	Email
Version	0.6
Data inputter to enter their initials here	KH
Question 1	
Respondent's Name and/or Organisation	Mrs Carol Richards
Question 3	
To which part of the Local Plan does this representation relate?	Paragraph(s)
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Foreword	
Question 4	
Do you consider that the Local Plan:	
Is sound	No
Complies with the Duty to Cooperate	No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound . It is not positively prepared because:

Question 5

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Councillor Mc Dermott thanks people for their time in sending in comments at Reg 18, but has taken no notice of what has been contributed by local people, because Tunbridge Wells Borough Council (TWBC) are still pursuing with vigor -a Garden Settlement Approach in totally inappropriate sites -I might add. This is despite a huge outcry by many members of the public. The coronavirus pandemic has precipitated a faster change in home working and a change in retailing. If the last local plan is outdated this latest proposal most certainly is. I am horrified to see letters dated 2013 used for neighbourhood plans in this document and the outdated 2016 flood plain maps. While the planners were putting this proposal together over the winter of 2019/2020 the rain kept falling, flooding in the critical sites of Paddock Wood and the land below Tudeley -reached biblical proportions and still TWBC will not listen. This Local Plan needs to be updated with far more relevant recent studies and to take into consideration the changes in working habits and listen to the voice of locals. It has not been positively prepared with recent data and is therefore unsound

Question 6

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Use of old data e.g. Paddock Wood Neighbourhood Plan Have not taken into account the National Policy Framework and National Modal Design code Consultation Proposals 8/2/21

Question 7

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If responder hasn't ticked an option on this box, data inputter to tick 'not stated' box. Not Stated

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Comment

Consultee	Mrs Carol Richards [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] Tonbridge [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Mrs Carol Richards [REDACTED]
Comment ID	PSLP_1840
Response Date	14/06/21 11:43
Consultation Point	Section 1: Introduction (View)
Status	Processed
Submission Type	Email
Version	0.12
Data inputter to enter their initials here	KH
Question 1	
Respondent's Name and/or Organisation	Mrs Carol Richards
Question 3	
To which part of the Local Plan does this representation relate?	Paragraph(s)
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Section 1: Introduction	
Issues and Options paragraph 1.17	
Question 4	
Do you consider that the Local Plan:	
Is sound	No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not positively prepared
- . It is not effective
- . It is not justified

Question 5

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Purpose of the plan

1.1 The local plan spatial vision is to put 85% of the 2020-2038 homes in two locations Paddock Wood(including East Capel) and Tudeley. Nothing spatial about this -it is concentration. Statement untrue and therefore unsound

The Local Plan Process

1.12 As TWBC are still pursuing 2 large settlements as their proposed plan. I do not believe there has been any change to their ideas as a result of the covid 19 outbreak. The main thrust of their proposals to build 85% of their requirement in Paddock Wood and Tudeley remains.

The two public consultations have been duly carried out, but I do not think progress has been made until they listen to the views of local people as they continue to doggedly keep to their original 'so called plan'. If TWBC ignore the community it is hardly a consultation.

Issues and Option 1.17

Early views were sort in 2017. This process included the expansion of Paddock Wood but wholly and entirely excluded any mention of a garden settlement at Tudeley.

Given that one of the key issues raised as a result of the Issues and Options consultation was the protection of the green belt, the exclusion of the large amount of development in Tudeley (on Green Belt) from the Issues and Options process undermines the soundness of this plan and undermines the effectiveness of this current public consultation.

I would also like to raise the issue that since so many objections and concerns have been raised since Reg 18 the communities in the TWells borough have voted to change their representatives in their areas, in the elections of May 2021 -which just highlights how poor the original consultative documents and process was in 2017. If TWBC ignore the community it is hardly a consultation. It has therefore not been positively prepared.

Question 6

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Introduction

TWBC would need to not concentrate 85% of the housing need on 3 sites. More attentionshould be made to look at further sites to the East of the borough outside ANOB and Greenbelt More agile thinking is required and less of what is easy. A deluge of data has been accumulated to get the data to fit the desired 'Plan'.

Issue and Options

TWBC need to take on board what the local population are saying and not ignore these grave concerns.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

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Future Notifications

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Supporting Information File Ref No: SI_110

Comment

Consultee	Mrs Carol Richards ([REDACTED])
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] Tonbridge TN11 [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Mrs Carol Richards ([REDACTED])
Comment ID	PSLP_1843
Response Date	04/06/21 11:43
Consultation Point	Section 2: Setting the Scene (View)
Status	Processed
Submission Type	Email
Version	0.10
Files	C Richards - Supporting Information - table and graph.JPG

Data inputter to enter their initials here	KH
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Question 1

Respondent's Name and/or Organisation	Mrs Carol Richards
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Question 3

To which part of the Local Plan does this representation relate?	Paragraph(s)
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Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Section 2: Setting the Scene

Demographic and housing

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound . It is not effective because:

Question 5

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The joint Sevenoaks and Tunbridge Wells Strategic Housing Market Assessment (Sep 2015) (Table 14) identifies a projected 37% increase in the size of the 60-74 age group and an 83% increase in the size of the over 75 age group (both for the TWBC area). By 2033, those over 60 will account for just over 30% of the population (joint area) Recent research by KCC (Strategic Commissioning Statistical Bulletin Jul 2019 - http://www.kent.gov.uk/__data/assets/pdf_file/0018/14724/Mid-year-population-estimates-totalpopulation-of-Kent-bulletin.pdf) identifies a significant increase in the proportion of females in the 80+ age group. Noting that many females will have been affected by the recent pension age increase, there is therefore likely to be a greater need to provide social housing for elderly females.

In conclusion, more consideration should be given to developing 20/30 groups of appropriate homes—typically 2 bed bungalows - to accommodate the over 60s in many rural village locations with good bus routes to T. Wells., Retired people often contribute to volunteer work within a community and make a very valuable contribution they could also revitalize shop in the villages. Building large greenfield settlements is the wrong answer to solving the problem of an ageing population. Planning the correct housing for the elderly could reduce costs to the KCC social services budget and also reduce NHS costs by keeping the elderly population more independent. I would look to plan more homes for these individuals near Benenden too, taking advantage of the hospital there. TWBC have been so focused on pushing through two main sites they are not focusing on the demographic need. By moving an aging population into more appropriate homes for them (and not just blocks of MacCarthy and Stone)- as this will not 'encourage' older people to leave their large homes- to release their family homes for others. I shall be one of those individuals and I am not going to move out of my 5 bedroom home unless I have a choice like the above. TWBC and all councils need to be more agile in their thinking and planning for an aging demographic society.

(TWBC Comment - table and graph included within comment have been appended to this comment)

Question 6

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More bungalows are required in rural locations in pockets of 10/20

Question 7

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Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box: Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Mrs Carol Richards [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] Tonbridge [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Mrs Carol Richards [REDACTED]
Comment ID	PSLP_1858
Response Date	04/06/21 11:43
Consultation Point	Policy STR/SS 3 The Strategy for Tudeley Village (View)
Status	Processed
Submission Type	Email
Version	0.5
Data inputter to enter their initials here	KH
Question 1	
Respondent's Name and/or Organisation	Mrs Carol Richards
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy STR/SS 3 The Strategy for Tudeley Village	
Question 4	
Do you consider that the Local Plan:	
Is sound	No

Complies with the Duty to Cooperate

No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not positively prepared
- . It is not consistent with national policy

Question 5

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I note that the ' Assessment summary 4.2 has no negative outcomes yet bearing in mind one environmental objective (E1 and E9) to protect and enhance biodiversity and functioning ecosystems and protect and enhance landscape. TWBC have failed at Tudeley to do that i.e. negative outcome . Next (E5 and 6) to protect air quality and green house gas emissions -well the amount of traffic that will be grid locked in Tonbridge as a result of the 2,800 homes 1.2 miles from the edge of Tonbridge will also be a negative. E8- to protect and enhance and cultural heritage. Building 2800 homes around a Grade 1 Listed building mentioned in the Domesday Book under the name of Tivedale and being famous as the only Church in the world that has all its 12 windows being by Marc Chagall would not 'enhance' and protect this site. Its idyllic setting is part of its charm. This effect will be negative. TWBC's seems to think there is nothing negative about this site at all which is totally untrue. This assessment is inaccurate and totally unsound as well as being years out of date. Unsound. The conclusion: The 2015 Kent Environment Strategy vision is that Kent will benefit from a competitive, innovative and resilient economy, with natural and historic assets enhanced and protected for their unique value and positive impact on society, economy, health and wellbeing. Is a load of old nonsense- Tudeley and Tonbridge won't.

.P.S..FYI The Tudeley site is on Wadhurst clay and houses would need to be piled as these outcrops are prone to slippage. Landscape and Remedial Works in Wadhurst Clay Pugh/Weeks 87/88

Question 6

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Do not build at Tudeley

Question 7

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Comment

Consultee	Mrs Carol Richards [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] Tonbridge [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Mrs Carol Richards [REDACTED]
Comment ID	PSLP_1860
Response Date	04/06/21 11:43
Consultation Point	Policy STR/SS 3 The Strategy for Tudeley Village (View)
Status	Processed
Submission Type	Email
Version	0.5
Data inputter to enter their initials here	KH
Question 1	
Respondent's Name and/or Organisation	Mrs Carol Richards
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy STR/SS 3 The Strategy for Tudeley Village	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	No

Is sound

No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not positively prepared
- . It is not justified
- . It is not consistent with national policy

Question 5

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I find statement 1.31 at odds with your proposals. You plan to put 85% of new homes on three sites one on greenbelt land (Tudeley) and there has been no detailed Habitat assessment at all and all you write about is The Ashdown Forest - which is miles away from your flood prone northern boundary where you plan to put 6800 homes. The wetland area is home to many bird species and TWBC have no idea what they plan to affect. How sound and sensible is that?. It is negligent. I think a habitat assessment of the wetland area below the Tudeley site is long overdue and should have been completed in 2020 before reg19 was published. This is a huge oversight when TWBC plan to destroy a Green Belt site. Not legal, not sound , not positively prepared -as there is no report, not justified

This development will be widely visible from the surrounding countryside and landscape and from existing residential areas and heritage asset in Capel. It will be visually prominent and urbanise this attractive rural area and will 'light up the night sky' over a natural habitat for birds and wildlife disrupting behaviour in flora and fauna. *The impact of light pollution is particularly harmful in the open countryside, where rural character is eroded and the distinction between town and country is blurred; likewise, light pollution can also compromise the architectural and historical character of conservation areas, and listed buildings or their settings. The full effects of artificial lighting on biodiversity are not fully understood, but nocturnal animals can be seriously affected by artificial light at even very low levels, adversely affecting their ability to feed and reproduce.* TWBC seem to be ignoring their own rules in relation to the effect on wildlife in the flood plain below Tudeley. TWBC are- by building above the flood plain- will be contributing to the loss of biodiversity and habitat. This development will not improve the natural environment. It will create much harm- against NPPF 174 b).

TWBC have not bothered/ failed to even produce an assessment. I suspect because the results will not support their scheme to build at Tudeley

NPPF 177 The presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site.

Question 6

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There is no modification or legal process that can negate the damage to an idyllic Green belt site harming a diverse wetland habitat.

Question 7

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Comment

Consultee	Mrs Carol Richards [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] Tonbridge [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Mrs Carol Richards [REDACTED]
Comment ID	PSLP_1861
Response Date	04/06/21 11:43
Consultation Point	Policy STR 1 The Development Strategy (View)
Status	Processed
Submission Type	Email
Version	0.4
Data inputter to enter their initials here	KH
Question 1	
Respondent's Name and/or Organisation	Mrs Carol Richards
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy STR 1 The Development Strategy	
Question 4	
Do you consider that the Local Plan:	
Is sound	No
Question 4a	

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound . It is not justified because:

Question 5

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1.24The central aim of the NPPF is to achieve a significant boost to housing delivery, unless it is unsustainable to do so. TWBC have not pushed back on the delivery of a large number of homes to be built between 2020-2038 and have not used the exceptional circumstances (ANOB and Green Belt) to do so.

The threshold of an "exceptional" need has however been applied in the Local Plan to the destruction of Green Belt land, and therefore presumably should have been applied to the planning policy associated with determining housing' need.' TWBC have also failed to take into account, the ONS projections based on 2018 data showing a slowdown in population growth. 2016 data suggests that TWBC will need 4.5% less housing than projected in 2014. They have failed to justify the destruction of the Green Belt at Tudeley and the failure to use OPNS data makes this plan unsound.

Question 6

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TWBC should have taken an opportunity to reduce the total 'need' of housing 2020-2038 and have failed to challenge the standard method for determining the housing need. Thus, putting unnecessary pressure on the requirement to build homes- in totally inappropriate sites. Especially with the most recent government advice in April 2020- Changes to the current planning system.

Question 7

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Supporting Information File Ref No: SI_114a-d

Comment

Consultee	Mrs Carol Richards [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] Tonbridge [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Mrs Carol Richards [REDACTED]
Comment ID	PSLP_1863
Response Date	04/06/21 11:43
Consultation Point	Policy STR/SS 1 The Strategy for Paddock Wood, including land at east Capel (View)
Status	Processed
Submission Type	Email
Version	0.10
Files	C Richards - Supporting Information - section A and section C.JPG C Richards - Supporting Information - map A.JPG C Richards - Supporting Information Map B.jpg C Richards - Supporting Information - table A.JPG
Data inputter to enter their initials here	KH
Question 1	
Respondent's Name and/or Organisation	Mrs Carol Richards
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy STR/SS 1 The Strategy for Paddock Wood, including land at east Capel	
Policy STR/PW1 The Strategy for Paddock Wood	

[TWBC: this representation has been input against Policies STR/SS1, STR/PW1 and STR/CA1 – see Comment Numbers PSLP_ 1863, PSLP_1874 and PSLP_1875]

Question 4

Do you consider that the Local Plan:

Is sound No

Complies with the Duty to Cooperate No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not positively prepared
- . It is not effective
- . It is not justified
- . It is not consistent with national policy

Question 5

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The whole of TWBC's Local Plan is basically centred on pages 138 – 175. This is the crux of their planning and nearly everything else in this huge planning pack is their justification for this concentrated 3 site plan – Tudeley/ Capel / Paddock Wood. The allocations by Parish Table 4 show the pathetically small numbers of homes being considered in other Parishes- 32%. and if you exclude Tunbridge Wells too - it is 17%. This has not been positively prepared and planning urban sprawl- which is essentially what is being planned is not justified and is NOT consistent with national planning policy – 133 NPPF. It is not effective to concentrate such a large number of homes on one area of the borough without carefully considering areas not on Greenbelt/ANOB/Floodplain.

Comparing Table 3 page 36 of the Local Plan-the minimum allocation of housing need 2020 to 2038 is stated as 7,221. Table 4 page 42 of the Local Plan has a Housing Distribution total of 8,076 . Bearing in mind TWBC could resist the 'need' due constraints of Greenbelt/ANOB –and Floodplain and recent government advice (Changes to Current Planning system ! April 21) this 'need' could have been reduced. This should have been TWBC's first argument way back in the planning. They should have pushed back on the numbers i.e. 'need.'

Secondly looking at table 3 the 2.800 homes at Tudeley and the 4000 at Paddock Wood /Capel make up a total of 6,800 – this is 94% of the 'need,' for Table 4 it is 84% of the Distribution of Housing Allocation. Either way this plan is so concentrated on the northern Floodplain boundaries of Tunbridge Wells Borough it is again totally disproportionate and unjustified , unsound .

The proposal to build urban sprawl along the Floodplain Boundary Tunbridge Wells Borough is not justified and is not consistent with National Policy

Paddock Wood

The area around Five Oak Green and Paddock Wood is situated on the Low Weald, which is relatively flat underlain by impermeable WEALD CLAY. This means that water cannot soak into the ground AND the FLAT LAND MEANS it cannot flow away-it just lies on top.

The extension of Paddock Wood is not justified as the supply of a large number of homes on The Medway Flood Plain is against policy. NPPF guidelines state 155 Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime (lifetime is classified as a minimum of 100 years) without increasing flood risk elsewhere. The JBA report Level 1 Site summary assessment – flood risk and spatial datasets shows:-

Nearly all call for sites in the Paddock Wood / East Capel /Tudley are classified as 25%-100% of being in Flood zone 2/3a/3b if not now by 2080.

The Proportion of sites within Flood 3a as of now -60 sites in total- 43 covered Tudeley or Rive Oak Green or Paddock Wood .

The future- Proportion of site within future flood zones 3a-79 sites -45 covered Tudeley/ Five Oak green/ Paddock Wood.

None of this analysis has used 2019 information, which bearing in mind TWBC are looking to PLAN to 2036 is not up to date enough.

Table 13-1 shows the sites most at risk and TWBC have chosen nearly every one of them for their 'Masterplanning'. The cost of attempting to use these sites will require SuD's and other methods to attempt to reduce the impact of future flooding at these sites to the tune of £12million (Appendix 1: Infrastructure Delivery Plan Table 16 p98 and 99) . Why would anyone in their right minds chose the worst sites to build on i.e. the ones most likely to flood now and in the future?

The provision to mitigate flood risk and surface water management should be used to protect the current homes at risk- not planning more homes to be at risk and then, to try to protect them!

There is policy emphasis in the NPPF to steer development away from areas with high flood risk. Planning Practice Guidance states that :- *The National Planning Policy Framework set strict tests to protect people and property from flooding which all local authorities are expected to follow. Where these tests are not met, National policy is clear **that new development should not be allowed.** Making these proposals unsound.*

The Tudeley Site

Tudeley lies on a ridge above the Medway Flood Plain and this means the precipitation on hard -standing areas, of 2,800 homes- will cause faster run-off during a large event- into the flood plain below:

The OS Map below shows the cross sections taken from The B2017 Five Oak Green Road on the ridge- to show the topographic affects of surface water flow down the slopes - running into the valley below and into the Medway. Hardstanding on this ridge will cause increased rate of flow causing flash flooding in times of wet weather when the ground is already saturated.NPPF163 states, When determining planning applicatins. Local planners should ensure that flood risk is not increased elasewhere. TWBC have failed to this with the proposal of building at the Tudeley site.

(TWBC Comment - Map A included within the comments has been appended to this comment)

Profile of Ridge From Five Oak Green Road (B2017) to the Flood Plain of the River Medway – (only 2 of the 5 shown) Section A and Section C

(TWBC Comment - sections A and C included within the comment have been appended to this comment)

Climate change is predicted to increase rainfall intensity in the future by up to 40% (for the Upper End estimate to the 2080s epoch (2070 to 2115) under the new range of allowances published by the Environment Agency. This will increase the likelihood and frequency of surface water flooding, particularly in impermeable urban areas, and areas that are already susceptible. Changes to predicted rainfall should be incorporated into flood risk assessments and drainage and surface water attenuation schemes associated with developments. Is there a specific assessment for Tudeley to assess surface

runoff? There has been no consultation with TMBC/ Maidstone as far as I can see the potential to cause flooding onto the floodplain which will affect towns in TMBC/ Maidstone.

Historical flooding

- . The River Medway is the largest river catchment within the Environment Agency's Southern Region.
- . The floodplain (defined by the Environment Agency's Flood Zone 3) of the River Medway lies to the north of Tudeley, Five Oak Green, Paddock Wood. With the tributaries Alder Stream, Tudeley Brook and River Teise.
- . The Leigh Flood Storage Barrier is located approximately 3 km west of the Tudeley. It was designed to protect Tonbridge from flooding and is the largest on-line flood storage reservoir in Europe, retaining a volume of 5,580,000 m³. (This just added just as an indicator to the level of water that this area has to cope with.) There are plans to increase this capacity by 2023.!

Gov.uk . Shows the Flood Map for Planning

This is a very powerful visual reminder of the area where TWBC have chosen to put the large number of homes 2016 -2036- up to 6,800 in total. Flooding will continue to increase with Climate Change-forecasting wetter winters. Why chose here?

(TWBC Comments - map B included within the comment has been appended to this comment)

The events of 1960, 1963, 1968, 1985, 2000 and 2009 caused widespread flooding within the north of the borough e.g. at Paddock Wood and Five Oak Green, and areas along the River Teise, due to heavy rainfall over a prolonged period of time. Since this time, significant flooding occurred within the borough during the Winter 2013/14, which included notable flooding from The River Medway, as well as August 2015. Climate change predicts more rainfall and more frequency of flooding. We can all still remember 2013/14 in this area, and the biblical flooding of the winter of 2019/20.

It is not effective to 'plan' to build on floodplains or cause harm downstream. It is not justified and is not consistent with National policy. NPPF 149,155.163 Unsound.

Question 6

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TWBC could start by looking at areas with fewer properties at risk. Table 3 shows the Properties At Risk :

(TWBC Comment - Table A included within the comments has been appended to this comment)

Capel and Paddock Wood **already** have the greatest number of homes at risk in the whole of the borough as circled and TWBC propose more homes in these same boroughs. Totally unsound. On these figures I wouldn't look at Lamberhurst either. TWBC need to return to the call for sites and re-do the Local Plan it relies on three main sites fraught with difficulties. The whole of the local plan centres on these three sites and will cause problems for the future. The plan is unsound.

Prospective buyers will look at these homes and will not buy them. They will be difficult to insure, and they will only have to flood once and people who do buy will not be able to sell them. There are other sites that do not have the Medway so close to villages and towns.

TWBC need to look at other sites not in ANOB/ Green Belt/ Floodplain- Horsmonden and Frittenden and meet the housing REDUCED NEED by directing growth to main towns i.e. growth strategy 5; They

need to reduce the number of homes at Paddock Wood to 1000/1500 and build all homes well above ground level-.with rising sea levels this area is at even greater risk. They also need to sort out the existing sewage issues at Paddock Wood - there are no main drains. TWBC need to NOT build at Tudeley and Capel the Transport issues and proximity to Tonbridge are too harmful and unjustified.

Question 7

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Supporting Information File Ref No: SI_114a-d

Comment

Consultee	Mrs Carol Richards [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] Tonbridge [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Mrs Carol Richards [REDACTED]
Comment ID	PSLP_1874
Response Date	04/06/21 11:43
Consultation Point	Policy AL/PW 1 Land at Mascalls Farm (View)
Status	Processed
Submission Type	Email
Version	0.7
Files	C Richards - Supporting Information - map A.JPG C Richards - Supporting Information Map B.jpg C Richards - Supporting Information - section A and section C.JPG C Richards - Supporting Information - table A.JPG
Data inputter to enter their initials here	KH
Question 1	
Respondent's Name and/or Organisation	Mrs Carol Richards
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy STR/SS 1 The Strategy for Paddock Wood, including land at east Capel	
Policy STR/PW1 The Strategy for Paddock Wood	

[TWBC: this representation has been input against Policies STR/SS1, STR/PW1 and STR/CA1 – see Comment Numbers PSLP_ 1863, PSLP_1874 and PSLP_1875]

Question 4

Do you consider that the Local Plan:

Is sound No

Complies with the Duty to Cooperate No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not positively prepared
- . It is not effective
- . It is not justified
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The extension of Paddock Wood is not justified as the supply of a large number of homes on The Medway Flood Plain is against policy. NPPF guidelines state 155 Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime (lifetime is classified as a minimum of 100 years) without increasing flood risk elsewhere. The JBA report Level 1 Site summary assessment – flood risk and spatial datasets shows:-

Nearly all call for sites in the Paddock Wood / East Capel /Tudley are classified as 25%-100% of being in Flood zone 2/3a/3b if not now by 2080.

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None of this analysis has used 2019 information, which bearing in mind TWBC are looking to PLAN to 2036 is not up to date enough.

Table 13-1 shows the sites most at risk and TWBC have chosen nearly every one of them for their 'Masterplanning'. The cost of attempting to use these sites will require SuD's and other methods to attempt to reduce the impact of future flooding at these sites to the tune of £12million (Appendix 1: Infrastructure Delivery Plan Table 16 p98 and 99) . Why would anyone in their right minds chose the worst sites to build on i.e. the ones most likely to flood now and in the future?

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There is policy emphasis in the NPPF to steer development away from areas with high flood risk. Planning Practice Guidance states that :- *The National Planning Policy Framework set strict tests to protect people and property from flooding which all local authorities are expected to follow. Where these tests are not met, National policy is clear **that new development should not be allowed.** Making these proposals unsound.*

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(TWBC Comment - Map A included within the comments has been appended to this comment)

Profile of Ridge From Five Oak Green Road (B2017) to the Flood Plain of the River Medway – (only 2 of the 5 shown) Section A and Section C

(TWBC Comment - sections A and C included within the comment have been appended to this comment)

Climate change is predicted to increase rainfall intensity in the future by up to 40% (for the Upper End estimate to the 2080s epoch (2070 to 2115) under the new range of allowances published by the Environment Agency. This will increase the likelihood and frequency of surface water flooding, particularly in impermeable urban areas, and areas that are already susceptible. Changes to predicted rainfall should be incorporated into flood risk assessments and drainage and surface water attenuation schemes associated with developments. Is there a specific assessment for Tudeley to assess surface

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(TWBC Comments - map B included within the comment has been appended to this comment)

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It is not effective to 'plan' to build on floodplains or cause harm downstream. It is not justified and is not consistent with National policy. NPPF 149,155.163 Unsound.

Question 6

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Question 7

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Supporting Information File Ref No: SI_114a-d

Comment

Consultee	Mrs Carol Richards [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] Tonbridge [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Mrs Carol Richards [REDACTED]
Comment ID	PSLP_1875
Response Date	04/06/21 11:43
Consultation Point	Policy STR/CA 1 The Strategy for Capel parish (View)
Status	Processed
Submission Type	Email
Version	0.5
Files	C Richards - Supporting Information Map B.jpg C Richards - Supporting Information - table A.JPG C Richards - Supporting Information - map A.JPG C Richards - Supporting Information - section A and section C.JPG
Data inputter to enter their initials here	KH
Question 1	
Respondent's Name and/or Organisation	Mrs Carol Richards
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy STR/SS 1 The Strategy for Paddock Wood, including land at east Capel	
Policy STR/PW1 The Strategy for Paddock Wood	

[TWBC: this representation has been input against Policies STR/SS1, STR/PW1 and STR/CA1 – see Comment Numbers PSLP_ 1863, PSLP_1874 and PSLP_1875]

Question 4

Do you consider that the Local Plan:

Is sound No

Complies with the Duty to Cooperate No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not positively prepared
- . It is not effective
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The whole of TWBC's Local Plan is basically centred on pages 138 – 175. This is the crux of their planning and nearly everything else in this huge planning pack is their justification for this concentrated 3 site plan – Tudeley/ Capel / Paddock Wood. The allocations by Parish Table 4 show the pathetically small numbers of homes being considered in other Parishes- 32%. and if you exclude Tunbridge Wells too - it is 17%. This has not been positively prepared and planning urban sprawl- which is essentially what is being planned is not justified and is NOT consistent with national planning policy – 133 NPPF. It is not effective to concentrate such a large number of homes on one area of the borough without carefully considering areas not on Greenbelt/ANOB/Floodplain.

Comparing Table 3 page 36 of the Local Plan-the minimum allocation of housing need 2020 to 2038 is stated as 7,221. Table 4 page 42 of the Local Plan has a Housing Distribution total of 8,076 . Bearing in mind TWBC could resist the 'need' due constraints of Greenbelt/ANOB –and Floodplain and recent government advice (Changes to Current Planning system ! April 21) this 'need' could have been reduced. This should have been TWBC's first argument way back in the planning. They should have pushed back on the numbers i.e. 'need.'

Secondly looking at table 3 the 2.800 homes at Tudeley and the 4000 at Paddock Wood /Capel make up a total of 6,800 – this is 94% of the 'need,' for Table 4 it is 84% of the Distribution of Housing Allocation. Either way this plan is so concentrated on the northern Floodplain boundaries of Tunbridge Wells Borough it is again totally disproportionate and unjustified , unsound .

The proposal to build urban sprawl along the Floodplain Boundary Tunbridge Wells Borough is not justified and is not consistent with National Policy

Paddock Wood

The area around Five Oak Green and Paddock Wood is situated on the Low Weald, which is relatively flat underlain by impermeable WEALD CLAY. This means that water cannot soak into the ground AND the FLAT LAND MEANS it cannot flow away-it just lies on top.

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Consultee	Mrs Carol Richards [REDACTED]
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Address	[REDACTED] [REDACTED] Tonbridge [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Mrs Carol Richards [REDACTED]
Comment ID	PSLP_1877
Response Date	04/06/21 11:43
Consultation Point	Policy STR/SS 3 The Strategy for Tudeley Village (View)
Status	Processed
Submission Type	Email
Version	0.4
Data inputter to enter their initials here	KH
Question 1	
Respondent's Name and/or Organisation	Mrs Carol Richards
Question 3	
To which part of the Local Plan does this representation relate?	Policy
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Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy STR/SS 3 The Strategy for Tudeley Village	
Question 4	
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Is sound No

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In the Parish of Capel is a very small little Hamlet called Tudeley. The development of Tudeley is to essentially build a New Town on the edge of Tonbridge and within yards of the borough of TMB and 1.2 miles from the edge of Tonbridge.

The site will use precious grade 1 Farmland- designated Green Belt Land- overlooking a Wetland Habitat Floodplain, which it will negatively impact. It will cause great harm to the town of Tonbridge and will cause flooding downstream to neighbouring villages- East Peckham and Yalding. It will harm the setting of a world renowned Grade 1 Listed Church with all of its windows by Marc Chagall. It is globally unique and should be better protected and finally to cap it all the residents of this so called 'Garden Village' (Read NEW TOWN) has a railway line bisecting it and it is one of the busiest in the country.

As a strategy it absolutely stinks of a stitch up. i.e there is just one landowner and TWBC have taken an easy planning option. It is Totally unjustified and is not consistent with national policy. How can such destruction be legally compliant and TMBC cannot believe what TWBC are proposing! This strategy is unsound and unneighbourly -and will cause great harm to the surrounding areas -both to its inhabitants and countryside..

Green Belt The strategy relies on removing the site from designated Greenbelt- 7.603 hectares. Given that the key points raised at the Issues and Options consultation was the protection of the Green Belt, the preparation has not been positively prepared as it goes against your 15th page of the Local Plan.

Removal of Green Belt Land NPPF 133 'The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence'.

NPPF 136 states, 'Once established, Green Belt boundaries should only be altered where exceptional circumstances are fully evidenced and justified, through the preparation or updating of plans.' TWBC aims to release land from the green belt through a 'plan led approach' and to increase public accessibility and to protect the openness of remaining green belt. TWBC have failed to justify the need to build at Tudeley. Releasing Green belt land should not be a strategic objective. Protecting should be. On the 31/7/18 TWBC refused planning permission on a minor development to the Poacher Pub (a thriving business) Application Ref: 18/01767/Full. The refusal was on the grounds and I quote, 'the proposal would constitute inappropriate development within the Metropolitan Green Belt which by definition is harmful to its openness'. It continues to state, 'there is insufficient evidence of the necessary

'very special circumstances' to overcome this harm. It further states, 'it would not conserve and enhance the rural landscape, nor would it protect the countryside for its own sake, nor preserve the interrelationship between the natural and built features of the landscape'. SO a pub can't build one building but TWBC can within a year propose 2800 homes?

The only special circumstance for planning to build a town (forget garden settlement) is that there is only one landowner to deal with and it is conveniently, not going to impact on TW borough at all, being located at the most northern extremity of its coverage. All community charge council monies will be picked up by TWBC, not TMBC, who will be left with a mega headache. This is a win, win for TWBC. Totally unjustified.

When it suits TWBC to build on Green Belt land -that is called 'exceptional circumstances' for the Poacher, TWBC can 'use NPPF 133/136 and 145. And it is not 'exceptional circumstance'. I call it 'double standards and unsound and unjustified. .On page 68 of the local plan 4.130 TWBC state they will continue o apply the relevant NPPF guidelines as usual -just not for those in the Table6 on pages 67 and 68.As I said double standards .Individuals as well as TWBC have to obey the law and follow guidelines.

NPPF 145 states A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. The exceptional circumstances- a) to g) do not apply to The Tudeley Proposal. Recent government thinking, ' Government response to the local housing need proposals in 'Changes to the current planning system' Within the current planning system the standard method does not present a 'target' in plan-making, but instead provides a starting point for determining the level of need for the area, and it is only after consideration of this, alongside what constraints areas face, such as the Green Belt, and the land that is actually available for development, that the decision on how many homes should be planned for is made. It does not override other planning policies, including the protections set out in **Paragraph 11b of the NPPF** or our **strong protections for the Green Belt**. It is for local authorities to determine precisely how many homes to plan for and wherethose homes most appropriately located. In doing this they should take intoaccount their local circumstances and constraints. The new thinking is effectively saying that there is a **presumption Against** objectively assessed housing need within their area if this would erode the green belt i.e. TWBC do not have to build SO many homes.

The main concept of the green belt is prevent urban sprawl and this is exactly what TWBC IS proposing -essentially a line of housing along its northern borders stretching from Paddock Wood through Five Oak Green , Capel , Tudeley to Tonbridge. This type of 'plan ' **IS** exactly what the whole chapter 13 of the NPPF is there to prevent.

Wetland Floodplain Habitat

I am utterly amazed that TWBC have produced no assessment for the Wetland Floodplain area below the Tudeley site.The whole of the Floodplain habitat from Paddock Wood / Five Oak Green/Capel and Tudeley. An area that will be affected by this proposal does not warrant an action and yet this 'plan' is building 85% of homes along this sprawl?.

It has therefore not prepared and has not followed the NPPF guideline 177 . 177The presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessmenthas concluded that the plan or project will not adversely affect the integrity of the habitats site.

A report on what species thereare and the effects of noise and light will have on this area should have been completed. As the flood plain at Tudeley does not cover TWBC area it has not classified this area as – which it is- a Local wildlife site and have as a result not given the full story to their ;Masterplan'. I think some honesty would be helpful- as such I find this lack of assessment on habitats in this area to be unsatisfactory and therefore unsound. 1.15 of the biodiversity evidence base publication states,' local authorities have an important role to halt loss of biodiversity.' I see no co-operation here in TWBC speaking to TMBC about the effect on the floodplain at Tudeley which all councils should be concerned about. The wetland at Tudeley should be classified as Fen /Marsh and Swamp under UK BAP Priority Habitats, just because this area is not within TWBC it IS being effected by the 'masterplan at Tudeley' and as it has not been properly investigated at Reg 19 this proposal for so many homes to be build above this area is unsound. I would like to draw attention to the Kent Habitat Survey-section-1 executive- summary-pdf page 8. The pictures shown here are exactly the environment at Tudeley.

This whole area needs to be surveyed and assessed before ANY decisions are made. I can find no specific assessment of this area - a huge omission given the large number of homes suggested.

Farmland This 7.603 hectares is Grade 1 Farmland and is part of the Green belt, apart from the Green belt objections above this is not effective use of a precious commodity. The country needs to eat. As part of the Medway Floodplain, the alluvial soil is very fertile soil. We should not as a Strategy for the country be building homes on the best soil. This plan to build on this land is not effective use of a resource. Tonbridge

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There is no justification for building at Tudeley- ever.

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Supporting Information File Ref No: SI_114a-d

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Email Address	[REDACTED]
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Comment ID	PSLP_1878
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Consultation Point	Policy STR/SS 1 The Strategy for Paddock Wood, including land at east Capel (View)
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Submission Type	Email
Version	0.10
Files	C Richards - Appendix D Climate Change Flood Zone 3a map.JPG
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Question 1	
Respondent's Name and/or Organisation	Mrs Carol Richards
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Question 4

Do you consider that the Local Plan:

Is legally compliant	No
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Complies with the Duty to Cooperate	No

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NPPF 157 All plans should apply a sequential, risk-based approach to the location of development – taking into account the current and future impacts of climate change – so as to avoid, where possible, flood risk to people and property. They should do this, and manage any residual risk, by: a) applying the sequential test and then, if necessary, the exception test as set out below; b) safeguarding land from development that is required, or likely to be required, for current or future flood management; c) using opportunities provided by new development to reduce the causes and impacts of flooding (where appropriate through the use of natural flood management techniques); and d) where climate change is expected to increase flood risk so that some existing development may not be sustainable in the long-term, seeking opportunities to relocate development, including housing, to more sustainable locations (NPPF 157 d). Well looking at Appendix DI think TWBC should be planning to build elsewhere.

TWBC will however complete Sequential and Exceptional tests. These tests- Sequential and Exception Tests will be used to show it is safe to build at Paddock Wood and Capel Parish, but this test is supposed to be used to steer new development to areas with the lowest probability of flooding i.e. Flood Zone 1 and the Exception test is to be used as set out in paragraph 102 of the NPPF, is a method to demonstrate and help ensure that flood risk to people and property will be managed satisfactorily, while allowing necessary development to go ahead in situations where suitable sites at lower risk of flooding are not available. Well there are 513 sites-74 sites = 439 other sites and NONE of these are considered a more suitable sites?. There are other safer sites than Paddock Wood. Five Oak Green and Tudeley.

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Supporting Information File Ref No: SI_114a-d

Comment

Consultee	Mrs Carol Richards [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] Tonbridge [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Mrs Carol Richards [REDACTED]
Comment ID	PSLP_1887
Response Date	04/06/21 11:43
Consultation Point	Policy STR/SS 2 The Strategy for Paddock Wood Town Centre (View)
Status	Processed
Submission Type	Email
Version	0.6
Files	C Richards - Appendix D Climate Change Flood Zone 3a map.JPG
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Supporting Information File Ref No: SI_114a-d

Comment

Consultee	Mrs Carol Richards [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] Tonbridge [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Mrs Carol Richards [REDACTED]
Comment ID	PSLP_1888
Response Date	04/06/21 11:43
Consultation Point	Policy STR/PW 1 The Strategy for Paddock Wood (View)
Status	Processed
Submission Type	Email
Version	0.5
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NPPF 155 states that , 'Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime(this is deemed to be 100 years-026 Ref ID:7-026-20140306) without increasing flood risk elsewhere. This development is unsound -See Appendix D NPPF 156.states that, Strategic policies should be informed by a strategic flood risk assessment, and should manage flood risk from all sources. They should consider cumulative impacts in, or affecting, local areas susceptible to flooding, and take account of advice from the Environment Agency and other relevant flood risk management authorities, such as lead local flood authorities and internal drainage boards. TWBC have chosen to build on flood plain as their strategic policy. They certainly are not taking JBA advice and analysing their own data. This policy is therefore unsound.

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The NPPF specifically states 160a) the development should provide wider sustainability benefits to the community that outweigh the flood risk -and too this end TWBC say that there will be betterment of the area by flood mitigation with SUD's- this is in the area where there is no mains drainage and it

is not possible to implement because of the heavy clay and vast amount of water in this area. It is utter nonsense to believe TWBC can improve the flood risk in this area. There is no future proof for these sites either 160b) these developments will not be safe for a lifetime and the more houses they build here the more chance of increasing the flood risk elsewhere. This is poor planning unsustainable and unsound. The map above shows TWBC own map for climate change in Paddock Wood Appendix D and the site overlaid with STR/SS 1 Paddock Wood and East Capel Strategic policy. Overlays in red show the Proposed parcels of land earmarked for development. ((Eastern parcel not fully drawn.) There is something wrong with a Local Planning Policy when you have to trawl through wonderful sounding aspirations and justifications when actually the truth is very damaging and has far wider implications for the communities both within TWB Paddock Wood and Tudeley and surrounding boroughs TMB and Maidstone. I find these proposals very disturbing, poorly thought out, very wrong unsound and unjustifiable.

NPPF 157 All plans should apply a sequential, risk-based approach to the location of development – taking into account the current and future impacts of climate change – so as to avoid, where possible, flood risk to people and property. They should do this, and manage any residual risk, by: a) applying the sequential test and then, if necessary, the exception test as set out below; b) safeguarding land from development that is required, or likely to be required, for current or future flood management; c) using opportunities provided by new development to reduce the causes and impacts of flooding (where appropriate through the use of natural flood management techniques); and d) where climate change is expected to increase flood risk so that some existing development may not be sustainable in the long-term, seeking opportunities to relocate development, including housing, to more sustainable locations (NPPF 157 d). Well looking at Appendix DI think TWBC should be planning to build elsewhere.

TWBC will however complete Sequential and Exceptional tests. These tests- Sequential and Exception Tests will be used to show it is safe to build at Paddock Wood and Capel Parish, but this test is supposed to be used to steer new development to areas with the lowest probability of flooding i.e. Flood Zone 1 and the Exception test is to be used as set out in paragraph 102 of the NPPF, is a method to demonstrate and help ensure that flood risk to people and property will be managed satisfactorily, while allowing necessary development to go ahead in situations where suitable sites at lower risk of flooding are not available. Well there are 513 sites-74 sites = 439 other sites and NONE of these are considered a more suitable sites?. There are other safer sites than Paddock Wood. Five Oak Green and Tudeley.

The real TEST- will be- will there be people to BUY these houses....I would never buy a house in Paddock Wood or Five Oak Green-there is a huge flooding issue and no amount of :Strategic Storage, flood defences, Increased channel conveyance, new channels, raising level of occupied floors of buildings above ground level- would induce me to buy a home in either of these places. I think it is wrong to expect others to do so. Hopefully builders will realize this too and market forces will prevail-they will have the sense **not to build homes they cannot sell- even if there is no common sense at TWBC. Building at Paddock Wood goes against NPPF guidelines and should not be allowed in such large nos.**

All homes should be raised well above the ground- which would make these homes expensive for builders to build and potential homeowners to buy. This will not fulfil the requirement for affordable housing at Paddock Wood.

I have also read in reports that the ground water system is acknowledged not to be fully understood especially when linked to climate change scenarios and I know Five Oak Green has this issue-as milder wetter winters may increase the frequency of groundwater flooding incidents in areas that are already susceptible. Current understanding of the risks posed by groundwater flooding is limited and mapping of flood risk from groundwater sources is in its infancy SFRA p37

Still it is believed AStGWF that for example, more than 75% of the area within the 1km grid squares surrounding the Whetsted and Tudeley Hale as well as the area north of Five Oak Green are susceptible to groundwater flooding'

Paragraph 102 of the NPPF, sets out a method to demonstrate and help ensure that flood risk to people and property will be managed satisfactorily, while allowing necessary development to go ahead in situations where suitable sites at lower risk of flooding are not available. Again, why chose so many sites fraught with major difficulties that will only exacerbate over the decades and cause misery to families and TWBC are planning this? There are other sites.

It is unsound to build on these flood zones, especially in Paddock Wood where safeguarding land is likely to be required for current or future flood plain management. NPPF 157 b) TWBC are not doing this and as such the plan has not been positively prepared.

Question 6

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The development at Paddock Wood should be restricted to a maximum of 1000 to 1.500 homes and should all be raised well above ground level. Homes should be built in smaller groups on well researched plots that will be future proof. All homes should be built on mains drains. And all other developments linked into these drains as well. Conclusion: This area is unable to support a large number of homes and the total number should be reduced and future proofed.

Question 7

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If responder hasn't ticked an option on this box, data inputter to tick 'not stated' box. Not Stated

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box: Yes, I wish to be notified of future stages of the Local Plan

Supporting Information File Ref No: SI_114a-d

Comment

Consultee	Mrs Carol Richards [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] Tonbridge [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Mrs Carol Richards [REDACTED]
Comment ID	PSLP_1889
Response Date	04/06/21 11:43
Consultation Point	Policy STR/CA 1 The Strategy for Capel parish (View)
Status	Processed
Submission Type	Email
Version	0.5
Files	C Richards - Appendix D Climate Change Flood Zone 3a map.JPG
Data inputter to enter their initials here	KH
Question 1	
Respondent's Name and/or Organisation	Mrs Carol Richards
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR/SS 1 The Strategy for Paddock Wood, including land at east Capel
Policy STR/SS2 The Strategy for Paddock Wood Town Centre
Policy STR/PW1 The Strategy for Paddock Wood
Policy STR/CA1 The Strategy for Capel Parish

[TWBC: this representation has been input against Policies STR/SS1, STR/SS2, STR/PW1 and STR/CA1– see Comment Numbers PSLP_1878, PSLP_1887, PSLP_1888 and PSLP_1889]

Question 4

Do you consider that the Local Plan:

Is legally compliant	No
Is sound	No
Complies with the Duty to Cooperate	No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:	. It is not positively prepared
	. It is not effective
	. It is not justified
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Question 5

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5.153 TWBC's Local plan for Paddock Wood including Capel is for a **significant** expansion along with Tudeley – which I have commented on earlier. 5.157 to 5.162. describe the 418 hectares STR/SS1 is to be built on.

5.163 States, ' Fluvial flood risk is a considerable factor affecting the western side of Paddock Wood and the Town Centre-.Flood zones 3 an flood Zone 2

5.164 States, the area to the north is Flood Zone 2 and 3 from the upper Medway flood plain.

5.165 States that groundwater levels are high I the northern western parts due to the proximity of the Upper Medway Flood Plain.

5..231 Paddock Wood is located on relatively flat land, associated wit the broad valley of the River Medway and the soil is impermeable Wealden clay.

In Paddock Wood Stage 1 SWMP (2011) and Stage 2 SWMP (2015) Paddock Wood is an area that has experienced a number of incidents of surface water flooding associated with small watercourses, sewerage and private drainage systems. It was recommended within the Tunbridge Wells Borough Council Level 2 SFRA (2009)that Paddock Wood be designated as an 'area of critical drainage'.

In recent years 100 homes have been built around Mascalls Farms and Court Farm. There have been problems with the new developments with Flooding and sewage. This area is not covered by mains drains. I have heard hearsay many times about the flooding and sewage problems at Paddock Wood and also the fact that houses are not selling.

STR/5 states that TWBC fully consulted Southern water regarding the supply of fresh water and the removal of foul, yet Greg Clark MP for Tunbridge Wells was advised on record, 'Plans to upgrade the

sewage network in Paddock Wood, despite repeated discussions with Paddock Wood Town Council – have come to nothing . (HoC 28/10/19)

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Comment

Consultee	Mrs Carol Richards [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] Tonbridge [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Mrs Carol Richards [REDACTED]
Comment ID	PSLP_1890
Response Date	04/06/21 11:43
Consultation Point	Policy STR 1 The Development Strategy (View)
Status	Processed
Submission Type	Email
Version	0.8

Data inputter to enter their initials here KH

Question 1

Respondent's Name and/or Organisation Mrs Carol Richards

Question 3

To which part of the Local Plan does this representation relate? Policy

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR 1 The Development Strategy

Policy STR/SS3 The Strategy for Tudeley Village

[TWBC: this representation has been input against Policies STR 1 and STR/SS 3 – see Comment Numbers PSLP_1890 and PSLP_1893]

Question 4

Do you consider that the Local Plan:

Is legally compliant No

Is sound No

Complies with the Duty to Cooperate No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not positively prepared
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The Strategy for Tudeley Village

Site Reference : Sustainability Appraisal: Capel Reasonable Alternative Option 1 Land at Tudeley site 446 and 448

In the Parish of Capel, Tudeley, is a very small little **Hamlet**. The site overlooks the Medway Floodplain. The 'Masterplan' is to basically build a **Town** on the edge of Tonbridge-1.2 miles away. **This is no garden village**. The whole Tudeley site is bisected by a railway line- one of the busiest in the county. This is not ideal for the potential occupants- who wants to live near a railway line? The original plan was to have a railway station and Tudeley. The cost of this proposal it would cost millions and the bridge over the railway line would need to be widened, Apart from the fact that British Rail have not said yes to this proposal- bearing in mind that there is a very short distance to Tonbridge by train- there seems little point in them doing so. Tonbridge which is not in the borough of T.Wells is small compared to T.Wells itself. Tonbridge suffers from being prone to flooding and has two pinch points at either end of the High street the River Medway and Tonbridge Rail Station, (which from a rail point of view runs North /South and East/ West and has Eurostar zooming through it too.) It only takes one small set of road work to bring the town to a standstill. All arteries to the town are gridlocked. The belief that the potential town at Tudeley (which could for all intense and purposes be a commuter town) will not add to the chaos at the station in the morning and afternoon is laughable- and that is without TMBC adding more homes in Tonbridge. There is just no available space to accommodate this increase in Traffic. The use of bikes and walking in the winter will only be used by the hardest of individuals. There is the added problem that currently, there was at Reg18, 5,206 (probably more in the next academic year) pupils attending schools between the Woodgate Roundabout and Brook Street. There is also a private school Somerhill near the Woodgate roundabout with a further 750 plus pupils. There is just not the capacity to accommodate another town so close to Tonbridge. Tonbridge is creaking under the strain as it is.

In suitability p7 of 17 TWBC state this site is considered a suitable location and sights NPPF 72 to support this claim. This statement is not true and unjustified . Tudeley is not a suitable location and is unsound

NPPF 72 and TWBC state such,” an approach is acknowledged in the NPPF, which states (at paragraph 72) that “the supply of large numbers of new homes can often be best achieved through planning for larger scale development, such as new settlements...”

This is the justification for building on Green Belt Land. The release of which is against NPPF guidelines and recent 1 April 2021 government guidelines- counters these arguments..

The government response to the local housing need proposals in, 'Changes to current planning system update 1/4/21 states :-More broadly, we heard suggestions in the consultation that in some places the numbers produced by the standard method pose a risk to protected landscapes and Green Belt. We should be clear that meeting housing need is never a reason to cause unacceptable harm to such places. But harm or homes is not a binary choice. We can plan for well designed, beautiful homes, with access to the right infrastructure in the places where people need and want to live while also protecting the environment and greenspaces communities most value. If we do this well, we can achieve all this whilst giving a new generation the chance to access the homes they deserve. The same chances generations before them were given. This is a matter of social justice and inter-generational fairness. It would be wrong for our built environment to respond only to the needs of older, wealthier people. We can and must strive to build more homes, but to do so with sensitivity and care for the environment, heritage and the character of existing communities.

Tudeley also happens to be owned by one individual, so makes life very easy for the planners to deal with one person and not multiple landowners. Taking the easy option and creating harm as a result should not be a Local Plan.

This site will provide substantial housing- which will be a commuter TOWN – Village is an incorrect and inaccurate – misleading term..5.220 The site is on the small minor road B2017 between Tonbridge and Paddock Wood The distance from Tonbridge is 1.2 miles (I have measured it) to Paddock Wood 2 miles (I have used TWBC measurements) The scale of these homes between these distances is 6,800 homes this is not a development it is a concentration and a sprawl. The proposed Tudeley site is not a vision it is a nightmare to those Living in Tonbridge. This urban sprawl is unjustified

The Tudeley site provides 38.9 % of TWBC 's need' and Paddock Wood 58.9% numbers making a total of 6800, make up 945% of the minimum allocation of 7221 dwellings. I do not call this a 'vision'. I call it the 'easy option' facilitated by an offer- in the case of Tudeley to use prime agricultural Green Belt land. The only 'vision' I see at Paddock Wood is yet more problems with sewage and flooding. I would like to also point out that your Map on page 35 of the Local Plan is very misleading in terms of scale of growth. At first glance it would appear that Tunbridge Wells will grow massively, but what it really shows is small growth around established towns coloured grey and small dwelling growth in pink around these centres. Where the real growth is, - are the much larger pink rings at Tudeley and Paddock Wood. Maybe a Map showing the number of dwelling increases in the borough by towns would be more honest? This map is not effective in helping to understand the numbers TWBC have proposed elsewhere.

TWBC state that a new settlement can be an extension to existing villages / towns . Well, Tudeley is a hamlet on Green Belt Land and the town it will effect -is Tonbridge. For all the above reasons a location near Tonbridge is not well located. It is not an appropriate site for a garden/new town and the infrastructure will not support the community at this site. Journeys will be made to shops in both Tonbridge first and secondly to Tunbridge Wells.

a) There will be no environmental gain because:1. The land is grade 1 farmland above a wetland landscape on Greenbelt Land. No environmental gains.2. The infrastructure here is poor and the railway station is not going to be built for reasons explained above . Argument unsound.b) The expectations of employment are unrealistic, especially as TWBC are proposing a **major employment allocation site** on the other side of the A21. One begs the question why not put a garden settlement there, as this will facilitate low carbon commuter-walking . There is also as a result of the constraints in Tonbridge there is no good access this side of the A21 and road improvements from Five Oak Green/ Tudeley/ Tonbridge are 'offline.' Therefore, poor access - apart from some roundabouts improvements which will not help throughflow -because of the sheer volume of traffic. Other employment is likely to be in London – i.e. a journey to Tonbridge Rail Station.c)the building of this site will cause major traffic gridlock into Tonbridge -again not a headache for T. Wells but local Tonbridge Residents.d) This proposal is already on a Greenbelt site

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This site is not suitable and not sustainable. It is totally and unequivocally unsound and unjustifiable. The vision of this site was enabled by the offer of one landowner and then TWBC have leaped at the chance to build thousands of homes on an inappropriate site. The inhabitants of this site will mix with the surrounding towns – it is not going to be a 'perfect bubble' and stand alone.

(TWBC Comment: Map included within comments has been appended to this comment)

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The exception tests NPPF would fail here as a) the development will cause harm downstream and b) The development- only parts- of would be safe for a life time (deemed 100 years). As both elements should be satisfied to allow development NPPF 161- this development should not be allowed.

Tudeley lies on a ridge above the Medway Flood Plain and this means the precipitation on hard-standing areas, of 2,800-5000 homes- will cause faster run-off during a large event- into the flood plain below, it is also on a site on Wadhurst clay that is normally found in rural outcrops – as here- and is not normally built on. Where it has been this soil is prone to slippage- which could cause problems for a large housing development especially with large run off.

In the Transport Strategy Review: context and way forward page 28 it states: "Enabling growth without gridlock has been highlighted as a key challenge for Kent & Medway and one that will only be achieved through a combination of measures that influence behaviour and improve infrastructure." Bearing in mind that although TWBC still believe that British Rail have not said yes or no to building a new station- how can TWBC have a 'masterplan' for Tudeley which assumes a new station **will** be built. The time issue (there will be no time for the train to gather speed between Paddock Wood and Tonbridge) apart from the cost it is totally impractical for British Rail to build a new station when the current stations are already close enough? The railway bridge on the Hartlake Road will need to be widened too. There are also plans to close the Hartlake Road- which is the only crossing point across the Medway floodplain. This is the only road that shortens the distance from T. Wells to Hadlow and Golden Green, without

either going around the Industrial Estate in Tonbridge along the A26 or travelling through Five Oak Green and East Capel where TWBC are also planning more housing . All I can envisage is sitting in my car and pumping out more fumes while I wait in Gridlocked Traffic. How can this be classified as sustainable development? **The Hartlake must not be shut!!!!!!** This document talks of ideals -it does not concentrate on the biggest changes in population and hence traffic conditions in the TWB area i.e. Paddock Wood and Tudeley. There is no explanation as to how this is to be **practically tackled** . In fact Fig 5 shows the route between Paddock Wood and Tudeley as 'Off-line' whatever that means? Pt 7 in the Transport Strategy States, '.... road transport contributes to a third of Kent's CO2 emissions and pollutants have negative effects on air quality in addition to noise and consequently on human health and the natural environment.' So how can a proposal to build 6390 homes between Paddock wood and Tudeley bringing a minimum of 6400 probably more like 8000 to 9000 extra cars on the B228 between Wetsted to Seven Mile Lane/ the B2017 from Five Oak Green to Tonbridge and the B2015 from East Peckham to Watlingbury. This scenario is so unsustainable, so undeliverable it is laughable and this is called a plan? Point 109 of the NPPF states, 'Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. I think these proposals are so severe point 109 should be upheld and planning refused on these grounds.

The report drawn by SWECO for TWBC is very illuminating – basically the work was undertaken to understand what mitigation levels can be achieved to reduce congestion-. and has been written in cooperation with the team working on the Garden Settlement plan. Can I ask if TMBC were involved in these talks ? The minutes of the meeting with KCC Dtc Appendix H4 dates 16/9/20 , 11/11/20 and 19/1/21 , 8/2/21/23/2/21 Also Appendix H2 Highways England 7/2/2020 and 3/2/2021 are unavailable be electronic copy. I cannot see how this report is not biased towards a positive outcome for TWBC.

The main thrust of mitigation, so I understand , is to have a hugely improved bus service and cycle routes. This for a country where people like driving cars (comfortable) and it rains a lot and only hardened individuals use their bikes. Most congestion occurs at peaks times as the report says and this is because individuals are either going to school or work. Bus services will solve school traffic but I cannot see cycle routes being used for long distance in the autumn/winter/spring for commuters. Cycle routes will be used as a recreational asset. I live in Hadlow and am really cross that because TWBC are so hell bent on building a new town at Tudeley and don't even humour me by calling it a garden settlement that I will no longer be able to drive along the Hartlake Road / B2017. There are nearly 6000 residents in Hadlow and Golden Green and we shall be unable to cross from T. Wells to Hadlow via this route. It is the **only** road across the Medway Flood Plain. Instead we shall have to sit in extra traffic trying to go through the Tonbridge Industrial Estate off the A21 now even more congested or travel through Southborough and Tonbridge Town centre sitting in traffic causing CO2 emissions as I shall be stationary for so long or travel the very long way round and go via Five Oak Green and turn off the A228 at East Peckham and follow that route to Three Elm Lane. Taking as a starting point the A264/A21/A228 junction my 14..5 k short cut that takes about 15/20 minutes will now take an extra 10 minutes and add 4k on to my journey through another small village of I could go down 7 mile lane and travel an extra 7k and add an extra 15 minutes to my journey as the roundabout at Alders Wood will be chronic. **The Hartlake Road must not be shut.**

This all because TWBC want to build homes at Tudeley and Paddock Wood/Capel (94%) of their allocation and cause chaos for anyone else but not their residents, as these areas are right on the edge of their boundaries and won't affect their residents- in their more leafy boroughs. I do not believe causing me, along with other residents on the North and Eastern side of Tonbridge so much inconvenience and extra cost and time can be sustainable in terms of emissions just because TWBC believe they can justify building a new town right next to Tonbridge. This is unsound and the extra amount of traffic will cause so much extra traffic on roads that are difficult to improve and **ALREADY CONGESTED**. The only way to 'improve' through traffic is to dual the B2017 from the Badsell/ Capel Grange roundabout all the way to the roundabout near Somerhil School and dual from there to the A26 the Woodgate Roundabout near the A21 and Vauxhall pub. There is no way to 'improve' the A2014 from the Vauxhall pub to the Tonbridge Train Station for cars or bikes and the footpaths are overcrowded with school pupils.

The mitigation schemes are not viable because of the limited available space and topography constraints. The roads around this area are not capable of taking the 'load' of extra traffic. Page 89 10.3.2 Highways England say there is a need to demonstrate how proposals will reduce car trips and improve accessibility for all modes and only then consider appropriate and proportional mitigation ,

measures that assess the likely impact of residual car trips. HE goes on to advise local planning authorities to “refuse or place conditions on developments only where the residual cumulative impacts of development on the capacity of the SRN (once proposed mitigations are taken into account) are still assessed to be severe.” In Paragraph 41, HE also states that the promoter should take all reasonable steps to minimise the level of physical mitigation required, through the use of measures such as Travel Plans and travel demand management measures. Consequently, a key aim of the Local Plan work outlined here is to minimise the residual new car trips on the highway network that would need further physical highway mitigation measures.

TWBC have shown that there is a need to mitigate new car trips but realistically who is going to use a bike who will make regular use of a bus service. Individuals for the most part will use their car whenever possible and that is what will happen here. This report presumes too much on the alteration of human behaviour at peak traffictime.

It took over 40 years to improve the A21 just from Tonbridge to Pembury – hardly a great distance, How long before these other so called ‘mitigation measures’ are implemented.-which will not alleviate the traffic congestion! It seems ridiculous to me why you would want to build on the Tonbridge side of the A21 anyway -when as I said after 40 years waiting for the A21 --,TWBC have build bicycle routes on the other side -all the infrastructure IS ALREADY on that side of the A21. THIS is where you need to make use of the infrastructure that is already in position. **Why waste more public money ?** Also with houses on that side of the road – some homeowners will use High Brooms Rail station which would alleviate the pressure on the access to Tonbridge Rail station. The Medway and its floodplain too -are miles away-. on the other side of the A21.

The KCC West Kent ‘Map of Transport Priorities for Tunbridge Wells shows NO improvement of roads between Paddock Wood and Tonbridge- only the a228 Colt’s Hill Relief Scheme and junction improvements. No plans to improve the infrastructure any time soon for Tonbridge Residents then. Unsound!

This report does not persuade me that the traffic congestion in Tonbridge – that the Tudeley development will cause- will be solved and is therefore not viable/workable/ and is unsound. It also has the **gall** to for the ‘convenience of implementing this development -to close the Hartlake Road which is totally **unacceptable** as not only will this cause even more congestion in Tonbridge, It will add more CO2 into the atmosphere as Tonbridge residents queue around the Tonbridge Industrial Estate- THAT is not so EFFECTIVE then is it ?. Does TWBC have any consideration for others, so intent .are they to build at Tudeley- residents of North Tonbridge , Hadlow and Golden Green can have their lives disrupted and go hang. MP Tom Tugendhat and TMBC are all of the view this development is not justified and unworkable and unsound. The Tudeley development will add 25% to the population of Tonbridge and that is before TMBC look to accommodate their own ‘need’

5.218 TWBC state that this development provides an opportunity for a new rail station at Tudeley- if this can be realized in the future after 2038.. This is a ridiculous statement to make. This station will never be built as Tudeley is too close to Tonbridge rail station- so why put it in this local plan-it is a disingenuous statement to make.5.224 The infrastructure will not be able to support a minimum of 2,800 cars. The by pass at Five Oak Green will not be used by Tudeley residents, so this will not alleviate highway issues caused by development at Tudeley New Town- (not garden city – this is just a posh term) as they will all be travelling in the other direction to the A21 and Tonbridge Station and improving the roundabout near Somerhill school will not enable the traffic to flow.

Policy STR 2 p45 states all new development must use the following principle relevant to its location, scale and use.

Point 1 Fails here as it does not enhance the quality of existing communities and their environs and creating a town at Tudeley is not appropriate.

Point 3 Conserve and enhance assets of historic, landscape or biodiversity.TWBC Fail to save the listed church at Tudeley from being surrounded by 2,800 homes and fails to save Green Belt land and the wetland floodplain below and the biodiversity value- which they have not even bothered to assess.

Point 9 TWBC will protect the future residents and users with regard to noise, vibration (difficult with the number of trains bisecting the site),smell, loss of light, privacy and overbearing impact. I am sure the existing residents of Tonbridge would like to be treated with such consideration themselves.

Policy STR 9 Green Belt States an effective Green belt will be maintained through the application of national planning policy and believe the removal of Green belt land in this plan is fully justified there

are NO exceptional circumstances and the objections above show how much harm this development will produce to the surrounding countryside and existing residents. THIS DEVELOPMENT IS INAPPROPRIATE -NPPF 145 AND THERE ARE NO EXCEPTIONAL CIRCUMSTANCES. This plan regarding Tudeley should not be allowed it is unsound does not have any backing from TMBC or the MP for this constituency, has been poorly prepared with regard to its surroundings, constraints and existing residents, not legally compliant as it fails NPPF guidelines 133, 134 a)-e) 136, 137, 143, 144, 145, 155, 157. 160. 161. 163. Totally unjustifiable.

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan 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 development of Tudeley was only considered when a single landowner offered the site at Tudeley. TWBC have made every effort to make this Development work in a totally inappropriate site and are determined to push this so called 'Masterplan' through. I consider this proposal a disgrace to the planning process on so many levels. I should be stopped altogether.

I think TWBC should look to spread a reduced need throughout the borough, concentrating on towns and villages that have existing good bus routes into T. Wells. I believe there should be a mix of bungalows and affordable housing throughout the borough. I would look to build a little more old peoples residential housing in the Benenden area to make use of a hospital there-, which would reduce the pressure on Pembury Hospital and could if planned well reduce the pressure on Social Services. I would look to have greater amounts of affordable housing for younger generations in some of the largest towns- Tunbridge Wells, Southborough and Pembury – as well as in some of the smaller towns and villages as I said above.

I believe the concentration of development along the northern fringes of the borough to be nothing but urban sprawl. I also strongly disapprove of a 'plan' to build on land known to flood and all these proposed homes have the river Medway behind them- and will either flood themselves or cause harm further downstream.

This local plan is fundamentally flawed because TWBC have not pushed back on their 'need' and have relied on only three inappropriate sites to fulfil this 'need' and have chosen to deal with very few landowners -making life easy.

The borough of T.Wells planning should not be easy with the amount of ANOB and GREENBELT land. JBA consulting did a comprehensive assessment of the flooding or lack of potential for all the first call for sites. I would have only looked at flood Zones 1 and 2 and only then slit those into good/ bad bus routes -then visited them all. TWBC seem to have concentrated on nearly all the sites prone to Flood/or cause harm elsewhere as their starting point. A flawed plan.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

For office use only

If responder hasn't ticked an option on this box, data inputter to tick 'not stated' box. Not Stated

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box: Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Mrs Carol Richards [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] Tonbridge [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Mrs Carol Richards [REDACTED]
Comment ID	PSLP_1893
Response Date	04/06/21 11:43
Consultation Point	Policy STR/SS 3 The Strategy for Tudeley Village (View)
Status	Processed
Submission Type	Email
Version	0.10
Data inputter to enter their initials here	KH
Question 1	
Respondent's Name and/or Organisation	Mrs Carol Richards
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR 1 The Development Strategy

Policy STR/SS3 The Strategy for Tudeley Village

[TWBC: this representation has been input against Policies STR 1 and STR/SS 3 – see Comment Numbers PSLP_1890 and PSLP_1893]

Question 4

Do you consider that the Local Plan:

Is legally compliant	No
Is sound	No
Complies with the Duty to Cooperate	No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:	. It is not positively prepared
	. It is not effective
	. It is not justified
	. It is not consistent with national policy

Question 5

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Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

The Strategy for Tudeley Village

Site Reference : Sustainability Appraisal: Capel Reasonable Alternative Option 1 Land at Tudeley site 446 and 448

In the Parish of Capel, Tudeley, is a very small little **Hamlet**. The site overlooks the Medway Floodplain. The 'Masterplan' is to basically built a **Town** on the edge of Tonbridge-1.2 miles away. **This is no garden village**. The whole Tudeley site is bisected by a railway line- one of the busiest in the county. This is not ideal for the potential occupants- who wants to live near a railway line? The original plan was to have a railway station and Tudeley. The cost of this proposal it would cost millions and the bridge over the railway line would need to be widened, Apart from the fact that British Rail have not said yes to this proposal- bearing in mind that there is a very short distance to Tonbridge by train- there seems little point in them doing so. Tonbridge which is not in the borough of T.Wells is small compared to T.Wells itself. Tonbridge suffers from being prone to flooding and has two pinch points at either end of the High street the River Medway and Tonbridge Rail Station, (which from a rail point of view runs North /South and East/ West and has Eurostar zooming through it too.) It only takes one small set of road work to bring the town to a standstill. All arteries to the town are gridlocked. The belief that the potential town at Tudeley (which could for all intense and purposes be a commuter town) will not add to the chaos at the station in the morning and afternoon is laughable-and that is without TMBC adding more homes in Tonbridge. There is just no available space to accommodate this increase in Traffic. The use of bikes and walking in the winter will only be used by the hardest of individuals. There is the added problem that currently, there was at Reg18, 5,206 (probably more in the next academic year) pupils attending schools between the Woodgate Roundabout and Brook Street. There is also a private school Somerhill near the Woodgate roundabout with a further 750 plus pupils. There is just not the capacity to accommodate another town so close to Tonbridge. Tonbridge is creaking under the strain as it is.

In suitability p7 of 17 TWBC state this site is considered a suitable location and sights NPPF 72 to support this claim. This statement is not true and unjustified. Tudeley is not a suitable location and is unsound.

NPPF 72 and TWBC state such, "an approach is acknowledged in the NPPF, which states (at paragraph 72) that "the supply of large numbers of new homes can often be best achieved through planning for larger scale development, such as new settlements..."

This is the justification for building on Green Belt Land. The release of which is against NPPF guidelines and recent 1 April 2021 government guidelines- counters these arguments..

The government response to the local housing need proposals in, 'Changes to current planning system update 1/4/21' states :-More broadly, we heard suggestions in the consultation that in some places the numbers produced by the standard method pose a risk to protected landscapes and Green Belt. We should be clear that meeting housing need is never a reason to cause unacceptable harm to such places. But harm or homes is not a binary choice. We can plan for well designed, beautiful homes, with access to the right infrastructure in the places where people need and want to live while also protecting the environment and greenspaces communities most value. If we do this well, we can achieve all this whilst giving a new generation the chance to access the homes they deserve. The same chances generations before them were given. This is a matter of social justice and inter-generational fairness. It would be wrong for our built environment to respond only to the needs of older, wealthier people. We can and must strive to build more homes, but to do so with sensitivity and care for the environment, heritage and the character of existing communities.

Tudeley also happens to be owned by one individual, so makes life very easy for the planners to deal with one person and not multiple landowners. Taking the easy option and creating harm as a result should not be a Local Plan.

This site will provide substantial housing- which will be a commuter TOWN – Village is an incorrect and inaccurate – misleading term..5.220 The site is on the small minor road B2017 between Tonbridge and Paddock Wood The distance from Tonbridge is 1.2 miles (I have measured it) to Paddock Wood 2 miles (I have used TWBC measurements) The scale of these homes between these distances is 6,800 homes this is not a development it is a concentration and a sprawl. The proposed Tudeley site is not a vision it is a nightmare to those Living in Tonbridge. This urban sprawl is unjustified

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I would like to note that should this site have been within TMBC boundaries -barely metres away- I do not believe they would ever have considered Tudeley as a viable site because at the TMBC Planning and Transportation Advisory Meeting on 2/10/19 no one in the room was happy- because they are fully aware of the fact that flooding will occur beyond Sharneden Road from the Medway River and by 2020 it almost did! The site at the Hamlet of Tudeley is totally unsuitable and unsustainable. Locals know this area is more like a wetland area, home to many species of birds and the pollution from 2800 homes on the horizon will do damage to this environment. It would be unsound to build here. In the winter of 2019/20 all the dykes were full to capacity and there was surface water on the fields. When I use the word biblical -it was. The whole of Tudeley site is totally unsound. This site should not be used for a new town. The ramifications for houses downstream in East Peckham and Yalding from runoff are real and the potential for houses lower down the slope as well.

The exception tests NPPF would fail here as a) the development will cause harm downstream and b) The development- only parts- of would be safe for a life time (deemed 100 years). As both elements should be satisfied to allow development NPPF 161- this development should not be allowed.

Tudeley lies on a ridge above the Medway Flood Plain and this means the precipitation on hard -standing areas, of 2,800-5000 homes- will cause faster run-off during a large event- into the flood plain below, it is also on a site on Wadhurst clay that is normally found in rural outcrops – as here- and is not normally built on. Where it has been this soil is prone to slippage- which could cause problems for a large housing development especially with large run off.

In the Transport Strategy Review: context and way forward page 28 it states: "Enabling growth without gridlock has been highlighted as a key challenge for Kent & Medway and one that will only be achieved through a combination of measures that influence behaviour and improve infrastructure." Bearing in mind that although TWBC still believe that British Rail have not said yes or no to building a new station- how can TWBC have a 'masterplan' for Tudeley which assumes a new station **will** be built. The time

issue (there will be no time for the train to gather speed between Paddock wood and Tonbridge) apart from the cost it is totally impractical for BritishRail to build a new station when the current stations are already close enough? The railway bridge on the Hartlake Road will need to be widened too. There are also plans to close the Hartlake Road- which is the only crossing point across the Medway floodplain. This is the only road that shortens the distance from T. Wells to Hadlow and Golden Green, without either going around the Industrial Estate in Tonbridge along the A26 or travelling through Five Oak Green and East Capel where TWBC are also planning more housing . All I can envisage is sitting in my car and pumping out more fumes while I wait in Gridlocked Traffic. How can this be classified as sustainable development? **The Hartlake must not be shut!!!!!!** This document talks of ideals -it does not concentrate on the biggest changes in population and hence traffic conditions in the TWB area i.e. Paddock Wood and Tudeley. There is no explanation as to how this is to be **practically tackled** . In fact Fig 5 shows the route between Paddock Wood and Tudeley as 'Off-line' whatever that means? Pt 7 in the Transport Strategy States, '.... road transport contributes to a third of Kent's CO2 emissions and pollutants have negative effects on air quality in addition to noise and consequently on human health and the natural environment.' So how can a proposal to build 6390 homes between Paddock wood and Tudeley bringing a minimum of 6400 probably more like 8000 to 9000 extra cars on the B228 between Wetsted to Seven Mile Lane/ the B2017 from Five Oak Green to Tonbridge and the B2015 from East Peckham to Watlingbury. This scenario is so unsustainable, so undeliverable it is laughable and this is called a plan? Point 109 of the NPPF states, 'Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. I think these proposals are so severe point 109 should be upheld and planning refused on these grounds.

The report drawn by SWECO for TWBC is very illuminating – basically the work was undertaken to understand what mitigation levels can be achieved to reduce congestion- and has been written in cooperation with the team working on the Garden Settlement plan. Can I ask if TMBC were involved in these talks ? The minutes of the meeting with KCC Dtc Appendix H4 dates 16/9/20 , 11/11/20 and 19/1/21 , 8/2/21/23/2/21 Also Appendix H2 Highways England 7/2/2020 and 3/2/2021 are unavailable be electronic copy. I cannot see how this report is not biased towards a positive outcome for TWBC.

The main thrust of mitigation, so I understand , is to have a hugely improved bus service and cycle routes. This for a country where people like driving cars (comfortable) and it rains a lot and only hardened individuals use their bikes. Most congestion occurs at peaks times as the report says and this is because individuals are either going to school or work. Bus services will solve school traffic but I cannot see cycle routes being used for long distance in the autumn/winter/spring for commuters. Cycle routes will be used as a recreational asset. I live in Hadlow and am really cross that because TWBC are so hell bent on building a new town at Tudeley and don't even humour me by calling it a garden settlement that I will no longer be able to drive along the Hartlake Road / B2017. There are nearly 6000 residents in Hadlow and Golden Green and we shall be unable to cross from T. Wells to Hadlow via this route. It is the **only** road across the Medway Flood Plain. Instead we shall have to sit in extra traffic trying to go through the Tonbridge Industrial Estate off the A21 now even more congested or travel through Southborough and Tonbridge Town centre sitting in traffic causing CO2 emissions as I shall be stationary for so long or travel the very long way round and go via Five Oak Green and turn off the A228 at East Peckham and follow that route to Three Elm Lane. Taking as a starting point the A264/A21/A228 junction my 14..5 k short cut that takes about 15/20 minutes will now take an extra 10 minutes and add 4k on to my journey through another small village of I could go down 7 mile lane and travel an extra 7k and add an extra 15 minutes to my journey as the roundabout at Alders Wood will be chronic. **The Hartlake Road must not be shut.**

This all because TWBC want to build homes at Tudeley and Paddock Wood/Capel (94%) of their allocation and cause chaos for anyone else but not their residents, as these areas are right on the edge of their boundaries and won't affect their residents- in their more leafy boroughs. I do not believe causing me, along with other residents on the North and Eastern side of Tonbridge so much inconvenience and extra cost and time can be sustainable in terms of emissions just because TWBC believe they can justify building a new town right next to Tonbridge. This is unsound and the extra amount of traffic will cause so much extra traffic on roads that are difficult to improve and **ALREADY CONGESTED**. The only way to 'improve' through traffic is to dual the B2017 from the Badsell/ Capel Grange roundabout all the way to the roundabout near Somerhil School and dual from there to the A26 the Woodgate Roundabout near the A21 and Vauxhall pub. There is no way to 'improve' the A2014 from the Vauxhall pub to the Tonbridge Train Station for cars or bikes and the footpaths are overcrowded with school pupils.

The mitigation schemes are not viable because of the limited available space and topography constraints. The roads around this area are not capable of taking the 'load' of extra traffic. Page 89 10.3.2 Highways England say there is a need to demonstrate how proposals will reduce car trips and improve accessibility for all modes and only then consider appropriate and proportional mitigation, measures that assess the likely impact of residual car trips. HE goes on to advise local planning authorities to "refuse or place conditions on developments only where the residual cumulative impacts of development on the capacity of the SRN (once proposed mitigations are taken into account) are still assessed to be severe." In Paragraph 41, HE also states that the promoter should take all reasonable steps to minimise the level of physical mitigation required, through the use of measures such as Travel Plans and travel demand management measures. Consequently, a key aim of the Local Plan work outlined here is to minimise the residual new car trips on the highway network that would need further physical highway mitigation measures.

TWBC have shown that there is a need to mitigate new car trips but realistically who is going to use a bike who will make regular use of a bus service. Individuals for the most part will use their car whenever possible and that is what will happen here. This report presumes too much on the alteration of human behaviour at peak traffictime.

It took over 40 years to improve the A21 just from Tonbridge to Pembury – hardly a great distance, How long before these other so called 'mitigation measures' are implemented.-which will not alleviate the traffic congestion! It seems ridiculous to me why you would want to build on the Tonbridge side of the A21 anyway -when as I said after 40 years waiting for the A21 --,TWBC have build bicycle routes on the other side -all the infrastructure IS ALREADY on that side of the A21. THIS is where you need to make use of the infrastructure that is already in position. **Why waste more public money ?** Also with houses on that side of the road – some homeowners will use High Brooms Rail station which would alleviate the pressure on the access to Tonbridge Rail station. The Medway and its floodplain too -are miles away-. on the other side of the A21.

The KCC West Kent 'Map of Transport Priorities for Tunbridge Wells shows NO improvement of roads between Paddock Wood and Tonbridge- only the a228 Colt's Hill Relief Scheme and junction improvements. No plans to improve the infrastructure any time soon for Tonbridge Residents then. Unsound!

This report does not persuade me that the traffic congestion in Tonbridge – that the Tudeley development will cause- will be solved and is therefore not viable/workable/ and is unsound. It also has the **gall** to for the 'convenience of implementing this development -to close the Hartlake Road which is totally **unacceptable** as not only will this cause even more congestion in Tonbridge, It will add more CO2 into the atmosphere as Tonbridge residents queue around the Tonbridge Industrial Estate- THAT is not so EFFECTIVE then is it ?. Does TWBC have any consideration for others, so intent .are they to build at Tudeley- residents of North Tonbridge , Hadlow and Golden Green can have their lives disrupted and go hang. MP Tom Tugendhat and TMBC are all of the view this development is not justified and unworkable and unsound. The Tudeley development will add 25% to the population of Tonbridge and that is before TMBC look to accommodate their own 'need'

5.218 TWBC state that this development provides an opportunity for a new rail station at Tudeley- if this can be realized in the future after 2038.. This is a ridiculous statement to make. This station will never be built as Tudeley is too close to Tonbridge rail station- so why put it in this local plan-it is a disingenuous statement to make.5.224 The infrastructure will not be able to support a minimum of 2,800 cars. The by pass at Five Oak Green will not be used by Tudeley residents, so this will not alleviate highway issues caused by development at Tudeley New Town- (not garden city – this is just a posh term) as they will all be travelling in the other direction to the A21 and Tonbridge Station and improving the roundabout near Somerhill school will not enable the traffic to flow.

Policy STR 2 p45 states all new development must use the following principle relevant to its location, scale and use.

Point 1 Fails here as it does not enhance the quality of existing communities and their environs and creating a town at Tudeley is not appropriate.

Point 3 Conserve and enhance assets of historic, landscape or biodiversity.TWBC Fail to save the listed church at Tudeley from being surrounded by 2,800 homes and fails to save Green Belt land and the wetland floodplain below and the biodiversity value- which they have not even bothered to assess.

Point 9 TWBC will protect the future residents and users with regard to noise, vibration (difficult with the number of trains bisecting the site), smell, loss of light, privacy and overbearing impact. I am sure the existing residents of Tonbridge would like to be treated with such consideration themselves.

Policy STR 9 Green Belt States an effective Green belt will be maintained through the application of national planning policy and believe the removal of Green belt land in this plan is fully justified there are NO exceptional circumstances and the objections above show how much harm this development will produce to the surrounding countryside and existing residents. THIS DEVELOPMENT IS INAPPROPRIATE -NPPF 145 AND THERE ARE NO EXCEPTIONAL CIRCUMSTANCES. This plan regarding Tudeley should not be allowed it is unsound does not have any backing from TMBC or the MP for this constituency, has been poorly prepared with regard to its surroundings, constraints and existing residents, not legally compliant as it fails NPPF guidelines 133, 134 a)-e) 136, 137, 143, 144, 145, 155, 157. 160. 161. 163. Totally unjustifiable.

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan 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 development of Tudeley was only considered when a single landowner offered the site at Tudeley. TWBC have made every effort to make this Development work in a totally inappropriate site and are determined to push this so called 'Masterplan' through. I consider this proposal a disgrace to the planning process on so many levels. I should be stopped altogether.

I think TWBC should look to spread a reduced need throughout the borough, concentrating on towns and villages that have existing good bus routes into T. Wells. I believe there should be a mix of bungalows and affordable housing throughout the borough. I would look to build a little more old peoples residential housing in the Benenden area to make use of a hospital there-, which would reduce the pressure on Pembury Hospital and could if planned well reduce the pressure on Social Services. I would look to have greater amounts of affordable housing for younger generations in some of the largest towns- Tunbridge Wells, Southborough and Pembury – as well as in some of the smaller towns and villages as I said above.

I believe the concentration of development along the northern fringes of the borough to be nothing but urban sprawl. I also strongly disapprove of a 'plan' to build on land known to flood and all these proposed homes have the river Medway behind them-. and will either flood themselves or cause harm further downstream.

This local plan is fundamentally flawed because TWBC have not pushed back on their 'need' and have relied on only three inappropriate sites to fulfil this 'need' and have chosen to deal with very few landowners -making life easy.

The borough of T.Wells planning should not be easy with the amount of ANOB and GREENBELT land. JBA consulting did a comprehensive assessment of the flooding or lack of potential for all the first call for sites. I would have only looked at flood Zones 1 and 2 and only then slit those into good/ bad bus routes -then visited them all. TWBC seem to have concentrated on nearly all the sites prone to Flood/or cause harm elsewhere as their starting point. A flawed plan.

Question 7

***Please note** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.*

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

For office use only

If responder hasn't ticked an option on this box, data inputter to tick 'not stated' box. Not Stated

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box: Yes, I wish to be notified of future stages of the Local Plan

Comment

Agent	Mr M Hull [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Kember Loudon Williams
Address	[REDACTED] [REDACTED] ROYAL TUNBRIDGE WELLS [REDACTED]
Consultee	Mr Alex Rimmer [REDACTED]
Address	[REDACTED] [REDACTED] Brenchley [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Mr Alex Rimmer [REDACTED]
Comment ID	PSLP_1805
Response Date	04/06/21 10:38
Consultation Point	Policy H 9 Gypsies and Travellers (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Alex Rimmer
Question 2	
Agent's Name and Organisation (if applicable)	Kember Loudon Williams Ltd
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy H 9 Gypsies and Travellers

Table 11

Policies Map (Inset Map No(s)) 82 – Greenfields Farm

Question 4

Do you consider that the Local Plan:

Is sound

No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not effective
- . It is not justified
- . It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

Objection to Policy H9 and specifically the Greenfields Farm allocation which seeks to allocate further land for a travellers/gypsy site.

The Plan is not sound because insufficient consideration has been given towards the resultant traffic impacts, suitability of the site and other Local Plan conflicts. As such it has resulted in a Plan which is unsound not effective and not justified. Nor is it consistent with Planning Policy. The following explains the objections in more detail.

It is noted in the draft Plan as a footnote on page 415 that the Greenfields site is a new site submitted after the Regulation 18 draft Plan. It has no context in terms of being a historic gypsy site and as such must be considered on the basis of a new allocation in the countryside.

On behalf of the objector's we take the view that the site is wholly unsuitable for residential uses of the type envisaged based on the character of the area. It will be clear on the site visit that the access is narrow and already serves a number of non conforming land uses such as a scrap yard (Scrapco Metal Recycling and waste transfer business), CJ Enterprises which specialise in material processing including bulk deliveries and export of materials with HGV's, a car body repair business (Riverdale Body Repair Centre), various other automotive companies, including Osmonds a road planings company that results in heavy plant using the lane, and other HGV Transport and tyre services. Although there are some residential properties along the access lane, they experience noise and disturbance that affects their residential amenity. Consequently, actively promoting a residential type use in the form of a gypsy or traveller site is inconsistent with policies which seek to protect residential amenity both in terms of noise. On the site visit the Inspector will note the severe noise effects caused by the scrap metal and recycling centre which is adjacent to the site. This is incompatible with a residential use and falls within the B2 industrial classification. The site is therefore clearly unsuitable for further residential uses such as a gypsy or traveller sites on amenity grounds and the Plan is therefore unsound.

The level of traffic along this access road is significant and the access is unsuited to additional traffic generated by the allocation given its single width character. The nature of the traffic along this single track access road comprises HGV's, high sided vehicles and skip lorries at very regular intervals. There is a shooting club, which uses a site off this access and generates significant traffic. The sheer volume of traffic is such that the access and junction is at over capacity. Congestion along this access road and especially at the junction where large vehicles cannot pass results in an unsafe existing situation. Often traffic builds up waiting to turn into the access and this extends towards the bends in the road and is dangerous. This, together with the limited visibility on the 60mph Pearsons Green Road leads us to conclude that any further intensification of the access and junction by this allocation is wholly undesirable and puts highway safety at issue. The proposed allocation is not supported by a road safety audit to confirm that both Pearsons Green Road and the access track/junction is safe for the additional traffic proposed and neither is there evidence that the roads have sufficient capacity by way of a Transport Assessment. In the absence of this information, the site cannot reasonably be allocated as it would result in an unreasonable intensification of the uses.

The Policy criteria of H9 fail to consider either the amenity of those expected to use the Traveller site or the suitability of the access. In the absence of these criteria it is the case that this Policy is unsound and not effective.

The site that is to be allocated is significantly larger than the 3 pitches that are allocated in Table 11. This suggests that the draft Policy is not sound. It invites additional pitches notwithstanding criterion 1 of Policy H9.

The site is unsustainable in its location. There is no opportunity to access local facilities or public transport and although the site is for a Travellers site there should be an expectation that some services and facilities could be accessed by foot. Shopping and schools would require additional car journeys. The NPPF explains that sustainability comprises both environmental, social and economic matters and in all respects the site does not comply with these guiding principles.

The objector has noted that the area of Old Hay (road) adjacent to the site regularly floods. In the absence of any evidence to indicate that the Council has considered flood risk to what is a sensitive land use, the site cannot be allocated for the proposed gypsy/traveller site as this would be contrary to the NPPF. Allowing a scheme for residential uses plus all the hard surfaces would exacerbate an existing local problem.

Question 6

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Modify H9 and Table 11 to delete the proposed allocation at Greenfields Farm (Inset Map 82) and to consider additional land at the other sites to compensate.

To amend Policy H9 to require residential amenity and highways access safety / capacity to be specific criteria for this Policy.

Question 7

Please note *the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.*

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Question 8

If you have any separate comments you wish to make on the accompanying Sustainability Appraisal, please make them here.

The site has not been appropriately assessed in relation to highways, amenity, sustainability and flood risk and so should score negatively (see main representations). The site is unsustainable and ought to be removed as an allocation.

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Tom Cotton [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Road Haulage Association Ltd
Address	Roadway House Bretton Way Peterborough PE3 8DD
Event Name	Pre-Submission Local Plan
Comment by	Road Haulage Association Ltd (Tom Cotton - [REDACTED])
Comment ID	PSLP_350
Response Date	24/05/21 15:03
Consultation Point	Policy STR 6 Transport and Parking (View)
Status	Processed
Submission Type	Email
Version	0.3

Data inputter to enter their initials here AT

Question 1

Respondent's Name and/or Organisation Tom Cotton - Road Haulage Association

Question 3

To which part of the Local Plan does this representation relate? Policy

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR 6 Transport and Parking

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

[TWBC: The following comment is copied from the email dated 24 May 2021 which contained the RHA's response]

The RHA would like to reiterate our response comments of the original consultation in 2019.

It appears our views have not been taken into account. There is still no reference to Road Freight, despite all Kent residents and businesses being reliant on this industry.

Response of the Road Haulage Association to Tunbridge Wells Borough Council.

“Tunbridge Wells Borough Council Draft Local Plan consultation”.

22nd October 2019

Summary of the Consultation

1 Tunbridge Wells Borough Council are consulting on their Draft Local Plan.

Background about the RHA

- 1 The RHA is the leading trade association representing road haulage and distribution companies, which operate HGVs as profit centres. Our 7,200 members, operating near to 250,000 HGVs out of 10,000 Operating Centres, these range from single-truck firms to those with thousands of vehicles. These companies provide essential services on which the people and businesses of the UK depend.
- 2 We proactively encourage a spirit of entrepreneurship, compliance, profitability, safety and social responsibility. We do so through a range of advice, representation and services, including training.
- 3 We would like to thank Tunbridge Wells Borough Council for the consultation and the opportunity to comment on the issues raised.

General Comments

- 1 The RHA will confine our consultation response to road haulage related matters.
- 2 We are very disappointed that Road Freight is not mentioned in the draft plan.
- 3 All food, medicine, and other essential commodities are delivered by road freight at some point in it's journey.
- 4 Logistics is the 5th largest industry in the UK.
- 5 Logistics employs 2.54 Million people.
- 6 Logistics contributes £1.24 Billion to the UK economy.
- 7 Roads are the workplace of our members.
- 8 We would like to highlight the lack of lorry parking facilities and places for drivers to take breaks in Tunbridge Wells.
- 9 Whilst Transport is referred to, Road Freight is not.
- 10 All businesses rely on Road Freight to collect or deliver their goods and products. Without Road Freight Tunbridge Wells would not be able to operate.
- 11 There are many challenges to Road Freight and local authorities must realise the importance of this sector.
- 12 The Tunbridge Wells Borough Development Plan - Transport Strategy 2015 – 2016 makes no reference in making provision for Road Freight, or many of the issues, including lorry parking that need urgent attention.

13 The RHA wish to help local authorities understand the challenges and the needs of our members in Kent.

Final Comments.

The RHA is willing to meet policy and decision makers at any time to enable road freight issues to be resolved.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

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If responder hasn't ticked an option on this box, data inputter to tick 'not stated' box. Not Stated

Comment

Consultee	Stephen Roberts [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] Tudeley [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Stephen Roberts [REDACTED]
Comment ID	PSLP_127
Response Date	07/05/21 15:37
Consultation Point	Policy STR/SS 1 The Strategy for Paddock Wood, including land at east Capel (View)
Status	Processed
Submission Type	Email
Version	0.3
Data inputter to enter their initials here	KJ
Question 1	
Respondent's Name and/or Organisation	Mr Stephen Roberts
Question 3	
To which part of the Local Plan does this representation relate?	Policies Map
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Pre-Submission Local Plan S19	
Inset Map 07/08/09	
Question 4	
Do you consider that the Local Plan:	

Is legally compliant	No
Is sound	No
Complies with the Duty to Cooperate	No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not positively prepared
- . It is not effective
- . It is not justified
- . It is not consistent with national policy

Question 5

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this is a story of greed and expediency where the rules set out by government have been paid lip service to and our elected representatives have been deaf to criticism of their approach preferring, instead, to take a self-congratulatory and dismissive approach to the valid and sustained criticism of this ill-conceived and inadequately researched plan.

Before I set out my objections to the plan; I would like to show it is possible to be constructive and fair in respect to housing planning, locally and nationally – I will also set out where the current national guidance does not appear to take account of the factual nexus relating to population density in the country at large and conclude by questioning whether the amount of housing suggested is required at all, albeit that there is a general acceptance that old housing stock needs modernising or replacing and that the quality and types of housing stock need to be both environmentally friendly and suitably diverse to meet the entire populations housing needs; in this regard a particular emphasis is placed on affordable housing for first time buyers and for key workers, particularly in cities.

Assuming momentarily that the amount of house building that TWBC claim is required, is actually required (and this is disputed) the fairest way to deliver that housing would be by a distribution across the borough – quite simply if a thousand houses are required, place a matrix / grid of parcels of land across the borough (county / country etc) to create a meaningful relationship between the number of houses required and the grid such that in this example 10 houses are built in each parcel of land across the borough – i.e. 10 houses in each of 100 locations; the benefit of this mechanism at this scale would be infrastructural – it is highly unlikely that significant infrastructural changes would need to be made to accommodate this approach particularly as Save Capel will demonstrate that the amount of building TWBC intends, is significantly higher than it is required to build – Their current proposals have over 90% of the building load concentrated on less than 5% percent of the borough, which is both unfair as a matter of principle (before environmental factors are brought into the equation) and introduce a staggering requirement for infrastructure in a rural community which they have absolutely no intention of completing or funding and for which they have a very poor track record in any event. They have failed to hold builders, nor companies to account for promises made ahead of building / mineral extraction etc and the local ecosystems and population put up with the rotten consequences.

I point out at this juncture that the South East of England remains amongst some of the most populated areas in the world and the national statistic, that approximately a 3rd of the UK population live in a 9th of the UK geographic area in the South East of England continues to require to be addressed on a

national basis – if we are truly committed to a redistribution of economic wealth and investment; housing growth should be concentrated in the North of the UK and the Government should continue to address the infrastructural and social needs of the North, in its broader planning and building policy - Again on the fair is fair principle, simply building more in the South, presumably because that's where the current better profit is likely to be garnered, does nothing to address the economic or population imbalance already in play

The choice of Capel / Tudeley as a site for building is ill-conceived other than on the two basis which TMBC appear to have placed before all other considerations, where their consideration has no bearing on the practicability of the proposal, or its legality – they have a willing seller of the land (selling out his parent's heritage and commitment to the countryside and the green belt by the by) and almost all of the chaos and destruction this proposal will cause will fall upon Tonbridge and Malling, because the proposal abuts and feeds all of its traffic, pollution and waste out onto TMBC's shoulders (without the courtesy of involving TMBC in the proposal or thinking through its monstrous consequences) – the proposal is on farm and recreational land in the green belt; it is a flood plain, it has no sustainable infrastructure, no prospect of additional train station or links / is bifurcated by the existing main line, is not fully assimilated into national gas and water supplies has 1 b class road already chocked by traffic when the local primary schools are in season and risks an urban sprawl between Tonbridge and Paddock Wood resisted by sensible town planners for over 100 years. TWBC councillors take the added benefit in foisting this plan on Tudeley and Capel into their political rationale; by having all of this messy business imposed on just 900 residents, their electorate is left "unscathed" and they can wash their hands of us; we will never have the democratic weight of numbers to upset them - fortunately for us; the decision is actually not theirs to make and we are determined to demonstrate to you through expert evidence how seriously TWBC have derogated their responsibility.

The data used to present the scheme is out of date and wrong, the area chosen to execute the plan, unsuitable in multiple ways, particularly in relation to environment, protection of trees and reducing the climate change effect of development, building in the green belt, creating urban sprawl and building in the flood plain with the deleterious effect on standing and historical property and in the face of the rules in place and government advice in respect of town and country planning with the cost and effort to properly expose the folly of the plan falling disproportionately on the tiny community slated to be ruined, along with the greenbelt and the history of Capel and Tudeley.

TMBC have the slogan Love where you live; we do - they do not; the councillors and planners have chosen to take an undemocratic and disproportionate approach to solve a "problem" which they don't have (if they applied themselves properly to the data and requirements of the National building plan). Rather than representing their constituents, listening to their consciences, acting fairly and democratically, and applying themselves to defend the environment, whilst sympathetically working with the wider Borough and more broadly in the country as a whole to develop a sustainable housing policy, they have chosen to propose the destruction of the green belt by falling in with a single land owner to deliver a panacea to their perceived needs without care, consideration or application of the rules by which they are bound and having dismissed the concerns of their constituents and neighbours. The process has been a sham and a disgrace. Hundreds of thousands of pounds which should have gone in to providing the ecologically sustainable and shared responsibility for housing in the Borough will now be wasted in responding and defeating this shameful plan but with the responsibility falling on the tiny minority of Tudeley and Capel, upon whom this shameful plan has been imposed.

We have been ignored; there is 97 percent opposition to the plan; in the only Council meeting where we could put our views our elected representative listened to 30 minutes of self-congratulatory claptrap and was cut off mid-sentence after 6 minutes setting out our objections. Due process has not been followed; our experts will in due course demonstrate all of the failings and folly of the TWBC in proposing the plan and in your properly independent and objective review we anticipate, with great relief, your finding that the plan is ill-conceived, flouts the rules and intentions of the national policy and will not stand.

I choose my words carefully here but for effect; TWBC has decided to make Tudeley and Capel, an area of absolutely outstanding beauty and natural simplicity the anus of the Borough. Their intention is to defecate traffic, pollution, noise, transport and infrastructural cost into Tonbridge whilst retaining rent and rates from this obscene, dystopian building project for TWBC. In the process they will rip up 700 - 1000 acres of countryside. One of the councillors solutions to this (from their own re-election campaign literature) in their own words is to plant trees to replace those DESTROYED in the building

plan... How about devising a plan across the Borough that utilises existing brownfield and urban development sites that doesn't DESTROY trees in the first place?

The final ignominy is that Tudeley, a village with a grade one listed church looking out over the Kent countryside as it has for the last 700 years, and listed and photographed as one of the best 1000 sites in the entire country, will be renamed (misnamed) Tudeley Village, if this effluent plan is allowed, where the Church, with its world renowned Chagall windows will stand, for its entire future, surrounded by houses within a mechanised sprawl, combining Tonbridge, Capel and Paddock Wood in a desecration of the natural and sustainable separation between them.

TWBC are suggesting a simply enormous building and (un-costed) infrastructural project in the green belt which will last a staggering 19 years - that's four times longer than it took to build the Shard and three times longer than it took to build the Channel Tunnel- how can this POSSIBLY BE FAIR? Are TWBC completely mad? Perhaps not -

In a council meeting one of the counsellors who proposed this plan said that it should be voted through because they would all be dead before it was finished – it just about sums it up; no care, no consideration for the devastation and loss of our beautiful parish for future generations, just a current problem solved by people who don't care a jot about the havoc they are about to create and the destruction they will visit on our national heritage. Shame on them.

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan 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.

Please refer to the submissions of Save Capel regarding the errors and necessary modifications to make the plan sound. It is not compliant on any sensible planning measure relating to the Green Belt and the current Government's commitment to controlling and reducing greenhouse emissions. Protecting the green belt and halting climate change.

the fairest way to deliver necessary housing would be by a distribution across the borough – quite simply if a thousand houses are required, place a matrix / grid of parcels of land across the borough (county / country etc) to create a meaningful relationship between the number of houses required and the grid such that in this example 10 houses are built in each parcel of land across the borough – i.e. 10 houses in each of 100 locations; the benefit of this mechanism at this scale would be infrastructural – it is highly unlikely that significant infrastructural changes would need to be made to accommodate this approach. The current proposals have over 90% of the building load concentrated on less than 5% percent of the borough, which is both unfair as a matter of principle (before environmental factors are brought into the equation) and introduce a staggering requirement for infrastructure in a rural community where TWBC have absolutely no intention of completing or funding them

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Question 8

If you have any separate comments you wish to make on the accompanying Sustainability Appraisal, please make them here.

The sustainability appraisal is an abomination – having misinterpreted and misapplied the housing need the preference for the Garden Village approach has been shoehorned into the sustainability assessment - this is a slipshod and wicked approach to the intention behind sustainable development - remember the issues arising from the plan are the desecration of 1000 acres of green belt derived from TWBC failing to sensibly assess urban and brownfield development and overstating the housing need; then buddying up to the landowner to ensure income for TWBC with all of the devastating effects being rested on a small community and on TMBC due to the proposed positioning of the scheme. There is nothing whatsoever sustainable about this plan – they have backed the sustainability argument into the plan not planned to be sustainable - this is a shameful derogation of responsibility

Comment

Consultee	Wendy Roberts [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] - -
Event Name	Pre-Submission Local Plan
Comment by	Wendy Roberts [REDACTED]
Comment ID	PSLP_459
Response Date	27/05/21 08:29
Consultation Point	Policy STR/PW 1 The Strategy for Paddock Wood (View)
Status	Processed
Submission Type	Email
Version	0.3
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Wendy Roberts
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR/PW 1 The Strategy for Paddock Wood

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

My name is Wendy Roberts and I live on Maidstone Road in Paddock Wood. I live the Hop Farm side of the railway bridge and I am shocked to discover that Tunbridge Wells Borough Council are considering cutting off my side of Paddock Wood.

The idea of walking and cycling is all well and good but there are a lot of elderly and disabled people living on Maidstone Road and the roads off of it and you are essentially cutting them off from their town and medical centre. As a disabled person who cannot walk very far, I would have to drive out of Paddock Wood, drive onto the A228, left into Badsell Road and left again into Maidstone Road to get to Medical Centre or town centre. How is that good for the environment?

I want to object in the strongest terms to this disgusting discrimination of hundreds of Paddock Wood residents.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

Comment

Consultee	Alasdair Robertson [REDACTED]
Email Address	[REDACTED]
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Alasdair Robertson [REDACTED]
Comment ID	PSLP_441
Response Date	26/05/21 13:20
Consultation Point	Policy STR/PW 1 The Strategy for Paddock Wood (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Alasdair Robertson
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR/PW 1 The Strategy for Paddock Wood

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

Closure of Paddock Wood railway bridge

I understand there is a proposal re the above.

I would like to point out that this is an absurd and counter productive measure. Not only would this kill the commercial viability of the town it would also mean very lengthy alternative routes and subsequent co2 emissions. Furthermore it would prevent access to the station and make train travel impossible!

Please do not make this option a reality!

There are similar concerns with limiting car access on Commercial Road which would again prohibit access to the station.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

For office use only

If responder hasn't ticked an option on this box, data inputter to tick 'not stated' box. Not Stated

Comment

Consultee	Jane Robertson [REDACTED]
Email Address	[REDACTED]
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Jane Robertson [REDACTED]
Comment ID	PSLP_632
Response Date	28/05/21 14:42
Consultation Point	Policy STR/SS 2 The Strategy for Paddock Wood Town Centre (View)
Status	Processed
Submission Type	Email
Version	0.6
Data inputter to enter their initials here	KH
Question 1	
Respondent's Name and/or Organisation	Jane Robertson
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR/SS 2 The Strategy for Paddock Wood Town Centre

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

I object to the closure of Paddock Wood Railway Bridge. From the South where we live (in the Maidstone direction) accessing Paddock Wood makes much more sense to use the railway bridge. Surely closing the bridge is the wrong solution? If we could cross the railway bridge and TURN LEFT to access the shops including Waitrose rather than go down the high street that would be preferable to all. We don't all access Paddock Wood from Tunbridge Wells. Please turn through 180 degrees to appreciate things from our side. In times of flood the 'back route' from Yalding and Laddingford can be flooded. Please keep Paddock Wood shops sustainable. If we can't access them quickly we go elsewhere.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

For office use only

If responder hasn't ticked an option on this box, data inputter to tick 'not stated' box. Not Stated

Supporting Information File Ref No: SI_73

Comment

Consultee	Mr Christopher Robinson ([REDACTED])
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] Cranbrook TN18 [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Mr Christopher Robinson ([REDACTED])
Comment ID	PSLP_1370
Response Date	04/06/21 16:47
Consultation Point	Policy AL/SA 2 Sharps Hill Farm, Queen Street (View)
Status	Processed
Submission Type	Web
Version	0.3
Files	SPC Statement to Planning Committee meeting 03-Feb-2020 re-Planning Application 19-0143-OUT.docx

Question 1

Respondent's Name and/or Organisation	Christopher Robinson
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Question 3

To which part of the Local Plan does this representation relate?	Paragraph(s)
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Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

5.775

Policy AL/SA 2 Sharps Hill Farm, Queen Street

Question 4

Do you consider that the Local Plan:

Is legally compliant

Don't know

Is sound

No

Complies with the Duty to Cooperate

Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:	It is not justified
	It is not consistent with national policy

It is not justified

It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

In February 2021 permission to develop this site was refused on the grounds that:

The proposed development would not constitute sustainable development in the context of the National Planning Policy Framework in particular due to the harm to the High Weald Area of Outstanding Natural Beauty and upon nearby designated heritage assets. The benefits of the proposal would not outweigh this harm and therefore the proposed development is contrary to Paragraphs 8, 11, 130, 172, 193, 194 and 196 of the National Planning Policy Framework, the provisions of the National Planning Policy Guidance, Core Policies 4 and 14 of the Tunbridge Wells Borough Core Strategy June 2010 and Policies LBD1, EN1, EN5 and EN25 of the Tunbridge Wells Borough Local Plan 2006.

It is therefore inconsistent that the site should now be included in the Local Plan, as any substantial development would contravene the NPPF as stated above.

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan 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.

Reduce development to two or three dwellings

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . No, I do not wish to participate in examination hearing session(s)

Question 8

If you have any separate comments you wish to make on the accompanying Sustainability Appraisal, please make them here.

See attached submission from Sandhurst Parish Council in respect of the previous planning application.

If you would like to attach a file in support of your comments, please upload it here. [SPC Statement to Planning Committee meeting 03-Feb-2020 re-Planning Application 19-0143-OUT.docx](#)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box: Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Howard Rogers [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Tonbridge & Malling Borough Councillor for the Hadlow, Golden Green & East Peckham Ward
Address	[REDACTED] Tonbridge TN11 [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Tonbridge & Malling Borough Councillor for the Hadlow, Golden Green & East Peckham Ward [REDACTED]
Comment ID	PSLP_1512
Response Date	02/06/21 19:26
Consultation Point	Policy STR/SS 3 The Strategy for Tudeley Village (View)
Status	Processed
Submission Type	Email
Version	0.5
Data inputter to enter their initials here	KJ
Question 1	
Respondent's Name and/or Organisation	Cllr Howard Rogers, Tonbridge & Malling Borough Councillor for Hadlow, Golden Green & East Peckham Ward
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR/SS 3 The Strategy for Tudeley Village

[TWBC: response set at Policy STR/SS3 and STR/CA 1 - see also PSLP_1515]

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

In advance of the close of the Regulation 19 consultation on the Tunbridge Wells Borough Council Local Plan on Friday I write to express my views and concerns about the impact of this plan on my ward and Borough.

As you may realise my ward lies closest to the main housing proposals within this plan and the bulk of the proposed housing developments for all of Tunbridge Wells lie within a few miles of Hadlow, Golden Green and East Peckham. I therefore address most of my comments to Policy STR/CA1 The Strategy for Capel Parish and Policy AL/CA1 Tudeley Village. My home and those of the people I represent as well as my immediate hamlet neighbours lie on roads that will be significantly affected by these proposals.

When considering the overall impact of the TW local plan, my memory turns to several years ago when this Borough was drawing up the first draft of our own local plan. As Cabinet Member for Strategic Planning and Development at the time, I recall the hours that I spent with Steve Humphrey, Ian Bailey and his team pouring over maps, population projections, strategy documents, planning guidelines and countless other documents in drawing up a plan which was based not just on housing targets and government diktats but on what we knew to be the needs and desires of our local residents and also on common sense. This resulted in a Plan that was based on firm evidence, and did make sense. I remind members that the Inspectorate has halted the progress of our plan not on its solid and thoughtful content but on the inspector's perception of the process and procedures that were involved in our Duty to Cooperate with neighbouring authorities. I can only assume that many similar hours have been spent in Tunbridge Wells planning department carefully considering and drawing up the plan we are debating tonight, but struggle to understand how that all came to the conclusions and proposals that are now in front of us. In summary, common sense and the needs of Tunbridge Wells residents seem to have been discarded in favour of these proposals which place the bulk of residential development on the very northern edge of their Borough, and then questionably and poorly addresses the effect of that development on the infrastructure and the communities that will be immediately effected.

Back in October 2019 the TMBC Planning and Transportation Advisory Board gave a very strong message to TWBC about our concerns regarding the impact of their plan at the Reg 18 stage. We raised specific issues about the likely impact of the proposals on the local highway network, rail services and other community infrastructure including health care and education, particularly when combined with planned developments in Tonbridge as part of our own Local Plan. One of my particular concerns was the impact on North/South traffic flows through the limited network of unsuitable and unclassified roads such as Allders Road and Hartlake Road. It would appear that this message has been considered, a significant problem identified and a somewhat simplistic solution put forward in the proposal to close Hartlake Road to through traffic somewhere near the Borough boundaries. I can tell you that at peak commute and school traffic times, the traffic rate along that road can exceed that of the A26 through Hadlow. What a dilemma, do we look forward to the prospect of living in a "Quiet Lane" as Hartlake was tentatively suggested to be by KCC some 20 years ago or do we face a future of even longer and environmentally damaging queues and delays along the A26 and A228 as more cars find alternate

ways to cross the Medway and access the Summerhill Schools, Tonbridge schools, shops, stations & jobs or travel further afield? Surely after not so long ago spending several million pounds on the new Hartlake Bridge, KCC are not going to accept that is no longer of use.

It would seem that the work done to model the resultant effect on traffic flows and predict increases in traffic movements has scarcely scratched at the cross boundary issues let alone the knock on effects along the TMBC side of the A26, Seven Mile Lane and the minor roads which act as peak bypasses and overflows. Indeed the modelling data appears to be based on aged surveys and shows little if no account of the development proposals within the TMBC plan.

My other main concern about concentrating housing development so close to our boundary is its proximity to the River Medway. My ward floods. Residents' homes and livelihoods are threatened and will continue to do so. This fact is acknowledged even by the Environment Agency who despite their major plan to increase the capacity of the Leigh Flood Storage Area has recently given the go ahead for a £1,000,000 Flood Resilience Scheme in East Peckham. While detailed provision and plans to counter the flood risk caused by development will be appropriate further down the planning cycle, I feel that the plan underestimates the consequences of such a significant number of new homes. The cumulative effect of these homes and the extensive permitted mineral extractions immediately to the north must be better understood and not considered in isolation.

As Chairman of the Upper Medway Internal Drainage Board, I have recently led its members to introduce a new scheme of Surface Water Development Contributions which is administered by the Water Management Alliance in King's Lynn. The land in this plan is currently agricultural and provides a natural means of absorbing rainfall. Even with strict compliance with SUDS requirements and local mitigation measures and leaky dams upstream the proposed developments with roads, driveways, parking areas and rooftops cannot fail to increase the flow of water into the Hammer Dyke and Alders Stream. Along with the increased areas of mineral extraction to the north a significant area of natural storage will be lost and this will add to the pressure on the existing drainage channels. The Upper Medway Board will be requiring significant contributions to help manage the consequence of this. These contributions will be in addition to any Section 106 and should be considered in relation to any viability assessments.

There is much else that I could add to my comments, but from discussions that I have had with my fellow Councillors, I know that they will write on these and I am sure you would rather hear directly from them rather than repetition from me.

In summary, I am of the opinion that the firm response and list of concerns that I, many of my ward residents and TMBC gave to TWBC in our response to the Reg18 submission back in 2019 have not been sufficiently recognised or countered by evidence in this next Reg 19 stage. I retain serious concerns about the direct effects of large housing allocations immediately on the border of our districts and with the nearest large conurbation being Tonbridge itself. The plan proposals will put heavy and long term demands on Tonbridge town while TWBC will reap the benefits of the additional Council Tax as well as meeting your housing need. The proposal to close Hartlake Road demonstrates a complete lack of co-operation shown by TWBC to my residents and emphasises that there is no desire to allow Hadlow or Golden Green to enjoy a potential increase in demand of its services, retail outlets or employment sites. Little if no compensation proposals are suggested to be in the Borough most affected. Lastly I contend that, the Plan is in denial of the detrimental effect on flooding issues in our communities and those in authorities further downstream of the Medway.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

Comment

Consultee	Howard Rogers [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Tonbridge & Malling Borough Councillor for the Hadlow, Golden Green & East Peckham Ward
Address	[REDACTED] Tonbridge TN11 [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Tonbridge & Malling Borough Councillor for the Hadlow, Golden Green & East Peckham Ward [REDACTED]
Comment ID	PSLP_1515
Response Date	02/06/21 19:26
Consultation Point	Policy STR/CA 1 The Strategy for Capel parish (View)
Status	Processed
Submission Type	Email
Version	0.3
Data inputter to enter their initials here	KJ
Question 1	
Respondent's Name and/or Organisation	Cllr Howard Rogers, Tonbridge & Malling Borough Councillor for Hadlow, Golden Green & East Peckham Ward
Question 3	
To which part of the Local Plan does this representation relate?	Policy

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR/CA 1 The Strategy for Capel parish

[TWBC: response set at Policy STR/SS3 and STR/CA 1 - see also PSLP_1512]

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

In advance of the close of the Regulation 19 consultation on the Tunbridge Wells Borough Council Local Plan on Friday I write to express my views and concerns about the impact of this plan on my ward and Borough.

As you may realise my ward lies closest to the main housing proposals within this plan and the bulk of the proposed housing developments for all of Tunbridge Wells lie within a few miles of Hadlow, Golden Green and East Peckham. I therefore address most of my comments to Policy STR/CA1 The Strategy for Capel Parish and Policy AL/CA1 Tudeley Village. My home and those of the people I represent as well as my immediate hamlet neighbours lie on roads that will be significantly affected by these proposals.

When considering the overall impact of the TW local plan, my memory turns to several years ago when this Borough was drawing up the first draft of our own local plan. As Cabinet Member for Strategic Planning and Development at the time, I recall the hours that I spent with Steve Humphrey, Ian Bailey and his team pouring over maps, population projections, strategy documents, planning guidelines and countless other documents in drawing up a plan which was based not just on housing targets and government diktats but on what we knew to be the needs and desires of our local residents and also on common sense. This resulted in a Plan that was based on firm evidence, and did make sense. I remind members that the Inspectorate has halted the progress of our plan not on its solid and thoughtful content but on the inspector's perception of the process and procedures that were involved in our Duty to Cooperate with neighbouring authorities. I can only assume that many similar hours have been spent in Tunbridge Wells planning department carefully considering and drawing up the plan we are debating tonight, but struggle to understand how that all came to the conclusions and proposals that are now in front of us. In summary, common sense and the needs of Tunbridge Wells residents seem to have been discarded in favour of these proposals which place the bulk of residential development on the very northern edge of their Borough, and then questionably and poorly addresses the effect of that development on the infrastructure and the communities that will be immediately effected.

Back in October 2019 the TMBC Planning and Transportation Advisory Board gave a very strong message to TWBC about our concerns regarding the impact of their plan at the Reg 18 stage. We raised specific issues about the likely impact of the proposals on the local highway network, rail services and other community infrastructure including health care and education, particularly when combined with planned developments in Tonbridge as part of our own Local Plan. One of my particular concerns was the impact on North/South traffic flows through the limited network of unsuitable and unclassified roads such as Allders Road and Hartlake Road. It would appear that this message has been considered, a significant problem identified and a somewhat simplistic solution put forward in the proposal to close Hartlake Road to through traffic somewhere near the Borough boundaries. I can tell you that at peak commute and school traffic times, the traffic rate along that road can exceed that of the A26 through Hadlow. What a dilemma, do we look forward to the prospect of living in a "Quiet Lane" as Hartlake was tentatively suggested to be by KCC some 20 years ago or do we face a future of even longer and environmentally damaging queues and delays along the A26 and A228 as more cars find alternate

ways to cross the Medway and access the Summerhill Schools, Tonbridge schools, shops, stations & jobs or travel further afield? Surely after not so long ago spending several million pounds on the new Hartlake Bridge, KCC are not going to accept that is no longer of use.

It would seem that the work done to model the resultant effect on traffic flows and predict increases in traffic movements has scarcely scratched at the cross boundary issues let alone the knock on effects along the TMBC side of the A26, Seven Mile Lane and the minor roads which act as peak bypasses and overflows. Indeed the modelling data appears to be based on aged surveys and shows little if no account of the development proposals within the TMBC plan.

My other main concern about concentrating housing development so close to our boundary is its proximity to the River Medway. My ward floods. Residents' homes and livelihoods are threatened and will continue to do so. This fact is acknowledged even by the Environment Agency who despite their major plan to increase the capacity of the Leigh Flood Storage Area has recently given the go ahead for a £1,000,000 Flood Resilience Scheme in East Peckham. While detailed provision and plans to counter the flood risk caused by development will be appropriate further down the planning cycle, I feel that the plan underestimates the consequences of such a significant number of new homes. The cumulative effect of these homes and the extensive permitted mineral extractions immediately to the north must be better understood and not considered in isolation.

As Chairman of the Upper Medway Internal Drainage Board, I have recently led its members to introduce a new scheme of Surface Water Development Contributions which is administered by the Water Management Alliance in King's Lynn. The land in this plan is currently agricultural and provides a natural means of absorbing rainfall. Even with strict compliance with SUDS requirements and local mitigation measures and leaky dams upstream the proposed developments with roads, driveways, parking areas and rooftops cannot fail to increase the flow of water into the Hammer Dyke and Alders Stream. Along with the increased areas of mineral extraction to the north a significant area of natural storage will be lost and this will add to the pressure on the existing drainage channels. The Upper Medway Board will be requiring significant contributions to help manage the consequence of this. These contributions will be in addition to any Section 106 and should be considered in relation to any viability assessments.

There is much else that I could add to my comments, but from discussions that I have had with my fellow Councillors, I know that they will write on these and I am sure you would rather hear directly from them rather than repetition from me.

In summary, I am of the opinion that the firm response and list of concerns that I, many of my ward residents and TMBC gave to TWBC in our response to the Reg18 submission back in 2019 have not been sufficiently recognised or countered by evidence in this next Reg 19 stage. I retain serious concerns about the direct effects of large housing allocations immediately on the border of our districts and with the nearest large conurbation being Tonbridge itself. The plan proposals will put heavy and long term demands on Tonbridge town while TWBC will reap the benefits of the additional Council Tax as well as meeting your housing need. The proposal to close Hartlake Road demonstrates a complete lack of co-operation shown by TWBC to my residents and emphasises that there is no desire to allow Hadlow or Golden Green to enjoy a potential increase in demand of its services, retail outlets or employment sites. Little if no compensation proposals are suggested to be in the Borough most affected. Lastly I contend that, the Plan is in denial of the detrimental effect on flooding issues in our communities and those in authorities further downstream of the Medway.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

Supporting Information File Ref No: SI_57

Comment

Consultee	Matt Rook [REDACTED]
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	Matt Rook [REDACTED]
Comment ID	PSLP_964
Response Date	03/06/21 22:02
Consultation Point	Policy AL/RTW 5 Land to the south of Speldhurst Road and west of Reynolds Lane at Caenwood Farm, Speldhurst Road (View)
Status	Processed
Submission Type	Web
Version	0.6
Files	SRCAG PSLP submission in objection to Caenwood Farm Policy AL:RTW5.pdf (1) PSLP_256 & 964_SRCAG_photos.pdf
Question 1	
Respondent's Name and/or Organisation	Matthew Rook / Speldhurst Road Community Action Group (S.R.C.A.G)
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
	Policy No. AL/RTW5
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	No

Is sound

No

Complies with the Duty to Cooperate

Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not positively prepared
- . It is not effective
- . It is not justified
- . It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

We object to new Policy AL/RTW5 that was introduced into the PSLP at stage 19 of the Local Plan delivery process.

Policy AL/RTW5 covers the proposed development of housing at site AL/RTW5, a site that is currently part of the Green Belt. We contend the proposed development would severely impact on air quality and transport safety at the site and in the surrounding area. Further, it would threaten the future of the Green Belt land that maintains a rural separation between the settlements of Royal Tunbridge Wells and Southborough. We believe that loss to urban sprawl of the pristine farmland meadows of site AL/RTW5, at the apex of the Green Belt wedge between the settlements, would be followed by relentless pressure to release further parcels of that Green Belt for new housing sites. Also, the Ancient Woodland adjacent to the site would be degraded by exposure to the development; and the existing flora and fauna of the woodlands and meadows would be lost.

Hence the site allocation would not represent sustainable development.

To put our objections in context we give first a brief history of the development of the policy. We do this as in normal circumstances we should already have made representations on the site to the stage 18 public examination. However, the site was not a selected site in the DLP, and so it was not examined at stage 18.

Caenwood Estates submitted a large parcel of land (BA10, later Site 30) to TWBC in response to its call for development sites for their Draft Local Plan (DLP). The suitability of the submitted lands was assessed in the Strategic Housing Land Availability Assessment (SHELAA) 2016. Land in the Caenwood parcel, south of Speldhurst Road and west of Reynolds Lane, was initially described as appropriate for limited development, particularly the north and north-eastern parts adjacent to existing housing. However, the site lay predominantly within the Green Belt and a Special Landscape Area, it contained Ancient Woodland, was impacted by special flood zone 3, and included a landfill quarry. The assessment conclusion was that the site, viewed as a whole, was **constrained** and so unsuited for housing development.

A smaller site, consisting of two meadows from the north-east corner of the Caenwood parcel and an additional meadow (Site 100) submitted by Dandara, was then considered. The three meadows together form the north-east corner of the Green Belt that separates Southborough from Royal Tunbridge Wells. Although several of the constraints that had applied to the larger parcel were no longer applicable for the new site (designated site SO1a), this site was also found to be unsuited for development and was

not included in the DLP. There was particular concern for harm to the remainder of the Green Belt should the top corner of the protected area be removed and developed.

Those negative assessments informed the omission of the Caenwood and Dandara lands south of Speldhurst Road from the DLP published in 2019.

The DLP was then subjected to the stage 18 public examination. Public interest at the examination was generally concentrated on the allocated sites included in the DLP. The rejected sites received little public focus. The reverse was true of the site developers.

In November 2019, Caenwood Estates and Dandara jointly engaged DHA to submit their representation against the omission of their lands from the DLP. They placed strong emphasis on the relative availability of their land compared to that at the DLP's main strategic sites, and elsewhere. The document contains some misinformation, for instance High Brooms station is very much more than a short walk from the SO1a site. However, the feature we highlight here is their advocacy of including in the plan a proposal for 395 houses, and eventually more, on their land within the Green Belt.

The stage 19 planning for the PSLP required updates to the SHELAA assessment report and the Green Belt Study (Stage 3). These new reports are part of the supporting documentation to the PSLP.

The site formerly known as SO1a was enlarged for its re-assessment by adding a 1.8 ha strip of land along its south-west boundary. The housing development area was unchanged. The added land was to provide an extra amenity space within the site that would form a "buffer" between the residential land and the unappropriated Green Belt at the site boundary. The reconfigured site (gross area now 7.4ha with the buffer zone) was considered suitable by the new assessment; meaning it could be added to the approved sites in the PSLP. The site was referenced as AL/RTW5 (note: this reference had been used for a different site at stage 18) and included in the PSLP under Policy AL/RTW5.

Although the revised SHELAA assessment report is dated January 2021, councillors we have spoken to were until recently not fully aware of it or its content. It had appeared amongst the flurry of new document releases being made around the time of the Council meeting on February 3rd, 2021. The meeting at which the Council approved the PSLP.

We consider that a full and timely disclosure of the PSLP's contents and that of several key supporting documents was not made to the councillors and the public ahead of PSLP approval, a requirement of the NPPF. Those omissions and delays are particularly relevant to Site AL/RTW5, which had not been through the stage 18 public examination process. The public has thus been denied the lawful right of an input to approval of the inclusion of site AL/RTW5 in the PSLP, either directly or through their local councillors.

TWBC have asserted that any procedural failings in the approval of the PSLP can be adequately corrected through the current stage 19 representations. However, the stage 19 representations do not go back before full council, and they are heavily circumscribed in their scope by constraints imposed on representations at stage 19. We consider that, at the very least, our representations given below need to be assessed free of any constraints that presume the site in question has been through a previous public examination, or that Policy AL/RTW5 had been properly presented to the public and councillors before its adoption into the PSLP.

Our specific representations on Policy AL/RTW5 are made by consideration of the 13 requirements set out in the policy for policy implementation. We question the scope and adequacy of those requirements to achieve a development that accords with Section 13 of the National Planning Policy Framework (NPPF).

HIGHWAY SAFETY OR HARM TO THE HIGHWAY

Requirements 1 to 5 of Policy AL/RTW5.

We refer to para 109 of the NPPF and Policies TP1 to 4 in paras 6.539 to 6.568 of the PSLP. These documents require that "all development proposals must therefore ensure that development will not cause an unacceptable impact on highway safety or lead to severe residual cumulative impacts on the road network; and should be prevented or refused if the impacts cannot be mitigated to an acceptable degree."

Provision of access from 100 houses on site AL/RTW5 onto Speldhurst Road would cause severe detriment to users of that road. In the wider area it would further harm air quality for all the residents of the critically polluted A26 corridor through St Johns and Southborough, an AQMA zone.

Speldhurst Road at the proposed site access location is a narrow rural highway, with no footway on the south side, where it is bordered by trees and hedges. A farm gate into the site is unused. Parking is continuous along both sides of this stretch of the road, often obstructing the single footway on the north side.

Traffic emerging from 100 houses on the site would impede, and be impeded by, the heavy traffic along Speldhurst Road during rush hours and school run times. Traffic is often tailed back at peak times even now, before the addition of several hundred more vehicle movements a day from the site to and from the A26 junction.

The junction of Speldhurst Road with the A26 has two traffic light sets, jointly controlled in a complicated sequencing of the pedestrian and vehicular movements through the junction. The road layout results from the offset (along the A26) of the A26's intersections with Speldhurst Road (leading to the west) and Yew Tree Road (leading to the east, to High Brooms and the industrial estate). The lights controlling the traffic exiting from Speldhurst Road are green for 20secs in a 2-minute cycle. Schoolchildren are particularly heavy users of the pedestrian crossings.

The flow of traffic through the junction is directly influenced by events along the A26 to the north and south. Even a minor delay on the stretch between the town centre and the A21 intersection can cause the through traffic, with its high proportion of large goods vehicles (mostly diesel), to back-up into the Speldhurst Road junction. The East/West movement is then further impeded, the North/South movement further delayed, and more pollution is pumped into the atmosphere. Extensive remodelling works at the junction have not had a lasting impact on the traffic flow. The effect of Covid-19 has been to reduce traffic levels, but these can be expected to rise again shortly.

It should be noted that the Caenwood/Dandara sites scored very poorly for impact on air quality in the stage 18 SHELAA assessments. Polluted air along the A26 corridor is a serious local health issue.

We submit that requirements 1 to 5 of Policy AL/RTW5 do not prevent unacceptable impact from the proposed site on the surrounding road network. The already critical parking situation in Southborough will be worsened by loss of roadside parking along Speldhurst Road, necessary to create a viable access to the site. Suggested provision of parking within the site for outside residents cannot be expected to function effectively. Overall, the development will fail to ensure "a high-quality built environment" that enhances the character of the area and avoids adverse impact on the amenity of the neighbouring settlement of Southborough.

Residential use of this site would not promote sustainable transport and therefore not be consistent with national planning policy.

IMPROVED PUBLIC ACCESS TO OPEN SPACE

Requirement 6 of Policy AL/RTW5.

This requirement of Policy AL/RTW5 is supported, but in a general sense. It is not consequent on the development of site AL/RTW5 for housing.

THE GREEN BELT AND OTHER ENVIRONMENTAL POLICIES.

Requirements 7 to 12 of Policy AL/RTW5.

These requirements relate to management of the site should its removal from the Green Belt be allowed. They seem well-intentioned generally, but some of the wording is vague and open to interpretation, notably the wording of requirement 11.

Our greater concern is that by permitting development at the apex of the green belt wedge, Policy AL/RTW5 will have initiated an inexorable threat of harm to the Green Belt from renewed pressure for new housing allocations. We do not believe this threat was correctly assessed in the site examination that found lead to the inclusion of site AL/RTW5 in the PSLP.

Requirement 13

This requirement requires mitigation of the impact of the development in accordance with Policy STR/RTW 1. Section 7 of that policy allows reductions to the Green Belt only “where exceptional circumstances warrant this, and where an effective long-term Green Belt is maintained”.

As described previously, site AL/RTW5 had been created specifically to meet the suitability criteria for removal from the Green Belt to allow its inclusion in the PSLP. There are no exceptional circumstances to justify its removal, other than the general perceived shortage of new housing, crucially an effective long-term Green Belt will not have been maintained.

The approval decision for site AL/RTW5 turned on the methodology used to assess the relative strength of the Green Belt boundary, before and after the housing development. We dispute the approach taken for that comparison.

The existing boundary along the gardens of Reynolds Lane is described in “Green Belt Study (Stage 3)” as a weak boundary feature (4.92), or even a “weak and inconsistent” feature (4.98). The boundary is in fact a normal separation between a rural settlement and the countryside. Further, the ‘post and rail’ fencing along much of the boundary was directed by TWBC to be erected at this location. That direction was given as part of a permission to change the status of a strip of field between the gardens and the green belt to domestic garden in 2008. The reason for requiring the ‘post and rail’ fencing (as existing) was stated as “In the interest of visual amenity, and to protect the openness of adjoining Green Belt, in accordance with Policies MGB1 and EN1 of the Local Plan.”

It should further be noted that the housing along the boundary consists of a small development on the land of a former workshop and smithy, a small development on the land of the White Gates Farm outbuildings, the old White Gates Farmhouse, a bungalow built for a farm labourer about 50 years ago, and a single more modern detached family house. The farmhouse is said to date from the 18th century. It has been much extended and modernised; but retains most of the foundations and structural walls to full height of the original structure. This mix of housing is clearly appropriate for rural fringe; it is not urban sprawl.

The setting of the meadows is most definitely of the countryside. The land is grazed for the breeding of cattle, the calves being a special feature of the site. The continuing presence of the farmhouse gives the fields some historic context. The garden boundaries along Reynolds Lane were not considered weak and inappropriate in 2008 and should not be classed as such now. The three meadows of site AL/RTW5 play a key role in protecting the Green Belt on the slopes below. Moreover, they give some isolation to the Ancient Woodlands, even considering the existing footpath that runs through them. If a major housing project and amenity area were established alongside the woods there is no question that the special nature of the woodlands would be degraded, and its wildlife dispersed.

Should site AL/RTW5 be developed in accordance with the PSLP, this would all change. The area would become urban, with urban sprawl stretching down the hill from Speldhurst Road to the buffer zone. It is not clear if the buffer zone is to be in or out of the Green Belt. Either way the sprawl will be visible from across the valley through a gap in the tall trees. The sloping ground means that that view cannot be screened by planting in the short or medium term. Further the pressures to release further Green Belt land will incessant. The statement in para 4.99 that “The overall level of impact on adjacent Green Belt resulting from the release of AL/RTWXX (*note!*) will be Negligible” is clearly not sustainable. The threat to the Green Belt, even within the timescale of the Plan will be severe. The November 2019 submission by DHA, on behalf of Caenwood Estates and Dandara, makes this clear. They wish to build 395 houses at this location on Green Belt land. The statement that there is minimal threat to the Green Belt from the release of Site AL/RTW5 is unreal.

The area of site AL/RTW5 given in the latest SHELAA sustainability appraisal is 7.4ha for both the gross and developable areas, up from the 5.6ha of the stage 18 site. Those measurements do not account for an occupied property, “Oxleas”, that lies within the land added for the buffer zone. The property is not referred to in the plan documents, in fact the site is described in those documents as containing no existing buildings. The ownership of the property, and whether it can be included in the amenity zone is unclear. This may affect the gross area of the site as well as that of the amenity and buffer area.

TWBC have responded to a query on removal of land from the Green Belt by stating that “the developable area in the SHELAA assessment determines the land area to be removed from the Green Belt by an approved Local Plan”. As mentioned earlier that figure is currently given in the SHELAA as 7.4ha, which clearly conflicts with the stated intention elsewhere in the PSLP to only remove from the Green Belt the 5.6ha of land identified for residential use. This discrepancy needs to be resolved

and, if necessary, the figure in the SHELAA assessment corrected to avoid unintended land being removed from green belt. The figure also may need correction to allow for the property "Oxleas".

We consider these inconsistencies in the document are indicators of the rush ahead of publication to add site AL/RTW5 into the PSLP. Other signs are the numerous references in the documents to site AL/RTWXX, and the absence of any mention of site AL/RTW5 in chapter 5 of the Green Belt Study Stage 3. Surely, site AL/RTW5 required mention therein, along with the numerous other sites that are specifically referred to, in sections headed:

Purpose 1: Check the unrestricted sprawl of large built up areas;

Purpose 2: Prevent neighbouring towns merging into one another;

Purpose 3: Assist in safeguarding the countryside from encroachment.

It appears that chapter 5 may have been drafted before the inclusion of site AL/RTW5 in the PSLP.

We fear that the late addition of site AL/RTW5 to the PSLP is related to concerns for the speed of land deliveries projected from the strategic sites of the plan, and elsewhere. And whether delays might lead to notional shortfalls in the Council's five-year housing supply obligation in the early years of the plan. Issues that had been raised in the Caenwood/Dandara representation against omission of their lands from the DLP, in which they advocated the early involvement of their sites.

We believe the perceived five-year housing deficit only arises because the housing targets are likely to be inflated, the contingencies for slow delivery excessive, and the potential windfalls from the Town Centre and elsewhere are being ignored or underestimated. That is not a sound basis for adopting a plan that threatens the very integrity of the Green Belt separating the important towns of Royal Tunbridge Wells and Southborough.

Building over the green belt separating Southborough and Royal Tunbridge Wells might be seen as solution to a five-year supply shortfall (and might be welcomed in much of the wider borough). It would, however, defeat the objective of the PSLP to spread the consequences of growth, as well as the benefits, more evenly across the borough.

Air quality along the A26 corridor is an example of the difficulties already faced by those two towns, and keeping traffic moving is another. Both these difficulties would be made worse by Policy AL/RTW5.

The threat to the Green Belt from policy AL/RTW5 is severe, not negligible. Its implementation would encourage powerful moves for further housing development on Green Belt land, contrary to the directions of NPPF section 13, and of Policy STR/RTW1 of the PSLP. Sufficient reason for the policy not to remain in the PSLP.

It is not considered that exceptional circumstances have been demonstrated sufficient to allocate this land to meet housing need. The harm caused to the purposes of the Green Belt designation, and other considerations, would not be outweighed by the requirement of local housing need. Further, housing need should not outweigh the five purposes of the green belt – a view that is supported by paragraph 11/footnote 6 of the NPPF. Greater consideration should be given to urban regeneration by encouraging the recycling of derelict and other urban land, and for increased densities on sustainably located sites.

BIO-DIVERSITY

The following animals and plants represent the bio-diversity of Site AL/RTW5, much would be lost through the proposed development:

Animal wildlife – Polecats, foxes, roe deer, rats, mice, voles, shrews, frogs, toads, and grass snakes.

Bats - can we seen every evening. According to the site bats.org.uk, "Bats make a substantial contribution to the UK's biodiversity, comprising around one third of all our mammal species (18 species in total, with 17 breeding in the UK). Human activities have increasingly changed the environment we live in resulting in substantial declines in bats and biodiversity, which we would like to see reversed. All of our bats and their roosts are protected by law; this shows that the Government thinks that bat conservation is important."

Birds – Pheasants, wood pigeons, magpies, crows, jackdaws, blackbirds, starlings, sparrows, bluetits, bullfinches, dunnocks, wrens, goldfinches, and green woodpeckers. Tawny owls inhabit the neighbouring woods, and the occasional heron is spotted.

Insects – The wide variety of insects to be found includes Emperor dragonflies, and Meadow Brown and Red Admiral butterflies.

Flowers – these are concentrated around the periphery of the wooded areas. Varieties present include - bindweed, meadow buttercup, marsh marigold, cow parsley, yarrow, bird's foot trefoil, ox-eye daisy, creeping thistle, spear thistle, wild rose, stitchwort, bluebells, daisy celandine, dandelion, bugle, violet, bittersweet, common vetch, milkmaid, herb Robert, plantain, ragwort, sorrel, cuckoo-pint, clovers, nettles and many more.

Berries – Wild strawberries, elderberry, blackberry, haws from hawthorn, rose hips, woody nightshade, holly, and white bryony.

Trees - The site allocation would inevitably result in the loss of a number of protected trees, and degradation of the adjacent woodland and its wildlife.

Paragraph 175(c) of the National Planning Policy Framework states that development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons, and a suitable compensation strategy exists. The limited compensation strategy offered in policy AL/RTW5 does not outweigh the environmental damage caused directly by the policy; and ignores the threat of more extensive environmental damage from secondary developments implicit in the Policy.

Question 6

Please note: *In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.*

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan 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.

We consider that removal of Policy AL/RTW5 from the PSLP is necessary for the plan to be compliant with the NPPF. Policy AL/RTW5 is also not compliant with TWBC's own Overriding Strategies and Policies for the Local Plan.

Question 7

Please note *the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.*

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . Yes, I wish to participate in hearing session(s)

Question 7a

Please note *the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.*

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

I consider it necessary to participate as my submission is on behalf of hundreds of local community residents. The details of our groups are as follows;

- . 163 members of our Facebook Group
- . 45 member email group
- . 75 signatories from a stall we set up on one day, Monday 31st May
- . 101 individual donations from the Crowd Justice page we created to crowdfund the legal fees to challenge the process by which the land was added late on to the PSLP

If you would like to attach a file in support of your comments, please upload it here.

SRCAG PSLP submission in objection to Caenwood Farm Policy AL:RTW5.pdf (1)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Supporting Information File Ref No: SI_49a-b

Comment

Agent	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Bloomfields
Address	77 Commercial Road PADDOCK WOOD TN12 6DS
Consultee	Ben Ward [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Rosconn Strategic Land
Address	Rosconn House 1 Grove Road Stratford-upon-Avon CV37 6PE
Event Name	Pre-Submission Local Plan
Comment by	Rosconn Strategic Land [REDACTED]
Comment ID	PSLP_850
Response Date	01/06/21 14:10
Consultation Point	Policy STR 1 The Development Strategy (View)
Status	Processed
Submission Type	Email
Version	0.3
Files	PSLP_847 & 850-852_Rosconn_SI_1.pdf PSLP_847 & 850-852_Rosconn_SI_2 and 3.pdf
Data inputter to enter their initials here	KJ
Question 1	
Respondent's Name and/or Organisation	Rosconn Strategic Land
Question 2	
Agent's Name and Organisation (if applicable)	Bloomfields
Question 3	

To which part of the Local Plan does this representation relate?

Policy

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR 1 The Development Strategy

Question 4

Do you consider that the Local Plan:

Is legally compliant Yes

Is sound No

Complies with the Duty to Cooperate Yes

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not effective
- . It is not justified
- . It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

Rosconn Strategic Land (RSL) is promoting land south of Brenchley Road, Horsmonden for residential development. It is welcome that the Pre-Submission Local Plan ("the Plan") proposes to allocate this site for development and it is in this context that RSL wishes to express its general support for the development strategy as set out in Draft Policy STR 1.

The development strategy is based upon meeting, in full, the assessed local housing need for the area along with a "buffer" for flexibility. This is welcome, in principle, since the Plan's evidence base indicates very limited scope to apportion unmet housing need to neighbouring authorities, since neighbouring authorities experience many of the same constraints as Tunbridge Wells. As a result of this, the development strategy must respond pragmatically but sensitively to the Borough's principal constraints, namely the High Weald Area of Outstanding Natural Beauty (AONB) and the Metropolitan Green Belt. The need to safeguard these areas must be carefully balanced against the need to achieve a sustainable pattern of growth and, in general terms, undertaking this balancing act has been found by Inspectors to be justified through local plan examinations elsewhere in the country (e.g. Guildford and Central Bedfordshire). That said, the contribution to development needs from the non-constrained area of the Borough must, within reason, be maximised to limit the extent of Green Belt release and encroachment by new development within the AONB. In Green Belt release terms, this is essential to making the case for "exceptional circumstances" as per paragraphs 136 and 137 of the National Planning Policy Framework (NPPF), and, in AONB terms, to demonstrating that great weight has been provided to

conserving and enhancing the AONB and limiting the scale and extent of development within the AONB (NPPF, paragraph 172). Implicitly, the need to maximise areas beyond the Green Belt and AONB has already been acknowledged by the Plan's proposed transformational expansion of Paddock Wood, which apart from being a sustainable location, also has the advantage of avoiding the AONB and would entail only some Green Belt release. This "avoidance" strategy should run through the Plan's as a whole in order for it to be sound in its conformity with national policy.

Given the above, welcome the decision (described at paragraph 4.48 of the Plan's supporting text) to reduce the level of growth previously proposed in the AONB as being beneficial to the overall soundness of the Plan. In part compensation, the Plan has seen a greater focus on urban intensification and brownfield which has been identified as a lynchpin of the development strategy in Draft Policy STR 1. It must be recognised, however, that urban intensification and brownfield redevelopment have limits and those sites that are available may not be quick to come forward given the myriad of issues that typically affect the deliverability of urban and brownfield land. By way of using urban land to its fullest potential in order to avoid directing growth to the Borough's more sensitive areas, the Brownfield and Urban Land Topic Paper (January 2021) details a very exhaustive approach to ensuring that these opportunities are maximised whilst ensuring that the level of growth planned through these means is deliverable and realistic.

Combined with the two strategic proposals in the Plan, Tudeley Village and the expansion of Paddock Wood, both of which exist within close proximity to each other and have complex infrastructure and phasing requirements, over-reliance on urban intensification and brownfield sites coming forward could result in a "top-heavy" development strategy unless it is accompanied by a wider dispersal of small to medium sized sites that are capable of yielding housing completions quickly as well as contributing to the viability and vitality of rural areas. It is welcome that the Plan provides for these opportunities as they will diversify the sources of housing supply and ensure that the Plan retains flexibility to respond to changing circumstances. We would note from Figure 3 of the Housing Supply and Trajectory Topic Paper (February 2021) that expected housing completions within the plan period will ensure a consistent and steady supply to meet ongoing need, particularly in the earlier years, which is important given the Plan's reliance on strategic sites.

As set out above, opportunities for dispersing growth to the rural area generally will be limited by the AONB and the Green Belt which is why Horsmonden, as a sustainable settlement outside both of these areas, plays such a crucial role in the overall development strategy. We note from paragraph 6.66 of the Development Strategy Topic Paper (February 2021), for instance, that the lack of major constraints around Horsmonden has been fundamental to proposed allocation of suitable sites around the settlement. To this we would add that Horsmonden sets itself apart from other non-AONB rural settlements for its relative sustainability with the Settlement Role and Function Study (February 2021) identifying it as one of the best performing rural settlements in terms of the availability of services and facilities. With both of these factors in mind, the Sustainability Appraisal (SA) has highlighted Horsmonden's ability to make a "material contribution to meeting housing needs." Growth in Horsmonden can also enable the expansion of services and facilities to improve the sustainability credentials of the settlement which, in addition to being in the spirit of the Planning Practice Guidance and the National Planning Policy Framework, can facilitate delivery of the Plan's strategic objective of improving infrastructure, local services and amenities in line with community needs.

In general terms, we consider allocating a material level of growth at Horsmonden to be sound and fully supported by the Plan's evidence base. However, the contribution made by Horsmonden and the non-AONB/Green Belt rural settlements generally to the development strategy should be expressly recognised in Draft Policy STR 1 as it is an issue of strategic importance to reasonably maximise the contribution of areas outside the Green Belt and AONB toward meeting development needs. In so doing, drawing upon the evidence base, the development strategy should clearly set out the role and function of each higher order rural settlement, including Horsmonden, in order to explain more clearly in broad, strategic terms the role each one plays its part in delivering the Plan's overall strategy. For Horsmonden, we would request express recognition for the important role the settlement will play in meeting housing needs over the plan period in a sustainable location that is not affected by fundamental landscape or Green Belt constraints.

Question 6

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Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan 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.

Draft Policy STR 1 or a further policy should identify a clear hierarchy of settlements and growth areas to guide the apportionment of housing and explain how each one will play a part in delivering the Plan's development strategy. We note that Limb 3 of Draft Policy STR 1 already does this in respect of strategic allocations but this should be extended to the Borough's rural settlements alongside an express recognition that development outside the Green Belt and AONB should be maximised in order to safeguard these important designations to the extent consistent with broader sustainability objectives.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . Yes, I wish to participate in hearing session(s)

Question 7a

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If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Rosconn Strategic Land is promoting Land South of Brenchley Road, Horsmonden for development and is seeking changes to Draft Policy STR 1. Rosconn Strategic Land requests participation in the hearing sessions in order to contribute to discussions in relation to this Draft Policy and to articulate its case for suggested changes to it as well as to address any relevant points raised by the Local Planning Authority, the Inspector or by stakeholders.

Question 8

If you have any separate comments you wish to make on the accompanying Sustainability Appraisal, please make them here.

RSL supports the general thrust of the Sustainability Appraisal (SA) insofar as it substantiates the preferred development strategy as being preferable against the reasonable alternatives. The SA examines a number of scenarios for the distribution of growth across the Borough including, critically, a scenario which would meet full housing need but does not involve Green Belt release. This scenario (Growth Strategy 6) demonstrates that no Green Belt release would involve major strategic growth at a number of the Borough's rural settlements including those within the AONB thus demonstrating that some Green Belt release is necessary in order to deliver a sustainable pattern of development. We note that no scenario has been tested that would see full housing need met in areas completely outside the AONB. However, this would clearly involve similar major strategic growth in rural settlements

by obviating the contribution of Royal Tunbridge Wells and Southborough to meeting housing needs or else by generating excessive reliance on strategic expansions to Paddock Wood and Tudeley Village, which would most likely need to be enlarged. The SA therefore substantiates the need to deliver some growth within Green Belt and AONB.

We note that failure to meet standard housing need by avoiding the AONB or the Green Belt were accompanied by significant negative scores in relation to the delivery of new housing and economic development, as would be expected. We also noted scenarios that would see significant concentrations of growth within the AONB associated with significantly negative environmental effects particularly as regard to landscape, once more as expected. As a result, the SA supports the key limbs of the preferred development strategy of meeting full housing need and reducing the scale of development within the AONB from the Draft Local Plan as against the reasonable alternatives. However, the preferred spatial strategy (i.e. Growth Strategy 13) would still result in the concentration of significant development within the AONB alongside significant Green Belt release to accommodate a new settlement and the transformational expansion of Paddock Wood. The contribution by urban and brownfield land has also been maximised to the reasonable extent possible. As a result, the preferred development strategy is finely balanced and whilst noting since the Regulation 18 consultation the quantum of development has been decreased in some smaller rural settlements beyond the Green Belt and AONB, it is not practical to do so further without resulting in negative environmental effects and/or compromising the deliverability of the development strategy.

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

<input type="checkbox"/>	Yes, I wish to be notified of future stages of the Local Plan
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Supporting Information File Ref No: SI_49a-b

Comment

Agent	Mr Gary Mickelborough [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Bloomfields
Address	77 Commercial Road PADDOCK WOOD TN12 6DS
Consultee	[REDACTED] [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Rosconn Strategic Land
Address	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Rosconn Strategic Land [REDACTED]
Comment ID	PSLP_847
Response Date	01/06/21 14:10
Consultation Point	Policy PSTR/HO 1 The Strategy for Horsmonden parish (View)
Status	Processed
Submission Type	Email
Version	0.4
Files	PSLP_847 & 850-852 Rosconn SI 2 and 3.pdf PSLP_847 & 850-852 Rosconn SI 1.pdf
Data inputter to enter their initials here	KJ
Question 1	
Respondent's Name and/or Organisation	Rosconn Strategic Land
Question 2	
Agent's Name and Organisation (if applicable)	Bloomfields

Question 3

To which part of the Local Plan does this representation relate? Policy

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy PSTR/HO 1 The Strategy for Horsmonden parish

Question 4

Do you consider that the Local Plan:

Is legally compliant	Yes
Is sound	No
Complies with the Duty to Cooperate	Yes

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:	. It is not effective
	. It is not justified
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Question 5

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Rosconn Strategic Land (RSL) is promoting land south of Benchley Road, Horsmonden ("the Site") for residential development and a new village hall. It is welcome that the Pre-Submission Local Plan ("the Plan") proposes to allocate this site for development and it is in this context that RSL wishes to express its general support for the Plan's strategy for Horsmonden.

Draft Policy PSTR/HO 1 sets out the Plan's ambitions in respect of Horsmonden which is based on the provision of between 240 and 320 new dwellings over the plan period. RSL supports the apportionment of this level of growth to the village as it will help deliver the Plan's strategic objective of improving infrastructure, local services and amenities in line with community needs and to ameliorate the loss of Green Belt and encroachment within the Area of Outstanding Natural Beauty in order to meet development needs.

As the Draft Policy recognises, development in Horsmonden brings the need to mitigate impacts on local infrastructure including medical, education and recreation provision. We consider that these requirements have been informed by a comprehensive understanding of local infrastructure needs as set out in the Infrastructure Delivery Plan (IDP). However, as is recognised within paragraph 5.593 of the Plan's supporting text, the Site will deliver land for a new village hall in order to address an identified

local need by Horsmonden Parish Council for this facility. In addition to providing the land for the new village hall, the Site can also provide a proportionate capital contribution. For the reasons set out in RSL's representations to Draft Policy AL/HO 2, however, it is also necessary for other sites allocated in the village to make financial contributions towards the new village hall in order to mitigate the impact of these sites on community provision. RSL would note that the Borough Council has already secured a financial contribution towards the provision of a new village hall under planning permission reference 18/01976/FULL in relation to 49 dwellings at Gibbet Lane/Furnace Lane, Horsmonden. The contribution other sites should make towards the provision of the new village hall should be expressly recognised by Draft Policy PSTR/HO 1 since it is a key local ambition and one that should be delivered through new development in a comprehensive manner.

Given the above, RSL has requested a modification to Draft Policy PSTR/HO 1 as set out below to recognise the need for a new village hall and requirement for sites coming forward in the village to contribute towards its provision.

Question 6

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- 1 Seek developer contributions, either in kind (normally land) and/or financial, from residential schemes to be used towards the provision of:
- 1 a replacement village hall and associated parking.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . Yes, I wish to participate in hearing session(s)

Question 7a

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If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Rosconn Strategic Land is promoting Land South of Brenchley Road, Horsmonden for development and is seeking changes to Draft Policy PSTR/HO 1. Rosconn Strategic Land requests participation in the hearing sessions in order to contribute to discussions in relation to this Draft Policy and to articulate its case for suggested changes as well as to address any relevant points raised by the Local Planning Authority, the Inspector or by stakeholders.

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

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Company / Organisation	Rosconn Strategic Land
Address	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Rosconn Strategic Land [REDACTED]
Comment ID	PSLP_851
Response Date	01/06/21 14:10
Consultation Point	Policy AL/HO 2 Land south of Brenchley Road and west of Fromandez Drive (View)
Status	Processed
Submission Type	Email
Version	0.3
Files	PSLP 847 & 850-852 Rosconn SI 2 and 3.pdf PSLP 847 & 850-852 Rosconn SI 1.pdf
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Question 1	
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Agent's Name and Organisation (if applicable)	Bloomfields

Question 3

To which part of the Local Plan does this representation relate? Policy

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy AL/HO 2 Land south of Brenchley Road and west of Fromandez Drive

Question 4

Do you consider that the Local Plan:

Is legally compliant	Yes
Is sound	No
Complies with the Duty to Cooperate	Yes

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:	. It is not effective
	. It is not justified
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Question 5

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Rosconn Strategic Land (RSL) is promoting land south of Brenchley Road, Horsmonden ("the Site") for residential development and for a new village hall. It is welcome that the Pre-Submission Local Plan ("the Plan") proposes to allocate this site for development and it is in this context that RSL wishes to express its general support for Draft Policy AL/HO2, to which we would add the following detailed comments:

Availability, Suitability & Achievability

RSL welcomes the Strategic Housing and Economic Land Availability Assessment (SHELAA) which concludes that the Site is available, suitable and achievable for development. RSL is an experienced land promoter and has a demonstrable track record of gaining deliverable planning permissions that both add value for local communities and result in a rapid onward sale to a suitable developer.

The Site, having been submitted for consideration through a previous "Call for Sites," is in a single-ownership and the owners have entered into a promotion agreement with RSL in order to promote it for development. Following grant of outline planning permission, the Site will be marketed

and sold to a housebuilder. Given the above, the Site is available for development and can commence development and deliver completions within the first five years of the plan period.

As stated in the SHELAA, the Site directly abuts the existing built-edge of Horsmonden therefore sitting in close proximity to the services and facilities available within the settlement and forming, as the Council's assessment recognises, "a logical extension" to it. The Site is outside of the Green Belt and Area of Outstanding Natural Beauty (AONB) and whilst there is the need to pay regard to certain detailed considerations as identified in Draft Policy AL/HO2, the Site is subject to no overwhelming constraints whatsoever. We therefore agree with the Council's assessment that the Site is suitable for development. We consider the Site's suitability further below with reference to detailed criteria contained within Draft Policy AL/HO 2.

Given the Site's lack of technical, planning and infrastructure constraints, commencement of development can occur within the first five years of the plan period contributing towards meeting the Borough's needs for market and affordable housing early on, thus bridging the gap between plan adoption and delivery of large-scale, strategic sites elsewhere in the Borough.

Accessibility

An initial access drawing has been prepared (Drawing No. 197720-002 Rev A) in support of these representations which has been included as Enclosure 1. This demonstrates how safe and effective access can be achieved to Brenchley Road for 80-100 dwellings plus the new village hall. As such, a vehicular link can be provided onto Brenchley Road in line with Criterion 1 of the Policy. In terms of visibility splays, these can be provided in line with prevailing technical standards as shown by Drawing No. 197720-002 Rev A and to the satisfaction of Kent County Council as the Local Highway Authority (LHA).

The preparation of the Framework Plan (Enclosure 2) for the development of the Site has taken a landscape-led approach throughout, particularly along the site frontage, and the identified key design principles will ensure that the rural character of Brenchley Road on the approach to the village is retained. Access to the Site is proposed via a simple priority junction that would be well-associated with the existing built-edge of the village. That means that the rest of Brenchley Road to the west of the Site access can retain its strong contribution to the rural character of the road. Whilst at this stage a limited amount of existing hedgerow would need to be removed along the Site frontage to accommodate the visibility splays and the access, this can be more than compensated for through the replacement planting behind the visibility splays, made possible by the significant setback that would be provided along Brenchley Road.

Within the Site it is envisaged that a loose arrangement of detached dwellings would be appropriately orientated to face the Brenchley Road frontage but again set back behind an internal green corridor that will facilitate pedestrian connectivity in and around the site as well as providing opportunities for new planting to retain and enhance the rural character of Brenchley Road.

This sensitive design approach will provide a "soft" edge to built development that would ensure its sympathetic assimilation into the landscape, particularly in views along Brenchley Road.

As such, safe and effective access can be achieved to Brenchley Road by the Site in a manner that would not compromise the street scene's rural character. For this reason, Criterion 2 of the Draft Policy can be appropriately addressed.

In relation to Criterion 4, RSL has engaged in extensive highway investigations in order to support the delivery of a pedestrian link from the Site, running along Brenchley Road and connecting to the wider footway network within the village. The conclusion of these investigations, as informed by discussions with the LHA, has been that adequate land is available within the public highway to provide a suitable footway link along Brenchley Road from the Site and into the village. Whilst further detailed work is ongoing to establish the precise nature of the highway arrangement necessary to deliver such a link, fundamentally, a satisfactory solution is capable of being provided within public highway land and thus Criterion 4 of the Draft Policy can be met.

Landscape & Open Space

The Framework Plan (included as Enclosure 2 in support of these representations) sets out the key design principles for the Site which have been informed by a detailed understanding of its opportunities and constraints, as illustrated by the Opportunities and Constraints Plan (Enclosure 3).

As set out above, the Framework Plan shows a set back to Brenchley Road thus retaining its rural character and much of the vegetation along the Site's frontage. Where some vegetation removal is necessary to facilitate access, replacement planting can be provided to retain the verdant character of the road on the approach to the village.

The ancient woodland to the west of the Site has been addressed through provision of an appropriate stand-off of at least 15m in line with guidance from Natural England and Criterion 7 of Draft Policy AL/HO 2. Taken together with the buffer along the southern boundary of at least 10m and that provided along Brenchley Road to the north, there is an opportunity to create a high quality circular route for pedestrians, linking the formal open space in the south-east corner of the Site with the green areas around the Site's fringe thus delivering potential for an interconnected network of formal and informal play and recreation opportunities. In addition, the green buffers around the Site allow opportunities for new planting such as for a potential community orchard, recognising the particular significance of orchards to Horsmonden as set out in the Historic Environment Review (January 2018), for example.

The provision of the green buffer to the south of the Site will allow for appropriate landscape reinforcement to the southern boundary. The green buffers provided to the Site fringes generally will allow for the retention of existing hedgerows. The rural edge along the north western, western and southern boundaries will be further respected through the provision of lower density development near these locations as indicated on the Framework Plan thereby providing a sensitive transition from the Site to the wider countryside.

For the reasons set out above, the Site can be developed in a way that conforms fully with the landscape-related requirements of Draft Policy AL/HO 2 and other relevant Draft Policies of the Plan.

Heritage & Conservation

The opportunities and constraints analysis shows that the Site sits opposite a Grade II listed building known as Milestone Cottages located on the north side of Brenchley Road. Further afield, to the West of the site albeit separated by intervening built-form, lies Horsmonden's Conservation Area. To the west and to the south of the Site lies Sprivers Historic Park and Garden.

Taking each of the above in turn, the setting of Milestone Cottages would be addressed by the proposed development in two principal ways. Firstly, the set back and lower density nature of development along Brenchley Road, in addition to the retention of vegetation along the Site's frontage, would safeguard the setting of this heritage asset ensuring its continued contribution to the character of the area and to the street scene. Secondly, the Framework Plan provides a tree lined street opposite the listed building which provides a break in the building line along Brenchley Road in order to further respect and enhance its setting.

As set out above, the Conservation Area of Horsmonden lies to the east of the Site albeit separated from it by a considerable intervening distance and by the modern development accessed from Fromandez Drive. A key principle of the Framework Plan is to respond to the existing built-edge of Horsmonden positively but sensitively hence it provides for buffer planting along the eastern boundary, which would only strengthen the intervening features between the Site and the Conservation Area thereby screening any effects.

The Historic Park and Garden to the west and to the southwest of the Site would have its setting safeguarded by the proposed development due to the significant buffers provided to the western and south-western boundaries of the Site, as already described above and shown in the Framework Plan. The reinforcement planting provided to the southern boundary would bolster the already substantial natural features, such as the dense woodland to the west, that contain the Site from the wider countryside and from Historic Park and Garden. For this reason, the Framework Plan positively responds to this heritage asset.

Development of the Site in the manner proposed by the Framework Plan would properly safeguard the settings of surrounding heritage assets and comply with Criterion 9 of Draft Policy AL/HO 2 in this regard.

The Village Hall

An important aspect of the Site is that it brings an opportunity to provide land and a financial contribution toward the provision of a new village hall for Horsmonden. As show on the Framework Plan, this has been located to the very east of the Site at the closest point to the village possible in order to promote its accessibility to the wider settlement. RSL has engaged in active discussions with Horsmonden

Parish Council in order to understand its requirements and ambitions for the new village hall and will continue this dialogue to ensure feedback is taken into account in determining the overall land-take for the building and its configuration on the Site.

The fact that the Site can contribute to the delivery of the new village hall at an appropriate location is a key sustainability credential in its favour and a substantial benefit that can be delivered through development of the Site, as it will contribute to the retention and development of an accessible community facility in line with paragraph 83 of the National Planning Policy Framework (NPPF) thereby supporting rural prosperity and fulfilling a key national policy objective in this regard.

Question 6

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These representations refer to the aspects of Draft Policy AL/HO 2 of which Rosconn Strategic Land is generally supportive, including its overall thrust. They should be read in conjunction with the further, separate representations that have been made by Rosconn Strategic Land setting out requested changes to Draft Policy AL/HO 2 that are necessary for plan soundness.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . Yes, I wish to participate in hearing session(s)

Question 7a

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If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Rosconn Strategic Land is promoting Land South of Brenchley Road, Horsmonden for development and is seeking changes to Draft Policy AL/HO 2 as part of its separate representations to this Draft Policy. Rosconn Strategic Land requests participation in the hearing sessions in order to contribute to discussions in relation to the Site and to articulate its case for why modifications are necessary for the soundness of Draft Policy AL/HO 2, as well as to address any relevant points raised by the Local Planning Authority, the Inspector or by stakeholders.

Question 8

If you have any separate comments you wish to make on the accompanying Sustainability Appraisal, please make them here.

The Sustainability Appraisal (SA) underpinning the Plan has tested the Site against defined sustainability objectives. The Site performs well or neutral across a number of sustainability objectives, but in common with every other site that has been assessed in Horsmonden it has received a “negative” rating for Services and Facilities and “minor negative” rating for Travel, respectively. We recognise from Appendix B to the SA that these scores are the result of applying standard criteria as they are across other sustainability objectives. For example, in order to score positively for “Services and Facilities,” a settlement would need to have more than nine “key services.” Less than nine key services would result in a negative score. However, this does not alter the fact that the Settlement Role and Function Study (February 2021) identifies Horsmonden, in sustainability terms, as the best performing rural settlement outside of the AONB and Green Belt. The SA similarly does not recognise that, in common with the other sites at Horsmonden proposed for allocation, the Site can make a material contribution to enhancing the sustainability credentials of the settlement through contributing towards the provision of new services and facilities, in this case a new and improved village hall, thereby meeting an identified local need. We consider that this should be noted in the “commentary” section of the SA in regard to the scoring of individual sites at Appendix P.

In contrast to the scoring method for Services/Facilities and Travel, those categories for Heritage and Landscape appear, on the basis of Appendix B to the SA, to have been assessed more subjectively. In both of these areas, the Site has been judged to have “slightly negative” effects. In relation to landscape, it must first be said that the Site does not form part of a formal landscape designation, in contrast to many the Plan’s proposed allocations which lie within the AONB. Secondly, as is recognised within the Draft Policy, there is significant scope for mitigation; for instance, through the provision of green buffers and the sensitive siting of built development, opportunities that the Framework Plan for the Site has fully taken into account. Thirdly, as is recognised elsewhere in the Plan’s evidence base including within the SHELAA, the Site is well-related to the existing built-edge of Horsmonden and, we would add, benefits from a high degree of visual containment by the existing built-edge to the east and the dense woodland to the west. Strong framework planting can be provided to the south to punctuate and screen new development alongside adequate separation distance, as required by the Draft Policy. These interventions will considerably mitigate landscape impact.

In relation to heritage, the Site has been scored as “slightly negative.” This assessment is difficult to reconcile with the facts on the ground, namely that there are no designated or above-ground undesignated heritage assets on the Site. In terms of proximity of the Grade II listed building to the north, this will be intervisible with new development in views along Brenchley Road but there is clearly scope to mitigate this through, for example, retaining a set back and the existing vegetation along the Site’s frontage with the road. This has been fully taken into account as part of the Framework Plan. Other heritage assets near to the Site, such as Sprivers and Horsmonden Conservation Area, are some distance from the Site and separated from it by intervening built and natural features.. Notwithstanding the above, the SA’s broad comparative assessment of the sites promoted on the edge of the village is correct and it is clear that, once assessed against the SA framework as a whole, the best performing and most logically-related sites have been chosen for allocation, including Land South of Brenchley Road, Horsmonden.

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Supporting Information File Ref No: SI_49a-b

Comment

Agent	Mr Gary Mickelborough [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Bloomfields
Address	77 Commercial Road PADDOCK WOOD TN12 6DS
Consultee	[REDACTED] [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Rosconn Strategic Land
Address	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Rosconn Strategic Land [REDACTED]
Comment ID	PSLP_852
Response Date	01/06/21 14:10
Consultation Point	Policy AL/HO 2 Land south of Brenchley Road and west of Fromandez Drive (View)
Status	Processed
Submission Type	Email
Version	0.3
Files	PSLP 847 & 850-852 Rosconn SI 2 and 3.pdf PSLP 847 & 850-852 Rosconn SI 1.pdf
Data inputter to enter their initials here	KJ
Question 1	
Respondent's Name and/or Organisation	Rosconn Strategic Land
Question 2	
Agent's Name and Organisation (if applicable)	Bloomfields

Question 3

To which part of the Local Plan does this representation relate? Policy

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy AL/HO 2 Land south of Brenchley Road and west of Fromandez Drive

Question 4

Do you consider that the Local Plan:

Is legally compliant	Yes
Is sound	No
Complies with the Duty to Cooperate	Yes

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:	.	It is not effective
	.	It is not justified
	.	It is not consistent with national policy

Question 5

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Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

Rosconn Strategic Land (RSL) is promoting land south of Brenchley Road, Horsmonden ("the Site") for residential development and for a new village hall. It is welcome that the Pre-Submission Local Plan ("the Plan") proposes to allocate this site for development and it is in this context that RSL wishes to express its general support for Draft Policy AL/HO2, as elaborated in our further representations to the policy. However, there are several detailed requirements set out by Draft Policy AL/HO2 which are unsound for want of justification, effectiveness, and consistency with national policy thus requiring modification. The reasons for this are set out below:

Criterion 3 – Explore opportunities to extend the 30mph speed limit westwards to incorporate the Site frontage

This requirement is superfluous because the 30mph speed limit has already been moved westwards along Brenchley Road. It now sits slightly beyond the western boundary of the Site. We propose that this clause is deleted in accordance with the schedule of proposed modifications below.

Criterion 5 – Explore opportunities to provide a pedestrian access from the Site into the Sprivers Historic Park and Garden

Whilst recognising this is not an absolute requirement, the Site is separated from Sprivers by third party land to the south. The Site does, however, directly abut the formally delineated boundary of Sprivers to the west although it is separated from the formal north/south National Trust footpath that runs through Sprivers by dense woodland, much of which is ancient woodland. Given the potential for disturbance arising from an increased intensity of use, it is doubtful that directing foot traffic westwards from the Site and through the woodland to the formal north/south footpath would be consistent with nature conservation objectives. A similar link along Brenchley Road to the west would be impractical on the basis that introducing pavement here of sufficient width would disrupt the dense vegetation either side of Brenchley Road, which is integral to the road's rural character. Thus, having investigated the possibilities, provision of a link into Sprivers is impractical given the distance and intervening natural features and landownership. We propose that this criterion is deleted for want of justification in accordance with the schedule of proposed modifications set out below. That said, the Framework Plan (Enclosure 2) provides a generous buffer to the woodland to the west that would form part of the Site's open space provision the management of which could be transferred to the Parish Council. Thus development of the Site would not prejudice such a link should it be desired in the future.

Criterion 6 – Land uses located in accordance with the Site Layout Plan

The Site Layout Plan (Map 61) identifies the amount of land for residential development, community use and open space on the Site. Whilst we acknowledge that such a plan could be helpful as a purely illustrative tool, Criterion 6 requires the uses on the Site to be located in accordance with the Site Layout Plan. This approach is overly prescriptive and not justified since the disposition of uses on the Site should be the product of a comprehensive masterplanning exercise that optimises the Site for development whilst respecting its constraints. RSL has engaged in such an exercise and the development envelope proposed is different from that shown in the Site Layout Plan.

Based on the Site Layout Plan (Map 61), we have calculated that it provides for a residential development area of approximately 1.71 hectares. In order to meet the minimum capacity for the Site stated in Draft Policy AL/HO2 of 80 units, dwellings would need to be provided at approximately 46 to the hectare (net), an inappropriately high density for an edge of settlement location. Applying a reasonable net density of about 35 dwellings per hectare to this small development area, the capacity of the Site would fall to about 60 dwellings, well below the minimum capacity of 80 dwellings identified within Draft Policy AL/HO2 and elsewhere in the Plan. Criterion 6 therefore renders the Plan ineffective as it would result in either inappropriately dense development or a scale of development considerably below the stated minimum capacity. It should be deleted for this reason and the Site Layout Plan (Map 61) labelled as illustrative or indicative. RSL has confirmed with officers that the Council's intention is for the Site Layout Plan to be illustrative and the Plan should be modified to align with that intention.

In addition, the Site Layout Plan allots about 0.5ha for community use. RSL remains fully committed to providing the land on the Site for a new village hall as well as a proportionate capital contribution towards its construction. However, the size and nature of the new village hall and therefore its land take is still the subject of discussion with the local community and it is not justified at this stage for the Plan to pre-empt how much land will be required for it.

As elaborated upon in our separate, generally supportive representations to Draft Policy AL/HO2, RSL has commissioned a comprehensive Framework Plan (see Enclosure 2) which has been informed by a full understanding of the Site's opportunities and constraints. The Framework Plan demonstrates how 80 dwellings and a new village hall can be provided on the Site in a manner that fully respects the local character and context as well as the detailed requirements of Draft Policy AL/HO2.

As a general strategic point, it is essential to the overall soundness of the Plan that it demonstrates it has exhausted the possibility of directing proportionate growth towards sustainable sites outside of the Green Belt and Area of Outstanding Natural Beauty (AONB). Optimising the potential of sites that have been allocated in this area is vital to ensuring that encroachment into the Green Belt and AONB is avoided to the extent that is reasonable. By virtue of criterion 6, Draft Policy AL/HO2 fails to achieve this and for that and the above reasons should be deleted as set out below.

Criterion 11 – Provide a suitable legal mechanism to ensure the provision of the replacement village hall is tied to the delivery of the housing at a suitable stage of the development

RSL remains committed to working with the local community to play its part in the delivery of a new village hall. Planning obligations, however, as well as being necessary to make the development acceptable in planning terms, must also directly relate to the development proposed and be fairly and reasonably related in scale and in kind to it (National Planning Policy Framework, paragraph 56).

In this instance, the new village hall will not only benefit future residents of the Site, but also the village at large and other sites that have been allocated around Horsmonden. Therefore, whilst the Site can provide the necessary land and an appropriate capital contribution for a replacement village hall to be secured through legal agreement at suitable trigger points, other sites that are being brought forward in Horsmonden should also provide financial contributions towards the hall's construction. As set out in RSL's representations to Draft Policy PSTR/HO1 (The Strategy for Horsmonden Parish), this should be expressly recognised within the Plan as well as in Draft Policy AL/HO2. We propose that this clause is altered in accordance with the schedule of proposed modifications below in order to make Draft Policy AL/HO2 consistent with national policy.

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan 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.

Criterion 3: Opportunities to be explored for extending the 30mph speed limit westwards along Brenchley Road to include the site, and provision of associated gateway features

Criterion 5: Opportunities to be explored to provide a pedestrian access into the Sprivers historic park and garden from the site

Criterion 6: Residential development shall be located on the areas identified for residential use on the site layout plan, with the provision of a village hall on the land indicated for community use on the site layout plan;

Criterion 11: A suitable legal mechanism shall be put in place to ensure that the provision of land and an appropriate financial contribution towards the replacement village hall and associated parking is tied to the delivery of the housing, at a suitable stage of the development, to be agreed at the planning application stage

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . Yes, I wish to participate in hearing session(s)

Question 7a

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If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Rosconn Strategic Land is promoting Land South of Brenchley Road, Horsmonden for development and is seeking changes to Draft Policy AL/HO 2. Rosconn Strategic Land requests participation in the

hearing sessions in order to contribute to discussions in relation to the Site and to articulate its case for why for modifications are necessary for the soundness of Draft Policy AL/HO 2, as well as to address any relevant points raised by the Local Planning Authority, the Inspector or by stakeholders.

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

<input type="checkbox"/>	Yes, I wish to be notified of future stages of the Local Plan
--------------------------	---

Comment

Consultee	Charles and Fiona Rosenmeyer [REDACTED]
Email Address	[REDACTED]
Address	- Tonbridge [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Charles and Fiona Rosenmeyer [REDACTED]
Comment ID	PSLP_1655
Response Date	03/06/21 18:53
Consultation Point	Policy STR/SS 1 The Strategy for Paddock Wood, including land at east Capel (View)
Status	Processed
Submission Type	Email
Version	0.8
Data inputter to enter their initials here	KH
Question 1	
Respondent's Name and/or Organisation	Charles & Fiona Rosenmeyer
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR/SS 1 The Strategy for Paddock Wood, including land at east Capel

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

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My wife and I have read the pre submission local plan for Tunbridge Wells.

While some changes have been made which we support, such as the removal from the plan of the secondary school at the junction of the A26 with the B2017, many of the original draft proposals which most troubled us, as Tonbridge residents, still remain. We therefore repeat our original comments on and objections to the draft plan as comments on and objections to the pre submission plan. Those comments and objections were set out in an email dated 5th November 2019, which is copied below (TWBC: 2019 Regulation 18 comments duplicated below for ease of reference)

The proposal to add 3,500 dwellings to Paddock Wood and 2,800 to Tudeley would lead to considerable increased pressure on already overloaded roads which serve Tonbridge and would change the rural nature of the area for ever. We acknowledge that there are proposals to improve the Woodsgate cross roads and create by-passes for Five Oak Green and Colts Hill, but there is no indication when these may be built. Even if they are built, they will only tend to ameliorate traffic driving east/west to and from the A21 and Tunbridge Wells. They will do nothing to help alleviate congestion on the north/south routes to and from Tonbridge. As the proposed developments would be much closer to Tonbridge than Tunbridge Wells, and as much of the additional commuter and shopping traffic generated would be more likely to travel to Tonbridge than Tunbridge Wells, the developments would have a significant adverse impact on Tonbridge even if there were improvements to the north/south routes, as yet not proposed.

No development of any form, even on a small scale, should take place in Paddock Wood or Tudeley, unless the Woodsgate improvements are made and unless the Five Oak Green and Colts Hill by-passes are constructed in a way which takes traffic away from Tonbridge and towards the A21 and Tunbridge Wells.

We also see that there is a proposal to close Hartlake Road between Golden Green and Tudeley. This road, which forms an informal by-pass to Tonbridge and lies close to the local authority border with Tonbridge, is far more relevant to Tonbridge than Tunbridge Wells. During the morning rush hour the A26 is regularly at a standstill in north Tonbridge. As a result Hartlake Road is regularly used by north Tonbridge residents and those of the settlements around north Tonbridge, including Golden Green, to gain access to and from the A21. If Hartlake Road were closed it would make the A26 even more congested. No steps should be taken to close Hartlake Road until an overall highways solution is found for the A26 to bypass north Tonbridge and for improved access to the A21 to be provided.

There are many places within the boundaries of Tunbridge Wells borough where if houses must be built and all brown land sites have been used, poor quality green belt could be surrendered for the purpose. In our view, to use flood plain land with poor access and poor services on Tonbridge's doorstep is to try to transfer some of Tunbridge Wells's problems to Tonbridge. An analogy would exist if Wealden District Council were to try to build 6,000 houses and support developments adjacent to the Ramslye estate.

(TWBC - Regulation 18 comments dated 5th November 2019)

Tunbridge Wells draft local plan We have read the draft plan, particularly as to its possible effect on Tonbridge, where we live. We have also read the submission to your council by Tom Tugendhat MP. We wish to support his comments and those of Tonbridge and Malling District Council about the proposals in the plan in so far as they affect Tonbridge. We also wish to make the following additional comments about the proposals for Tudeley/Capel, Paddock Wood, Woodgate Way and Mabledon, all of which are on Tonbridge's doorstep.

Generally There is a considerable lack of information in the draft or in reports appended to it showing the likely effect on Tonbridge of the proposals, why Tonbridge should be expected to accept that effect and who, other than the council tax payers of Tonbridge, will pay for the costs of ameliorating it.

Green belt Whilst the draft mentions the green belt, in relation to Mabledon and Tudeley/Capel it must be remembered that what is proposed is not building in the green belt protecting Tunbridge Wells but in the green belt protecting Tonbridge. So the case needs to be made for invading that green space which will have little effect on Tunbridge Wells (other to help it hit its targets) but will have a major effect on Tonbridge, which is not even asking for the development.

Roads and road transport 1. Tonbridge has only one major rail crossing and one major river crossing in the town. That leads to regular congestion, particularly at the start and end of the working day and in the afternoons when the schools break up. Any new development in the neighbourhood of Tonbridge will have an effect on bus services, parking and the emission of CO2 and other harmful substances. It is not sufficient to state, as does the draft, that these issues should be considered as part of a detailed planning application; Tonbridge, which has not asked for these proposals but will be affected far more by them than Tunbridge Wells, should have access to data and reports now while the plan is still a draft and not later when it will be claimed as a fait accompli. 2. In the same way, Tonbridge should be told now what alterations to local roads are proposed. The roads around Tudeley are local, narrow, winding, prone to flooding, dangerous in places and already overused. The principal road from Paddock Wood to Tunbridge Wells already needs considerable improvement, not least a by-pass to Colts Hill; no such improvements are proposed by the relevant highway authority. If Paddock Wood is doubled in size as is proposed, major improvements will also be required to the principal route between the town and Tonbridge. 3. New housing will generate additional private car journeys and delivery journeys. It would be facile to suggest that most food shoppers from any development at Tudeley/Capel would carry out their major food shop anywhere other than Tonbridge. It is also facile to suggest as the draft implies that commuters from Tudeley/Capel would drive to Paddock Wood to board a train for London. To do so would increase their overall travel times and increase the cost of their train tickets. 4. A new school at Woodgate Way would also increase car traffic not least as there is no obvious way other than the private car by which teachers and pupils can reach the site. There is no principal bus route, no cycle lane and it is too far to walk (and dangerous to do so) either from Tudeley or Tonbridge. 5. As people shop increasingly on-line, there should be a study on the additional road miles in the vicinity of Tonbridge, which will be generated by these proposals. For instance, it is likely that many food deliveries ordered on-line will be delivered from Tonbridge. Also Royal Mail post for the area, initially delivered to Strood, is driven by articulated lorries into Tonbridge via the A26 for local sorting in the Royal Mail facility in Tonbridge. Deliveries from there to Paddock Wood and Tudeley and collections in reverse are bound to add materially to the use of the surrounding roads.

Train travel The plan does not say whether the rail transport authorities would support or fund a new station at Tudeley. The line between Tonbridge and Paddock Wood is already congested at peak times. Those commuting from Tonbridge should be informed now what effect the draft proposals would be likely to have on frequency of services, availability of seats, choice of destinations and what rail improvements are required, who will fund them and when they will be carried out.

Flood defences A material part of the proposed Tudeley/Capel development area lies on the Medway flood plain at a height above sea level of only 50 feet or less. Even though the remainder of the site rises gently above that level, much of it has flooded in the past and the proposals for further defences at Leigh have yet to be carried out. Even if they are, an assessment should be made now of the likelihood/risk of future flooding on the site given climate change, the slow sinking of the landmass and the rising of sea levels.

Schools and healthcare The draft makes a proposal for a new secondary school but says little about the need for additional infant and junior schools and additional doctor's surgeries and supporting medical services the need for which will be generated by the additional housing proposed. As the likely effect will be disproportionately laid at Tonbridge's door, there should be studies now in support of the draft realistically to measure that effect rather than later when a new local plan has been adopted.

Services It is not good enough to say, as does the draft, that these are issues to be considered in the future when the plan has been adopted. As the supply of services may affect Tonbridge, Tonbridge residents should be told now what that effect will be. For instance; Gas; will the supply come from Tonbridge, what route will it take, and what impact will it have on local supplies?

Sewage; where will the sewage be treated, by what route will the sewer pipes take it there, will it be pumped, will it have to cross the railway and the Medway and what effect will it have on the already stretched treatment plant in Tonbridge?

Electricity; what additional generating capacity will be required, where will it be sourced, what renewable capacity will be generated on site and what if any additional high tension supplies will need to be brought in?

Internet and mobile 'phones; what if any disruption to internet availability in Tonbridge will be needed to supply services to the proposed new development? Mobile coverage is already patchy in the area. What binding proposals will there be to ensure adequate coverage?

The draft should deal with all these issues before it goes for consideration by the planning inspector or the minister so that the residents and taxpayers of Tonbridge may have a full understanding of the proposals, which are likely to affect them far more than the inhabitants of Tunbridge Wells.

As Tonbridge residents we feel that the draft reveals that the Tunbridge Wells Council, concerned about development in its own back yard, has cynically decided to place that development in Tonbridge's back yard, with Tonbridge being expected to pick up many of the ancillary costs, financial, social and environmental.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

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If responder hasn't ticked an option on this box, data inputter to tick 'not stated' box. Not Stated

Comment

Consultee	Charles and Fiona Rosenmeyer [REDACTED]
Email Address	[REDACTED]
Address	- Tonbridge [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Charles and Fiona Rosenmeyer [REDACTED]
Comment ID	PSLP_1656
Response Date	03/06/21 18:53
Consultation Point	Policy STR/SS 2 The Strategy for Paddock Wood Town Centre (View)
Status	Processed
Submission Type	Email
Version	0.5
Data inputter to enter their initials here	KH
Question 1	
Respondent's Name and/or Organisation	Charles & Fiona Rosenmeyer
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

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Policy STR/SS 2 The Strategy for Paddock Wood Town Centre

Question 4a

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Generally There is a considerable lack of information in the draft or in reports appended to it showing the likely effect on Tonbridge of the proposals, why Tonbridge should be expected to accept that effect and who, other than the council tax payers of Tonbridge, will pay for the costs of ameliorating it.

Green belt Whilst the draft mentions the green belt, in relation to Mabledon and Tudeley/Capel it must be remembered that what is proposed is not building in the green belt protecting Tunbridge Wells but in the green belt protecting Tonbridge. So the case needs to be made for invading that green space which will have little effect on Tunbridge Wells (other to help it hit its targets) but will have a major effect on Tonbridge, which is not even asking for the development.

Roads and road transport 1. Tonbridge has only one major rail crossing and one major river crossing in the town. That leads to regular congestion, particularly at the start and end of the working day and in the afternoons when the schools break up. Any new development in the neighbourhood of Tonbridge will have an effect on bus services, parking and the emission of CO2 and other harmful substances. It is not sufficient to state, as does the draft, that these issues should be considered as part of a detailed planning application; Tonbridge, which has not asked for these proposals but will be affected far more by them than Tunbridge Wells, should have access to data and reports now while the plan is still a draft and not later when it will be claimed as a fait accompli. 2. In the same way, Tonbridge should be told now what alterations to local roads are proposed. The roads around Tudeley are local, narrow, winding, prone to flooding, dangerous in places and already overused. The principal road from Paddock Wood to Tunbridge Wells already needs considerable improvement, not least a by-pass to Colts Hill; no such improvements are proposed by the relevant highway authority. If Paddock Wood is doubled in size as is proposed, major improvements will also be required to the principal route between the town and Tonbridge. 3. New housing will generate additional private car journeys and delivery journeys. It would be facile to suggest that most food shoppers from any development at Tudeley/Capel would carry out their major food shop anywhere other than Tonbridge. It is also facile to suggest as the draft implies that commuters from Tudeley/Capel would drive to Paddock Wood to board a train for London. To do so would increase their overall travel times and increase the cost of their train tickets. 4. A new school at Woodgate Way would also increase car traffic not least as there is no obvious way other than the private car by which teachers and pupils can reach the site. There is no principal bus route, no cycle lane and it is too far to walk (and dangerous to do so) either from Tudeley or Tonbridge. 5. As people shop increasingly on-line, there should be a study on the additional road miles in the vicinity of Tonbridge, which will be generated by these proposals. For instance, it is likely that many food deliveries ordered on-line will be delivered from Tonbridge. Also Royal Mail post for the area, initially delivered to Strood, is driven by articulated lorries into Tonbridge via the A26 for local sorting in the Royal Mail facility in Tonbridge. Deliveries from there to Paddock Wood and Tudeley and collections in reverse are bound to add materially to the use of the surrounding roads.

Train travel The plan does not say whether the rail transport authorities would support or fund a new station at Tudeley. The line between Tonbridge and Paddock Wood is already congested at peak times. Those commuting from Tonbridge should be informed now what effect the draft proposals would be likely to have on frequency of services, availability of seats, choice of destinations and what rail improvements are required, who will fund them and when they will be carried out.

Flood defences A material part of the proposed Tudeley/Capel development area lies on the Medway flood plain at a height above sea level of only 50 feet or less. Even though the remainder of the site rises gently above that level, much of it has flooded in the past and the proposals for further defences at Leigh have yet to be carried out. Even if they are, an assessment should be made now of the likelihood/risk of future flooding on the site given climate change, the slow sinking of the landmass and the rising of sea levels.

Schools and healthcare The draft makes a proposal for a new secondary school but says little about the need for additional infant and junior schools and additional doctor's surgeries and supporting medical services the need for which will be generated by the additional housing proposed. As the likely effect will be disproportionally laid at Tonbridge's door, there should be studies now in support of the draft realistically to measure that effect rather than later when a new local plan has been adopted.

Services It is not good enough to say, as does the draft, that these are issues to be considered in the future when the plan has been adopted. As the supply of services may affect Tonbridge, Tonbridge residents should be told now what that effect will be. For instance; Gas; will the supply come from Tonbridge, what route will it take, and what impact will it have on local supplies?

Sewage; where will the sewage be treated, by what route will the sewer pipes take it there, will it be pumped, will it have to cross the railway and the Medway and what effect will it have on the already stretched treatment plant in Tonbridge?

Electricity; what additional generating capacity will be required, where will it be sourced, what renewable capacity will be generated on site and what if any additional high tension supplies will need to be brought in?

Internet and mobile 'phones; what if any disruption to internet availability in Tonbridge will be needed to supply services to the proposed new development? Mobile coverage is already patchy in the area. What binding proposals will there be to ensure adequate coverage?

The draft should deal with all these issues before it goes for consideration by the planning inspector or the minister so that the residents and taxpayers of Tonbridge may have a full understanding of the proposals, which are likely to affect them far more than the inhabitants of Tunbridge Wells.

As Tonbridge residents we feel that the draft reveals that the Tunbridge Wells Council, concerned about development in its own back yard, has cynically decided to place that development in Tonbridge's back yard, with Tonbridge being expected to pick up many of the ancillary costs, financial, social and environmental.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

For office use only

If responder hasn't ticked an option on this box, data inputter to tick 'not stated' box. Not Stated

Comment

Consultee	Mr Tim Hickling [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Rother District Council
Address	Town Hall London Road BEXHILL-ON-SEA TN39 3JX
Event Name	Pre-Submission Local Plan
Comment by	Rother District Council [REDACTED]
Comment ID	PSLP_120
Response Date	06/05/21 14:59
Consultation Point	Section 4: The Development Strategy and Strategic Policies (View)
Status	Processed
Submission Type	Email
Version	0.5
Data inputter to enter their initials here	KJ
Question 1	
Respondent's Name and/or Organisation	Rother District Council
Question 3	
To which part of the Local Plan does this representation relate?	Paragraph(s)
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

4.12, 4.13

Question 4

Do you consider that the Local Plan:

Is legally compliant	Yes
Is sound	Yes
Complies with the Duty to Cooperate	Yes

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

Rother District Council (RDC) has had regular and continued Duty to Cooperate meetings with Tunbridge Wells Borough Council (TWBC) to discuss the progress of our respective local plans and to address any emerging or evolving cross-boundary strategic planning matters. RDC are content that these have been addressed in the Pre-Submission Local Plan.

At this moment in time, RDC is not at a significantly advanced stage in the production of its new Local Plan to determine whether it will require neighbouring planning authorities to assist in helping meet any unmet local development (housing and employment) needs. We acknowledge in para 4.13 of the Tunbridge Wells Pre-Submission Local Plan, that reference is made to changing circumstances in relation to the position of neighbouring planning authorities, which would apply to RDC. We also appreciate that the development strategy has built in a certain degree of flexibility, in seeking to deliver a quantum of housing development above the calculated standard method for local housing need for the Borough.

Within this section of the Local Plan there are two minor typographical errors to note:

Para. 4.8 refers to the current year (rather than the start of the planning period) as 2020; and

Para 4.17 refers to a figure of 7,721 rather than 7,221 as stated in Table 3.

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan 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.

RDC do not consider any major modifications are required.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Question 8

If you have any separate comments you wish to make on the accompanying Sustainability Appraisal, please make them here.

RDC have no comments to make on the SA/SEA.

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Supporting Information File Ref No: SI_3

Comment

Consultee	David Rowlands [REDACTED]
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	David Rowlands [REDACTED]
Comment ID	PSLP_83
Response Date	04/05/21 16:25
Consultation Point	Policy STR/SS 1 The Strategy for Paddock Wood, including land at east Capel (View)
Status	Processed
Submission Type	Web
Version	0.2
Files	Planning refusal 1801767.pdf (1)
Question 1	
Respondent's Name and/or Organisation	David Rowlands
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy STR/SS 1 The Strategy for Paddock Wood	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Don't know
Is sound	No
Complies with the Duty to Cooperate	Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not effective
- . It is not justified
- . It is not consistent with national policy

Question 5

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I am a retired resident of Tonbridge and have lived here for 45 years, I worked in the town for over 20 years and now a regular walker in the area and an active member in the community.

Please add my contact details to your consultation database so that I can be kept informed of all future consultations on Planning Policy documents. I understand that my comments will be published by the Borough Council, including on its website.

I am writing to object to

The Strategy for Paddock Wood" (Policy STR/SS 1).

Your plan to create a garden settlement of at 2,800+ at Tudeley and 4,000 at Paddock Wood will cause nothing but harm to the local community, environment and wellbeing of the residents of the Parishes of Capel, Paddock Wood and the residents of Tonbridge. The only benefits are to **TWBC** through receiving the council tax of these new dwellings and that it solves 60% of what we believe is their incorrect housing targets with one Vendor without them having to investigate their local brown field sites and other smaller sites within Tunbridge Wells and that they would happily use 600 acres of our green belt.

- 1 My objections are as follows: - (Please note you have already rejected planned building in this area for building only 6 B&B rooms)
- 2 **GREEN BELT:** - Losing 600 acres of Green belt and creating so much housing in Capel Parish will require the destruction of woodland, hedgerows, meadows, and farmland that is Green Belt land and should be protected. It will spoil the landscape and kill wildlife, clean air, and This area should remain rural with agricultural land that can be used to provide food. And to quote from Rejected building application 31st July 2018 **REFERENCE: 18/01767/FULL**.

The proposal would constitute **inappropriate development within the Metropolitan Green Belt**, which by definition is harmful to its openness. There is **insufficient evidence** of the necessary 'very special circumstances' **to overcome this harm**. The proposal is thus contrary to **Policy MGB1** of the Tunbridge Wells Borough Local Plan 2006, Core Policy 2 of the Tunbridge Wells Borough Core Strategy 2010, and the National Planning Policy Framework 2018. The proposal, by virtue of creating new buildings with associated domestic paraphernalia, works to alter the land levels and potential additional impacts from further parking and works in close proximity to the trees at the rear would have more than a minimal impact on the landscape character of the locality. It would not conserve and enhance the rural landscape, nor would it protect the countryside for its own sake, nor preserve the interrelationship between the natural and built features of the landscape. The overall impact is harmful to the rural character of the area. It would thus be contrary to saved **Policies LBD1, EN1 and EN25** of the Tunbridge Wells Borough Local Plan 2006, Core Policies 4, 5, and 14 of the Tunbridge Wells Borough Core Strategy Development Plan Document 2010, the National Planning Policy Framework 2018 and the Planning Practice Guidance.

- 1 **FLOODING:** - Note the danger of Flooding and threat to life as highlighted in rejected planning (quote from Rejected building application 31st July 2018 **REFERENCE: 18/01767/FULL**). It has not been demonstrated that the occupiers of the development would not be at risk from flooding or that the development would not increase flood risk elsewhere. Therefore, the development is likely to result in a risk to human life from flooding and is contrary to policies EN18 of the Tunbridge Wells Borough Local Plan 2006 and Core Policy 5 of the Tunbridge Wells Borough Core Strategy 2010, guidance in the National Planning Policy Framework 2018 and the Planning Practice Guidance
- 2 **TRAFFIC:** - Increase in traffic in the region of 5000 vehicles on already congested roads in particular B2017 that will cause extreme high levels of Carbon dioxide (CO2) near at least 6 local schools queuing at current road junctions and roundabouts. The Office for National Statistics: - Household Labour Force Survey shows that: Percentage of households by combined economic status, April to June 2019 that 60% of households have both residents working which means at least one will use a car and 26% have one family member working which again no doubt will be using a car. I will be interested to see how you as stated achieve “ Zero and low carbon energy production to be considered during early design stages”
- 3 **INFRASTRUCTURE:** - Unacceptable increase of pressure and stress on local Tonbridge Doctors, Schools, Buses, Roads, and Parking, Tonbridge will become this garden settlement's town of choice as its much closer than Tunbridge Wells.
- 4 **TRAINS:** - Unacceptable increase of commuters on already overcrowded trains at Tonbridge with no room for any increase in carriages due to length of platforms.
- 5 **PARKING:** - Insufficient parking in and around Tonbridge now.
- 6 **SCHOOL:** - The proposed new senior school will draw children in from all of West Kent. It is a 40-minute walk from the over busy station of Tonbridge. And the plan has a railway line at the back of the school grounds.
- 7 **HERITAGE:** - Damage to environment around a very important prized heritage site – All Saints Church at Tudeley, with its world renowned stained unique stained-glass windows.
- 8 **Community:** - This plan will divide the communities of Capel, Tudeley, Paddock Wood, and Tonbridge who will pay the price for this disastrous planning application that threatens the wellbeing of all of these communities.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

If you would like to attach a file in support of your comments, please upload it here. [Planning refusal 1801767.pdf \(1\)](#)

Future Notifications

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Yes, I wish to be notified of future stages of the Local Plan

Supporting Information File Ref No: SI_3

Comment

Consultee	David Rowlands [REDACTED]
Email Address	[REDACTED]
[REDACTED]	
[REDACTED] Name	Pre-Submission Local Plan
Comment by	David Rowlands [REDACTED]
Comment ID	PSLP_82
Response Date	04/05/21 16:17
Consultation Point	Policy STR/SS 3 The Strategy for Tudeley Village (View)
Status	Processed
Submission Type	Web
Version	0.2
Files	Planning refusal 1801767.pdf
Question 1	
Respondent's Name and/or Organisation	David Rowlands
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy STR/SS 3 Strategy for Tudeley Village	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Don't know
Is sound	No
Complies with the Duty to Cooperate	Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not effective
- . It is not justified
- . It is not consistent with national policy

Question 5

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Your plan to create a garden settlement of at 2,800+ at Tudeley and 4,000 at Paddock Wood will cause nothing but harm to the local community, environment and wellbeing of the residents of the Parishes of Capel, Paddock Wood and the residents of Tonbridge. The only benefits are to **TWBC** through receiving the council tax of these new dwellings and that it solves 60% of what we believe is their incorrect housing targets with one Vendor without them having to investigate their local brown field sites and other smaller sites within Tunbridge Wells and that they would happily use 600 acres of our green belt.

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- 1 **FLOODING:** - Note the danger of Flooding and threat to life as highlighted in rejected **planning** (quote from Rejected building application 31st July 2018 **REFERENCE: 18/01767/FULL**). It has not been demonstrated that the occupiers of the development **would not be at risk from**

flooding or **that the development would not increase flood risk elsewhere**. Therefore, the development is **likely to result in a risk to human life from flooding** and is contrary to policies EN18 of the Tunbridge Wells Borough Local Plan 2006 and Core Policy 5 of the Tunbridge Wells Borough Core Strategy 2010, guidance in the National Planning Policy Framework 2018 and the Planning Practice Guidance

- 2 **TRAFFIC:** - Increase in traffic in the region of 5000 vehicles on already congested roads in particular B2017 that will cause extreme high levels of Carbon dioxide (CO2) near at least 6 local schools queuing at current road junctions and roundabouts. The Office for National Statistics: - Household Labour Force Survey shows that: Percentage of households by combined economic status, April to June 2019 that 60% of households have both residents working which means at least one will use a car and 26% have one family member working which again no doubt will be using a car. I will be interested to see how you as stated achieve “ Zero and low carbon energy production to be considered during early design stages”
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Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . No, I do not wish to participate in examination hearing session(s)

If you would like to attach a file in support of your comments, please upload it here. [Planning refusal 1801767.pdf](#)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box: Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	██████████
Email Address	██
Company / Organisation	Royal Tunbridge Wells Town Forum
Address	- - - -
Event Name	Pre-Submission Local Plan
Comment by	Royal Tunbridge Wells Town Forum ██████████
Comment ID	PSLP_825
Response Date	01/06/21 08:15
Consultation Point	Vision and Strategic Objectives 1 Vision (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Royal Tunbridge Wells Town Forum
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Vision and Strategic Objectives 1 Vision	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes

Is sound

Don't know

Complies with the Duty to Cooperate

Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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We broadly support the vision and objectives 1 policy so far as Royal Tunbridge Wells and Southborough are concerned but are unable to judge its soundness across the whole of the Borough.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Royal Tunbridge Wells Town Forum
Address	- - - -
Event Name	Pre-Submission Local Plan
Comment by	Royal Tunbridge Wells Town Forum [REDACTED]
Comment ID	PSLP_826
Response Date	01/06/21 08:15
Consultation Point	Vision and Strategic Objectives 2 Strategic Objectives (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Royal Tunbridge Wells Town Forum
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Vision and Strategic Objectives 2 Strategic Objectives

Question 4

Do you consider that the Local Plan:

Is legally compliant	Yes
Is sound	Yes
Complies with the Duty to Cooperate	Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

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We broadly support the vision and objectives 2 policy. We consider that paragraph 4 of the policy should also refer to building at a density which makes efficient use of land as required by paragraph 123 of the NPPF.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Royal Tunbridge Wells Town Forum
Address	- - - -
Event Name	Pre-Submission Local Plan
Comment by	Royal Tunbridge Wells Town Forum [REDACTED]
Comment ID	PSLP_827
Response Date	01/06/21 08:15
Consultation Point	Policy STR 1 The Development Strategy (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Royal Tunbridge Wells Town Forum
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy STR 1 The Development Strategy	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes

Is sound

Don't know

Complies with the Duty to Cooperate

Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

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Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

We generally support paragraphs 1,2,5,6,8 and 9 of Policy STR 1.

We are unable to judge whether paragraphs 3, 4 and 7 are sound and in particular whether proposed loss of Green Belt land around Royal Tunbridge Wells for residential purposes is actually justified by exceptional circumstances when so much scope seems to exist for densification of certain allocations and redevelopment within the LBD of the existing town and in other settlements. The Brownfield and Urban Topic Paper (January 2021) makes reference to use of an indicative density of 45dph (compared to the 30dph in the SHELAA), which is little more than a poor suburban density in a large conurbation.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

Yes, I wish to participate in hearing session(s)

Question 7a

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

So that we can illustrate for the inspector the scope for increases in density of allocations within RTW and for redevelopment of areas of the town to yield higher housing numbers.

Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Royal Tunbridge Wells Town Forum
Address	- - - -
Event Name	Pre-Submission Local Plan
Comment by	Royal Tunbridge Wells Town Forum [REDACTED]
Comment ID	PSLP_828
Response Date	01/06/21 08:15
Consultation Point	Policy STR 2 Place Shaping and Design (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Royal Tunbridge Wells Town Forum
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy STR 2 Place Shaping and Design	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes

Is sound

Yes

Complies with the Duty to Cooperate

Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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We generally support the provisions of this policy but advocate that greater use of masterplanning, (as provided for under Policy STR 4), should be made whenever justified and not just on major allocations.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Comment

Consultee	██████████
Email Address	██
Company / Organisation	Royal Tunbridge Wells Town Forum
Address	- - - -
Event Name	Pre-Submission Local Plan
Comment by	Royal Tunbridge Wells Town Forum ██████████
Comment ID	PSLP_831
Response Date	01/06/21 08:15
Consultation Point	Policy STR 3 Brownfield Land (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Royal Tunbridge Wells Town Forum
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy STR 3 Brownfield Land	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes

Is sound

Yes

Complies with the Duty to Cooperate

Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

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We strongly support the provisions of this policy. Together with intensification when Brownfield land is redeveloped, this should be capable of eliminating the loss of Green Belt around RTW both now and in the future and allow the creation of an ever more sustainable community to combat climate change.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Royal Tunbridge Wells Town Forum
Address	- - - -
Event Name	Pre-Submission Local Plan
Comment by	Royal Tunbridge Wells Town Forum [REDACTED]
Comment ID	PSLP_835
Response Date	01/06/21 08:15
Consultation Point	Policy STR 4 Ensuring Comprehensive Development (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Royal Tunbridge Wells Town Forum
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR 4 Ensuring Comprehensive Development

Question 4

Do you consider that the Local Plan:

Is legally compliant	Yes
Is sound	Yes
Complies with the Duty to Cooperate	Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

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We strongly support the masterplanning approach in this policy as against the unfortunately failed policy of "Areas of Change" under the present Local Plan. We also strongly support the use of Supplementary Planning Documents in relation to sites of any importance in Royal Tunbridge Wells and in the Borough as a whole. We also welcome the opportunity for greater participation as stakeholders, for example in the development of the proposed Town Centre Area Plan.

The greater use of compulsory purchase powers, where appropriate, is also supported in the context of a masterplanning approach to major developments in RTW and elsewhere in the Borough.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Royal Tunbridge Wells Town Forum
Address	- - - -
Event Name	Pre-Submission Local Plan
Comment by	Royal Tunbridge Wells Town Forum [REDACTED]
Comment ID	PSLP_836
Response Date	01/06/21 08:15
Consultation Point	Policy STR 5 Infrastructure and Connectivity (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Royal Tunbridge Wells Town Forum
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy STR 5 Infrastructure and Connectivity	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes

Is sound

Don't know

Complies with the Duty to Cooperate

Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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We generally support the provisions of this policy but are unable to judge (and have a certain scepticism as to) how effective they may be in practice in delivering required infrastructure in a timely manner or at all, given that so much lies outside the Council's direct control.

The requirement that developers should contribute sums satisfactory to the Council when their development creates a need for new or improved infrastructure is strongly supported though we have doubts as to how adequate contributions will be in practice. The policy provision for effective monitoring paid for by the developer seems a considerable improvement over current practice.

Provisions on education, health and water appear imprecise. Although it is recognised that TWBC is not the lead authority in respect of any of these services, we believe that it should draw attention to the lack of joined up thinking by some responsible Authorities such as KCC, which continues to follow school siting policies that substantially increase traffic congestion in RTW with resulting damage to public health and the urban environment. KCC must in future pay more attention to the climate emergency across all its policies.

The provisions on green, grey and blue infrastructure are supported but It will be essential for adequate funds to be secured from all available sources, including from developers, to make these provisions a reality.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Royal Tunbridge Wells Town Forum
Address	- - - -
Event Name	Pre-Submission Local Plan
Comment by	Royal Tunbridge Wells Town Forum [REDACTED]
Comment ID	PSLP_837
Response Date	01/06/21 08:15
Consultation Point	Policy STR 6 Transport and Parking (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Royal Tunbridge Wells Town Forum
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy STR 6 Transport and Parking	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes

Is sound

No

Complies with the Duty to Cooperate

Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not effective
- . It is not justified
- . It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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Data about the scale of the opportunity for active travel is lacking in the policy. For example, around 2/3 of journeys are under 5 miles and significant numbers of these could be completed by active travel, if the conditions were right. The policy needs to go further to analyse the scale of opportunity and to introduce additional incentives and choice for residents to use active travel modes, **before** considering expensive, climate unfriendly road engineering schemes.

We broadly support paragraph 1 of the policy.

We strongly support the more specific objectives set out under **points (a) and (b) of paragraph 2** in relation to Active Travel and Public Transport.

However we consider that some of paragraph 2(c) is unsound.

Paragraph 2(c) Highway network

We believe that the proposal in paragraph 2(c)(iii) to build a **new roundabout on the A264** at the junction with Halls Hole Road and Blackhurst Lane is unsound, is not justified or consistent with national policy and would be ineffective in reducing the motor traffic congestion which is put forward as a reason to build it. It would significantly increase traffic along neighbouring Halls Hole Road and Cornford Lane to an unacceptable level.

Cornford Lane and Halls Hole Road are two historic Rural Lanes lying within and overlooking the High Weald Area of Outstanding Natural Beauty. Cornford Lane ranks 3rd highest value out of 167 local lanes in TWBC's Rural Lanes Planning Guidance document and both roads provide rich biodiverse habitat. They also offer unique potential less than 2 miles from Tunbridge Wells for 'Active Travel' through an area of high landscape and amenity value which connects Tunbridge Wells, Pembury, Hawkenbury, Sherwood and Dunorlan Park, and links to High Woods Lane and the Tonbridge Cycle Route via Blackhurst Lane extend this potential further. Loss of this amenity would **not be justified**.

A similar roundabout scheme was proposed some time past for Southborough on the A26 at the junction with Speldhurst Road and Yew Tree Road. On proper professional analysis of traffic patterns, it was found to be a proposal which could worsen the existing congestion and was not implemented, a modified traffic light scheme being substituted. We believe the A264 roundabout scheme would also be proved **ineffective** upon closer scrutiny.

A number of similar issues as at Southborough arise with the proposal for an additional A264 roundabout. Such a roundabout would encourage greater rat-running along the unsuitable Halls Hole Road which is actually a narrow lane on most of its length with some high retaining walls/banks in parts which are hazardous to motor traffic. In doing so it would also encourage additional traffic on

Forest Road, which is a residential road for local traffic. This is one reason why the roundabout proposal is **not justified**.

The proposal would be **ineffective** in encouraging active travel in the vicinity because it would worsen the environment and road safety for walkers and cyclists who could otherwise advantageously use Halls Hole Road and Blackhurst Lane for active travel across the eastern side of RTW, including to the Skinners Kent Academy, to Dunorlan Park, to the proposed sports hub at Hawkenbury and to and from Pembury. In this, the proposal would also be **contrary to national policy and to paragraph 8 of STR/RTW 1** which seek to encourage active travel.

Furthermore, account must also be taken of Policy AL/RTW 19, the proposed development of a sports hub with sports pitches, stadium and car parking at Hawkenbury. It would be accessed from High Woods Lane which adjoins Halls Hole Road which would inevitably increase traffic using this highly unsuitable road and Cornford Lane which are already heavily used rat runs. A roundabout on Pembury Road at the junction with Halls Hole Road would drive unsustainable levels of traffic to these new facilities along what are country lanes past residential properties, the town's largest and well-used public park and allotments. This is **not justified**.

The point at which the roundabout would be situated is on an Arcadian section of the Pembury Road A264 and would have a detrimental effect on the local environment. It would seriously change the leafy and Arcadian character of Pembury Road, which is an important historic landscape approach to RTW with many large 19thC mansions discreetly hidden behind leafy frontages. It maintains part of the overall charm of a town which still manages to avoid intrusive road infrastructure within its heart. Loss of this feature would **not be justified**, particularly as the proposal would not prove effective in reducing motor traffic and congestion.

Finally the very substantial cost of the roundabout proposal would **not be justified** in the context of other transport needs in RTW of a much more urgent order, such as improvements to active travel corridors and Low Traffic Neighbourhoods which also figure in Policy STR 6 and which we strongly support.

Remaining parts of paragraph (c)

We cannot judge how justified or effective the remaining proposals concerning the highway network may be but we express doubts as to whether they are consistent with national policy to reduce and minimise motor traffic inter alia in the context of climate change reduction.

Whilst the Town Forum recognises the ambition of this Plan to integrate the transport approaches to development, we find that paragraph 2c fails to ensure mitigation of the impact of the several developments within the plan on the urban centre of Tunbridge Wells. It only ensures mitigating the impact to an 'acceptable degree' without defining what is 'acceptable' (by % increase in traffic flows, parking pressures, HGVs cross town traffic, etc.) and to whom it is 'acceptable'. The urban centre of Tunbridge Wells already suffers from traffic issues, and more traffic will heighten these issues, and detract from successful implementation of active travel proposals for cycling and pedestrian, and hinder the uptake of public transport services, particularly buses.

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan 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.

In the opening part of paragraph 2 there is a point (c) which reads "there are necessary improvements to the existing highway network and infrastructure to mitigate and address the impact of development

to an acceptable degree and ensure highway safety". These words should be replaced by the words: "there are necessary improvements to the existing highway network and infrastructure to mitigate **and minimise** the impact of development on existing communities and **to ensure safety for all road users, particularly those that are more vulnerable**".

Section 2(b)(3)

This should specifically include measures to reduce pollution from public transport, particularly buses. Whilst uptake of bus travel is low in Tunbridge Wells, there is a large school bus operation feeding the secondary schools in Tunbridge Wells which, because of the poor quality of the bus fleets, is a source of pollution particularly along the A26 corridor which is already an AQMA, and the surrounding streets. There is the need to urgently work with bus operators to only use alternatives to diesel that are much less polluting such as electric or hydrogen, as well as look at new technologies and services.

Amend the text as follows:

b Public Transport

3. Working with Kent County Council and bus operators to retain and enhance existing bus services and infrastructure, minimising pollution by changing the bus fleet from diesel fuel to less polluting sources of energy, and exploring options for innovation in vehicle types and in demand responsive services;

Section 2(c)(iii) A264

The Local Plan could be made sound by **abandoning the A264 roundabout proposal**. Instead, further refinement of the traffic light system might be contemplated, preferably including filtered permeability on Halls Hole Road in order to encourage active travel, probably by closing the road at the junction with the A264 to through motor traffic. The very high cost of the proposed scheme should be re-allocated as funding for active travel routes which would produce a much higher long term cost benefit, including improvements in health within RTW.

Amend paragraph 2(c)(iii) by deleting the words "and a roundabout at the Pembury Road/Halls Hole Road/Blackhurst Lane".

Omitted from the Regulation 18 Draft

The Regulation 18 Draft contained a paragraph which stated "Provision of increased ability to travel by rail to Gatwick will be encouraged, as will additional/better services to London". This should be reinstated.

Question 7

***Please note** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.*

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? Yes, I wish to participate in hearing session(s)

Question 7a

***Please note** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.*

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

We believe that the full arguments against the A264 roundabout proposal need to be heard by the Inspector.

Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Royal Tunbridge Wells Town Forum
Address	- - - -
Event Name	Pre-Submission Local Plan
Comment by	Royal Tunbridge Wells Town Forum [REDACTED]
Comment ID	PSLP_838
Response Date	01/06/21 08:15
Consultation Point	Policy STR 7 Climate Change (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Royal Tunbridge Wells Town Forum
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy STR 7 Climate Change	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes

Is sound

Yes

Complies with the Duty to Cooperate

Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

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We strongly support the introduction as a separate Policy of these important provisions. We hope that any apparently inconsistent policies elsewhere in the Plan will generally be overridden by the STR 7 policies whenever there is any apparent conflict.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Royal Tunbridge Wells Town Forum
Address	- - - -
Event Name	Pre-Submission Local Plan
Comment by	Royal Tunbridge Wells Town Forum [REDACTED]
Comment ID	PSLP_839
Response Date	01/06/21 08:15
Consultation Point	Policy STR 8 Conserving and Enhancing the Natural, Built, and Historic Environment (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Royal Tunbridge Wells Town Forum
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR 8 Conserving and Enhancing the Natural, Built, and Historic Environment

Question 4

Do you consider that the Local Plan:

Is legally compliant	Yes
Is sound	Yes
Complies with the Duty to Cooperate	Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

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The Town Forum strongly support this policy and the enhancements which have been incorporated since the Regulation 18 Draft. This is a key policy to ensure that the character of both the natural environment and heritage built environment in and around Royal Tunbridge Wells will receive proper stewardship and protection during the Plan period. This fairly unique combination of an extremely fine natural environment and built heritage is fundamental to the charm of the town and has a tangible economic value in terms of leisure and tourism, both of which are likely to grow in future years.

We strongly support the policy concerning designated and non-designated heritage assets and will be pleased to work with TWBC in identifying, conserving and enhancing further non-designated heritage assets within the unparished area.

We also strongly support the reference to green corridors and green infrastructure networks, which play an important role within Royal Tunbridge Wells.

Question 7

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No, I do not wish to participate in examination hearing session(s)

Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Royal Tunbridge Wells Town Forum
Address	- - - -
Event Name	Pre-Submission Local Plan
Comment by	Royal Tunbridge Wells Town Forum [REDACTED]
Comment ID	PSLP_840
Response Date	01/06/21 08:15
Consultation Point	Policy STR 9 Green Belt (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Royal Tunbridge Wells Town Forum
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy STR 9 Green Belt	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes

Is sound

No

Complies with the Duty to Cooperate

Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not effective
- . It is not justified
- . It is not consistent with national policy

Question 5

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STR9 Sound policies

The release of Green Belt land around RTW should only occur in exceptional circumstances. If exceptional circumstances should ever be proven, The Town Forum favours an approach that results in the release of the least damaging parcels of land in landscape, heritage and nature/wildlife conservation terms, taking full account of the evidence base. In that context we strongly support the Council's decisions against allocation of the sites we have listed in our response to policies STR/RTW 1&2.

STR 9 Unsound policies

The Town Forum disputes the statement that "*This Plan removes land from the Green Belt, which has been fully justified through the consideration of reasonable alternatives and it is supported by 'exceptional circumstances'*", insofar as this has been used to justify draft allocations **AL/RTW5 Caenwood** and **AL/RTW16 Spratsbrook**.

It is a rather overlooked fifth purpose of the Green Belt "*to assist in urban regeneration by encouraging the recycling of derelict and other urban land*". We do not believe that sufficient attention has been given to this as a factor which would justify the maintenance of the land at sites AL/RTW5 and AL/RTW16 within the Green Belt. Consequently, the proposed removals are **not consistent with national policy** and **unjustified**.

We contend in other parts of our response to this consultation, notably under policies **STR/RTW 1&2**, that densities of redevelopments in Royal Tunbridge Wells should be significantly increased, in line with the incentive given by purpose number 5 of the Green Belt and to avoid unrestricted urban sprawl, which is purpose number 1. We also contend that reasonable alternatives exist within the LBD in the next 5 years to find sufficient other sites to make up the numbers proposed to be allocated for housing at sites AL/RTW5 and AL/RTW16. At present, we consider the Draft to be **ineffective** in its consideration of alternatives.

We also contend that the drafting of the following part of policy STR9 is unclear in relation to land which is claimed to have been *already* removed from the Green Belt. It states; "*The Council will seek improvements to the environmental quality and accessibility of the surrounding Green Belt from all relevant development within the Green Belt*". In a policy which is intended to apply for the whole of the plan period, it is not clear whether this is intended to apply only to future removals from the Green Belt or also to apply to the land which is purported to have been already removed before current allocations have been made under the Plan. This, and the general ambit of this part of the policy, needs to be clarified as it could be inconsistent with national policy.

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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If the Inspector should be satisfied with our arguments, we would request that sites AL/RTW5 and AL/RTW16 should be maintained in the Green Belt. Alternatively, as we argue in more detail under policy AL/RTW2, the Inspector might choose to safeguard both sites for potential future development outside the Plan period, if all reasonable alternatives within the LBD have been exhausted by then.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . Yes, I wish to participate in hearing session(s)

Question 7a

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Because we believe that the full arguments against the soundness of removal from the Green Belt to make allocations RTW5 Caenwood and RTW 16 Spratsbrook should be heard by the Inspector.

Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Royal Tunbridge Wells Town Forum
Address	- - - -
Event Name	Pre-Submission Local Plan
Comment by	Royal Tunbridge Wells Town Forum [REDACTED]
Comment ID	PSLP_841
Response Date	01/06/21 08:15
Consultation Point	Policy STR 10 Neighbourhood Plans (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Royal Tunbridge Wells Town Forum
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy STR 10 Neighbourhood Plans	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes

Is sound

Yes

Complies with the Duty to Cooperate

Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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We support this concept within the Borough although its application to the unparished area raises many issues which have so far been impractical to resolve.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Royal Tunbridge Wells Town Forum
Address	- - - -
Event Name	Pre-Submission Local Plan
Comment by	Royal Tunbridge Wells Town Forum [REDACTED]
Comment ID	PSLP_842
Response Date	01/06/21 08:15
Consultation Point	Policy STR/RTW 1 The Strategy for Royal Tunbridge Wells (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Royal Tunbridge Wells Town Forum
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR/RTW 1 The Strategy for Royal Tunbridge Wells

Question 4

Do you consider that the Local Plan:

Is legally compliant	Yes
Is sound	No
Complies with the Duty to Cooperate	Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not effective
- . It is not justified
- . It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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STR/RTW1 Sound policies

The Royal Tunbridge Wells Town Forum supports most of policy STR/RTW 1.

We **strongly support paragraphs 2 and 3** which provide for intensification of densities on allocated sites and windfall developments and the efficient use of Previously Developed Land. This should reduce pressure to develop land in the Green Belt and AONB surrounding the town.

Under **paragraph 4**, the proposed business park (allocated as **AL/RTW 17**) is in the Green Belt and AONB, but we accept that exceptional circumstances involving the whole economy of the Borough can be made out and therefore do not object to the allocation, which already has planning permission in any case. We **strongly support** the proposed open space and buffer, to be retained and managed for the lifetime of the development to provide mitigation for negative landscape and biodiversity effects, and the existing hedgerows and mature trees and ancient woodland in what is a very sensitive landscape location.

We **strongly support paragraph 5** which seeks to ensure retention, expansion and intensification of employment and leisure uses in the main employment area.

We **strongly support paragraph 6** which establishes a Town Centre Action Plan to ensure the long term vitality and viability of the town centre and its commitment to include the Royal Tunbridge Wells Town Forum, as a key stakeholder We anticipate being actively involved in contributing to the plan for development in the town and to the use of PDL and this should reduce pressure to develop land in the adjacent Green Belt and AONB.

We **strongly support paragraph 7** in relation to mixed use developments and, in the light of our comments above, hope the TCAP will bring forward several more.

The Town Forum also **strongly supports paragraphs 8 and 9 on active travel and bus services**. Perhaps as much as half the congestion in our town arises from short local trips which could be eliminated altogether by the provision of adequate active travel infrastructure and more frequent bus services. Transport policies in the Local Plan support national policy on Active Travel and increasing densities in our town centre to reduce urban sprawl will contribute to greater active and sustainable travel.

We generally support **paragraphs 11,12, 13, 14, 16** and also **paragraph 18** on developer contributions.

We are neutral concerning the proposals for a sports hub at Hawkenbury on land to the north of Hawkenbury Recreation Ground under **paragraph 15 of policy STR/RTW1 and site allocation AL/RTW 19**. While we support it in principle with the exceptional use of Green Belt and AONB which would allow housing development within the Limits to Built Development of parts of some other existing sports facilities, we are very concerned about the additional car journeys which seem inevitable unless active travel infrastructure is first provided across the urban area to a much greater extent than is planned or is likely to be financed in the near future. Many of these car journeys would be on the highly unsuitable Halls Hole Road and Cornford Lane, which are both ancient Rural Lanes where the future emphasis should be on active travel.

STR/RTW1 Unsound Policies

Unfortunately, we also consider that two paragraphs of policy STR/RTW1 are **unsound** because the proposals appear to be **unjustified** and **inconsistent with national policy**.

Paragraph 1 of STR/RTW 1

We consider allocations under STR/RTW 1 of **AL/RTW 5** at Caenwood Farm and **AL/RTW 16** at Spratsbrook Farm to be unsound.

Both these sites are within the Green Belt and adjoining or adjacent to AONB and we do not believe that loss of this Green Belt land is justified by any current exceptional circumstances. These two proposed allocations would also not be **effective** in making efficient use of land in Royal Tunbridge Wells (as is required under paragraph 123 of the NPPF) and would therefore **not be consistent with national policy**.

If there is shown to be a deficit in housing numbers for RTW, this could be remedied without their allocation. We develop our arguments further in our response to policy STR/RTW 2.

Paragraph 10 of STR/RTW 1

While the Town Forum supports most of policy STR/RTW 1, we do not believe that the proposal to build a **new roundabout on the A264** at the junction with Halls Hole Road and Blackhurst Lane is sound, **is not justified or consistent with national policy and would be ineffective** in reducing the motorised traffic congestion which is put forward as a reason to build it.

A similar roundabout scheme was proposed for Southborough on the A26 at the junction with Speldhurst Road and Yew Tree Road. After professional analysis of traffic patterns, it was found to be likely to worsen the existing congestion and was not implemented, a modified traffic light scheme being substituted. We believe the A264 roundabout scheme would be proved ineffective upon closer scrutiny.

A number of similar issues arise again with the proposal for an additional A264 roundabout. It would encourage greater rat-running along the unsuitable Halls Hole Road which is actually a narrow lane on most of its length with some high retaining walls/banks which are hazardous to motor traffic. In doing so it would also encourage additional traffic on Forest Road, which is a residential road and should not be used for other than local traffic. This is one reason by the roundabout proposal is not justified.

The proposal would be **ineffective** in encouraging active travel in the vicinity because it would worsen the environment and road safety for walkers and cyclists who could otherwise advantageously use Halls Hole Road and Blackhurst Lane for active travel across the eastern side of RTW, including to the Skinners Kent Academy, to Dunorlan Park, to the proposed sports hub at Hawkenbury and to and from Pembury. In this, the proposal would also be **contrary to national policy and to paragraph 8 of STR/RTW 1** which seek to encourage active travel and also contrary to **policy EN3** on reducing climate change.

Furthermore, account must also be taken of Policy AL/RTW 19, the proposed development of a sports hub with sports pitches, stadium and car parking at Hawkenbury. It would be accessed by car from High Woods Lane which adjoins Halls Hole Road which would inevitably increase traffic using this highly unsuitable road and Cornford Lane which are already heavily used rat runs. A roundabout on Pembury Road at the junction with Halls Hole Lane would drive unsustainable levels of traffic to these new facilities along what are country lanes, past residential properties, the town's largest and well-used public park at Dunorlan and allotments. This is **not justified**.

The point at which the roundabout would be situated is on an Arcadian section of the Pembury Road A264 and would have a detrimental effect on the local environment. It would seriously change the

leafy and Arcadian character of Pembury Road, which is an important historic landscape approach to RTW with many large 19thC mansions discreetly hidden behind leafy frontages. It maintains part of the overall charm of a town which still manages to avoid intrusive road infrastructure within its heart. Loss of this feature would **not be justified**, particularly as the proposal would not prove effective in reducing motor traffic and congestion.

Finally the very substantial cost of the roundabout proposal would **not be justified** in the context of other transport needs in RTW of a much more urgent order, such as improvements to active travel corridors and Low Traffic Neighbourhoods which also figure in Policy STR 6 and which we strongly support.

Question 6

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Paragraph 1 of STR/RTW 1

The Local Plan could be made sound by deleting draft policies AL/RTW 5 and AL/RTW 16 and achieving greater densification on other sites proposed for allocation and through bringing forward a number of sites within the defined town centre which are likely to be proposed under the forthcoming Town Centre Area Plan.

Paragraph 10 of STR/RTW 1

The Local Plan could be made sound by **abandoning the roundabout proposal** on the A264. Instead, further refinement of the traffic light system might be contemplated. The very high cost of the proposed scheme should be re-allocated as funding for active travel routes which would produce a much higher long term cost benefit, including improvements in health within RTW and might allow **mitigation of the negative traffic effects** of the proposed allocation AL/RTW 19 for a sports hub at Hawkenbury. We would support an alternative proposal which has been put forward to reduce traffic on Halls Hole Road and Cornford Lane thus reducing congestion at the A264 junction.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . Yes, I wish to participate in hearing session(s)

Question 7a

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

We wish to be heard both to amplify on aspects of policy STR/RTW1 which we support and to develop our arguments against paragraph 10 on the A264 roundabout and in relations to the proposed allocations in the Green Belt at Caenwood and Spratsbrook Farms.

Question 8

If you have any separate comments you wish to make on the accompanying Sustainability Appraisal, please make them here.

The Royal Tunbridge Wells Town Forum strongly supports the decision of TWBC not to allocate for development sites in the unparished area in the Green Belt and AONB identified in the 2021 version of the SHELAA and in the Sustainability Appraisal including:

Site Number and Site Address: Site 30 Caenwood/Whitgates Farm Reynolds Lane

We support the conclusion that this Green Belt site is unsuitable for development. The site is of significant landscape value and acts as buffer to the adjacent AONB and the setting of the historic house and Park at Salomons. It also acts as the only remaining tract of open land preventing coalescence of RTW and Southborough and is part of a Biodiversity Opportunity Area and adjoins a Local Wildlife Site. There are significant highway issues with the AQMA in Southborough/Tunbridge Wells on the A26. We are opposed to a small part of this site now being proposed for allocation as AL/RTW5, having been ruled out under the Regulation 18 Draft.

Site Number and Site Address: Site 39 Land adjoining Dunorlan Park

We support the conclusion that this Green Belt site is unsuitable for development. In the 2015 Royal Tunbridge Wells Forum document "Developing our Green Network" we suggested that this parcel of land should be considered for incorporation in Dunorlan Park if the necessary funds could be raised.

Site Number and Site Address: 73 Land South of Pembury Road

We support the conclusion that the site is unsuitable for development. It lies in the AONB and the southern parts of the site would have a significant adverse landscape effect if developed. There are also highway issues.

Site Number and Site Address: 99 Land north of Pembury Road

We support the conclusion that this Green Belt site is unsuitable for development. This site constitutes an important landscape approach when arriving in Royal Tunbridge Wells from Pembury Road. It is even more significant when leaving RTW as it clearly marks the point at which the settlement ends and prevents coalescence with Pembury.

Site Number and Site Address: 114 Land at Sandown Park

We support the conclusion that this Green Belt site is unsuitable for development, particularly the southern section, on landscape and highway concerns.

Site Number and Site Address: 116 Land south of Pembury Road

We support the conclusion that the site is unsuitable for development. It lies in the AONB and the southern parts of the site would have an adverse landscape effect if developed. There are also highway issues.

Site Number and Site Address: 165 Pantiles Car Park

We support the conclusion that the site is unsuitable for development. It would be inappropriate to

allow any built development on a site which is an integral part of Tunbridge Wells Common in a particularly sensitive location and important to the semi-rural setting of Royal Tunbridge Wells. Tunbridge Wells Common is a Local Wildlife Site and also an important place for green recreation.

Site Number and Site Address: 199 Land at Smockham Farm

We support the conclusion that this Green Belt site is unsuitable for development. The site is centred around a characteristic Wealden Farmstead of considerable antiquity and crossed by a non-designated heritage asset in the form of an ancient routeway which provides a recreational footpath linking the St John's area of RTW with the Woodland Trust owned Hurst Wood, Rusthall and Speldhurst.

Site Number and Site Address: 205 Land at Little Knoll Reynolds Lane

We support the conclusion that this site is unsuitable for development for landscape, highway and ecological reasons as part of a wider landscape in a Green Belt area which prevents coalescence of RTW and Southborough. It is close to Local Wildlife Site TW46 and Sites of Local Nature Conservation Value ID 08 and ID13 and development would be prejudicial to these sites

Site Number and Site Address: 226 St Marks Recreation Ground Frant Road

We support the conclusion that the site is unsuitable for development as it would result in the loss of a useful sports facility and because it sits on a landscape edge of RTW.

Site Number and Site Address: 280 Land at Midway Nevill Court

We support the conclusion that the site is unsuitable for development. It is Green Belt land and adjoins open countryside to the south west and to the east the iconic Arcadian parks and semi-rural setting of Hungershall Park and Nevill Park and to the west the 20th century parkland development of Nevill Court, which together form one of the jewels in the crown of Royal Tunbridge Wells' parkland developments. All would be adversely affected by any further development in the area.

Site Number and Site Address: 328 Land at Eridge Road

We support the conclusion that the site is unsuitable for development and should be retained as an important open space for the Ramslye estate and as a landscape approach to the town centre.

Site Number and Site Address: 384 Land at Great Bayhall

We support the conclusion that the site is unsuitable for development. This very large site is a visually prominent part of the AONB viewed from Cornford Lane and it marks the new boundary for Pembury formed by the A21 bypass, which was set into the landscape so as to be invisible from Cornford Lane and other parts of the nearby AONB. It also maintains a completely rural feel to the landscape adjoining Royal Tunbridge Wells and is an important landscape feature.

Site Number and Site Address: 434 Tutty's Farm Hawkenbury

We support the conclusion that the site is unsuitable for development. This Green Belt site adjoining the AONB sits in the middle of a fine landscape closed to the south west by Benhall Wood. No further development should be allowed to occur on this far side of Hawkenbury Road.

Although the following sites are just outside the unparished area of Royal Tunbridge Wells, we also support the decision not to allocate them because these un-allocated sites are important to the setting of Royal Tunbridge Wells and/or also serve to prevent the coalescence of RTW with other settlements:

Site Number and Site Address: 146 (Rusthall) Spa Golf Course and 22 Dingley Dell

We support the conclusion that these Green Belt sites are unsuitable for development. Site ref 22 Dingley Dell and Site ref 146 Spa Golf Course are within the Green Belt. It is acknowledged that very

great harm would arise if these sites were released from the Green Belt and we share that judgement. Site 146 provides an important wildlife corridor to and from nearby Hurst Wood linking into the Rusthall Common. It maintains an attractive setting to the edge of Royal Tunbridge Wells and prevents coalescence between the settlements of RTW and Rusthall. Site 22 partly adjoins it and shares the same characteristics. The sites also prevent coalescence between the settlements of RTW and Rusthall.

Site Number and Site Address: 49 (Capel) Land at Castle Hill Farm

We support the conclusion that the site is unsuitable for development. The western part of this site is AONB and Green Belt, part of a key landscape approach to RTW from the north and is visible not only from the railway line but also from the Tunbridge Wells Circular Walk. It is Town Forum policy to seek to maintain the integrity of this high quality landscape as the most significant green gateway to the urban area and a clearly visible barrier to coalescence of RTW with Tonbridge.

Site Number and Site Address: 62 (Capel) Land south of Devils Wood

We support the conclusion that the site is unsuitable for development. This site is AONB and Green Belt, part of a key landscape approach to RTW from the north and is visible not only from the railway line but also from the Tunbridge Wells Circular Walk. It is Town Forum policy to seek to maintain the integrity of this high quality landscape as the most significant green gateway to the urban area and a clearly visible barrier to coalescence of RTW with Tonbridge.

Site Number and Site Address: 77 (Capel) Land adjacent to Forest Farm

We support the conclusion that the site is unsuitable for development. This site is AONB and Green Belt, part of a key landscape approach to RTW from the north. It is Town Forum policy to seek to maintain the integrity of this high quality landscape as the most significant green gateway to the urban area and a clearly visible barrier to coalescence of RTW with Tonbridge. The northern part of the site, which is an open field, is one of the rare places in the area where it is still possible to hear the song of skylarks.

Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Royal Tunbridge Wells Town Forum
Address	- - - -
Event Name	Pre-Submission Local Plan
Comment by	Royal Tunbridge Wells Town Forum [REDACTED]
Comment ID	PSLP_843
Response Date	01/06/21 08:15
Consultation Point	Policy STR/RTW 2 Royal Tunbridge Wells Town Centre (View)
Status	Processed
Submission Type	Email
Version	0.2

Data inputter to enter their initials here AT

Question 1

Respondent's Name and/or Organisation Royal Tunbridge Wells Town Forum

Question 3

To which part of the Local Plan does this representation relate? Policy

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR/RTW 2 Royal Tunbridge Wells Town Centre

Question 4

Do you consider that the Local Plan:

Is legally compliant	Yes
Is sound	No
Complies with the Duty to Cooperate	Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not effective
- . It is not justified
- . It is not consistent with national policy

Question 5

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STR/RTW2 Sound Policies

The Royal Tunbridge Wells Town Forum **supports most of policy STR/RTW 2** about Royal Tunbridge Wells town centre, including the proposed allocations made **within** the Limits to Built Development of the town and the development of a **Town Centre Area Plan**, which we strongly support.

We note that Policy STR/RTW1 paragraph 2 seeks to “Provide additional housing which may be delivered through the redevelopment and intensification of allocated sites and other windfall development inside the defined Limits to Built Development”. We strongly advocate that the proposed densities on allocated sites should be reviewed with a view to greater densification when planning applications come forward for those sites. The proposal in the Draft that at least 150-200 additional dwellings may be found under the TCAP seems far too low, especially as TWBC owns a number of town centre sites which will be up for review under the TCAP

STR/RTW 2 Unsound Policies

The Town Forum is opposed to building in the AONB or the Green Belt unless exceptional circumstances have been made out. We consider the plan is **unsound** in relation to the proposed allocations under policy **AL/RTW5** and **AL/RTW16** because the allocations are **unjustified, ineffective** and **contrary to national policy** for the reasons we set out below:

Paragraph 123 of the NPPF states that “Where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site.” This situation clearly applies in RTW and we believe scope exists for some additional intensification in relation to sites within the LBD before looking outside the LBD. It is a rather overlooked fifth purpose of the Green Belt “to assist in urban regeneration by encouraging the recycling of derelict and other urban land”. We do not believe that sufficient attention has been given to this as a factor which would justify the maintenance of the land at sites AL/RTW5 and AL/RTW16 within the Green Belt.

Paragraph 137 of the NPPF states that “Before concluding that exceptional circumstances exist to justify changes to Green Belt boundaries, the strategic policy-making authority should be able to demonstrate that it has examined fully all other reasonable options for meeting its identified need for development” including whether the strategy makes as much use as possible of suitable Brownfield

and other underutilised sites at an optimal density. Taking Royal Tunbridge Wells as a whole, we are not convinced that this has been done.

The above sites are in the Green Belt and we are not convinced that there are exceptional circumstances to justify their removal from the Green Belt for housing. The evidence tends to the contrary because there is to be a major review starting in 2021 of land in the town centre in order to produce a Town Centre Area Plan. Other land within the LBD outside the immediate town centre might also be considered. It would only be necessary to identify space for a further 220 dwellings during the Plan period, (additional to those currently estimated to become available in the town centre), to replace those which would be lost by cancelling the allocations at Caenwood and Spratsbrook. Furthermore, in sustainability terms, such substitute dwellings would be far more effective and justified in the long term interest of the town and in mitigating the climate emergency than extending its area into the countryside.

Furthermore, in the case of proposed allocation AL/RTW5, the land in question was ruled out for development under the earlier SHELAA and Sustainability assessments and has therefore not been the subject of the Regulation 18 Public Consultation, which would have given residents the opportunity to adduce evidence to be taken into account in drawing up the Regulation 19 Draft Plan. This in itself may be regarded as **unsound** procedurally.

In conclusion, the Town Forum considers that the allocations at Caenwood and Spratsbrook should be cancelled as **unsound**. If our assessment of the likelihood of suitable land becoming available did not prove accurate, there would always be the opportunity to review the situation under the 5 year review process. But if the land at Caenwood and Spratsbrook is allocated now, it will be lost to the Green Belt for ever. As there is likely to be an oversupply of housing during the first 5 years of the plan, we would argue that the risk taken by not now allocating either site would be small and worth taking to protect our green open spaces.

Question 6

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The Town Forum believes Policy STR/RTW2 could be made sound by deletion of allocations **AL/RTW5** and **AL/RTW 16** at Caenwood and Spratsbrook Farms for the reasons we have set out above. However, if the Inspector is not fully convinced by our arguments we would advocate the following course of action:

1. Our **first preference** would be for the Inspector to take advantage of paragraph 139 of the NPPF **to identify areas of safeguarded land between the urban area and the Green Belt equivalent to the parts identified as developable in sites AL/RTW5 and AL/RTW16**. This could hypothetically be needed to meet longer-term development needs stretching well beyond the plan period if and when maximum intensification has been achieved within the existing LBD.
2. Our **second preference**, if the Inspector is not able to safeguard rather than allocate land at sites RTW5 and RTW16, would be to **increase very significantly the proposed densities** on both allocations in line with NPPF paragraphs 123 and 137 which we consider to have been insufficiently applied in the Regulation 19 Draft Plan.

The projected densities of approximately 20 dwellings per Hectare on both sites are far too low for sites immediately adjacent to LBD. We therefore advocate that a minimum density of 60-80 dwellings per Hectare should be required in these extensions of the urban area to avoid suburbanisation and to

encourage active travel and efficient provision of services. As well as bringing the allocations into conformity with national policy, this density would also be far more compatible with meeting the actually identified housing need in the Borough for social and affordable housing than is likely to be the case under the current proposed densities.

3. As these densities would produce a number of dwellings significantly greater than apparently required during the plan period, this might **alternatively** allow the Inspector to **reduce the loss of Green Belt by reducing the allocated area on both sites** and maintaining the remainder as Green Belt.

4. Higher density housing does not need to be ugly. Some of the most desirable properties in Royal Tunbridge Wells' "village area" are terraces and other clustered dwellings. These are the now-valued high density housing of the past. Even in modern developments, a village atmosphere can be successfully created with terraces, maisonettes and other three to four storey developments forming an attractive part of the development.

5. If the Inspector nevertheless decides to confirm removal of land from the Green Belt, **paragraph 138 of the NPPF** states that a Plan should set out "*ways in which the impact of 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 of the NPPF** states: "*Once Green Belts have been defined, local planning authorities should plan positively to enhance their beneficial use, such as looking for opportunities to provide access; to provide opportunities for outdoor sport and recreation; to retain and enhance landscapes, visual amenity and biodiversity; or to improve damaged and derelict land.*"

We would therefore expect to see much more specific proposals in both the allocations as to how the provisions of paragraphs 138 and 141 would be given effect. Mitigation and enhancement seems to be limited to land within the sites to be allocated, even though the prospective developers are thought to own additional adjacent Green Belt or AONB land.

In the case of **Spratsbrook Farm**, an area of the allocation nearly twice the size of the developable area would remain open within the AONB with public access. We believe this should be dedicated more explicitly as a permanent **Local Green Space** by way of a Sec 106 agreement, as was done with land on the Knights' Wood development, with continuation of agricultural use if compatible.

We would welcome the proposed pedestrian links and improved connection to the existing Public Rights of Way network, with formal designation of the informal footways as Public Rights of Way to increase and improve accessibility and informal recreation within and around this area. This should be more clearly identified on the allocation map. We would also welcome any new development being a Low Traffic Neighbourhood from the outset.

We would welcome the protection of existing mature trees and hedgerows as proposed, but the developer should be required to do so wherever reasonably practicable rather than merely to "have regard" to this aspect. Similarly, the developer should be required to take full account of topography, ancient woodland and buffers, and impact on the setting of the High Weald Area of Outstanding Natural Beauty and not merely to have regard to these aspects.

At **Caenwood Farm**, only about a third of the allocation is to remain open although the projected housing numbers are similar (120 at RTW16 and 100 at RTW5). There is a strong case for requiring other land in further mitigation.

There seems to be a potential incompatibility within the proposed policy. The SHELAA site assessment sheets and Sustainability Appraisal of AL/RTW5 land found that the site was "*well screened from surrounding roads and houses*" and this is repeated in paragraph 5.51 of the Draft. This occurs mainly through a continuous mature and very high hedgerow which runs along the south side of Speldhurst Road which is covered by a Tree Preservation Order. It is an important factor in concluding that the site might be suitable for development. However, paragraph 2 of the policy states that Speldhurst Road might be widened as part of the development. Any widening of Speldhurst Road could only take place through the destruction of the very tree screen that is said partly to justify the allocation in the first place. Its loss would end the status of the land as being "*well screened from surrounding roads and houses*". If maintained as an allocation by the Inspector, the allocation should stipulate that the existing tree cover will be maintained.

While paragraph 3 makes the suggestion that the "possibility" of **alterations to Reynolds Lane** should be explored, this is a wholly inadequate response to what is already a serious road safety and environmental problem. If any kind of development should take place on the land at AL/RTW5, it would

be indispensable that Reynolds Lane should be severed as an integral part of the scheme to prevent any through traffic between Speldhurst Road and Southborough and the residential district of Culverden on the west side of the A26 which already suffers a grossly excessive amount of rat-running traffic, and also to maintain the rural character of Reynolds Lane as an ancient routeway and Rural Lane.

We would welcome enhanced footpath links to be provided from the existing route to the west of the site to connect to other footpaths and the surrounding area but this has not been shown on the policy map. It needs to be more explicitly dealt with in the policy as should the required Improved access to the wider area as public open space and ecological mitigation to be secured by any development.

We would welcome the protection of existing mature trees and hedgerows as proposed, but the developer should be required to do so wherever reasonably practicable rather than merely to "have regard" to this aspect. We would welcome any new development taking the form of a Low Traffic Neighbourhood.

In conclusion of our point 5 on mitigation, there are insufficient specific details as to how the provisions of paragraphs 138 and 141 of the NPPF would be given effect in the case of AL/RTW5 or AL/RTW16. Without more substantial and concrete provisions inserted into the Plan, we fear that the significant obligations placed on prospective developers by the NPPF would not be sufficiently enforced in practice.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . Yes, I wish to participate in hearing session(s)

Question 7a

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Sites AL/RTW5 and AL/RTW16 are a key part of the Green Belt surrounding Royal Tunbridge Wells, and the Town Forum has serious reservations about the land being developed as proposed or at all at this time. We would wish to participate at the Public Examination to be able to develop our arguments further on reasonable alternatives and to expand on what kind of mitigation should be required if the allocations are likely to be maintained.

Question 8

If you have any separate comments you wish to make on the accompanying Sustainability Appraisal, please make them here.

In responding to companion Policy STR/RTW1 the Royal Tunbridge Wells Town Forum strongly supported the decision of TWBC not to allocate for development certain sites in the unparished area in the Green Belt and AONB identified in the 2021 version of the SHELAA and in the Sustainability Appraisal, together with several other sites adjacent to the unparished area which are part of the setting to Royal Tunbridge Wells.

Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Royal Tunbridge Wells Town Forum
Address	- - - -
Event Name	Pre-Submission Local Plan
Comment by	Royal Tunbridge Wells Town Forum [REDACTED]
Comment ID	PSLP_708
Response Date	01/06/21 08:15
Consultation Point	Policy EN 1 Sustainable Design (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Royal Tunbridge Wells Town Forum
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy EN 1 Sustainable Design	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes

Is sound

Yes

Complies with the Duty to Cooperate

Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

We generally support this Policy which has been enhanced in relation to the Regulation 18 Draft.

We particularly welcome section 9 of the Policy on community engagement as this can considerably improve the nature and design of developments using local knowledge within the community for the greater public interest.

We have reservations about paragraph 4 of section 1. This should not prevent denser development than existing nearby or differences in style, unless in Conservation Areas, as it will be necessary to intensify urban development, and development on the edge of existing settlements, to make the most efficient use of land and to avoid incursions into the Green Belt and AONB.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Royal Tunbridge Wells Town Forum
Address	- - - -
Event Name	Pre-Submission Local Plan
Comment by	Royal Tunbridge Wells Town Forum [REDACTED]
Comment ID	PSLP_709
Response Date	01/06/21 08:15
Consultation Point	Policy EN 2 Sustainable Design Standards (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Royal Tunbridge Wells Town Forum
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy EN 2 Sustainable Design Standards	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes

Is sound

Don't know

Complies with the Duty to Cooperate

Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

We would advocate the highest design standards reasonably practicable at all levels and cannot judge whether the proposals are likely to achieve this nor whether the size of a development should be a factor governing application, which appears rather irrational.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Royal Tunbridge Wells Town Forum
Address	- - - -
Event Name	Pre-Submission Local Plan
Comment by	Royal Tunbridge Wells Town Forum [REDACTED]
Comment ID	PSLP_712
Response Date	01/06/21 08:15
Consultation Point	Policy EN 3 Climate Change Mitigation and Adaptation (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Royal Tunbridge Wells Town Forum
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy EN 3 Climate Change Mitigation and Adaptation

Question 4

Do you consider that the Local Plan:

Is legally compliant	Yes
Is sound	Yes
Complies with the Duty to Cooperate	Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

We strongly support this Policy which brings together some disparate elements from Regulation 18 to create a coherent and very urgently needed policy on climate change. We strongly support the proposal that measures should be tightened in the 5 year review of the plan. We are pleased that the Policy only mentions biomass boilers in draft Policy EN23, in areas off the gas grid.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Royal Tunbridge Wells Town Forum
Address	- - - -
Event Name	Pre-Submission Local Plan
Comment by	Royal Tunbridge Wells Town Forum [REDACTED]
Comment ID	PSLP_714
Response Date	01/06/21 08:15
Consultation Point	Policy EN 4 Historic Environment (View)
Status	Processed
Submission Type	Email
Version	0.3
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Royal Tunbridge Wells Town Forum
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy EN 4 Historic Environment	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes

Is sound

Yes

Complies with the Duty to Cooperate

Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

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We strongly support this Policy. The Policy should help to conserve our built heritage in the town and also the remarkable landscapes on its edge and the network of Rural Lanes which are mostly of ancient origin preceding the development of a town at Royal Tunbridge Wells

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Comment

Consultee	██████████
Email Address	██
Company / Organisation	Royal Tunbridge Wells Town Forum
Address	- - - -
Event Name	Pre-Submission Local Plan
Comment by	Royal Tunbridge Wells Town Forum ██████████
Comment ID	PSLP_719
Response Date	01/06/21 08:15
Consultation Point	Policy EN 5 Heritage Assets (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Royal Tunbridge Wells Town Forum
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy EN 5 Heritage Assets	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes

Is sound

Yes

Complies with the Duty to Cooperate

Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

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Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

We strongly support most of this Policy and its preceding paragraphs which now refer to 19th and 20th Century archaeology as well as earlier sites. We strongly support the presumption in favour of preserving listed buildings. We welcome the provision to encourage the bringing back into use of at risk heritage sites consistent with their conservation.

We are, however, concerned that “*Proposals that affect a designated or non-designated heritage asset, or its setting, will **normally** only be permitted where the development conserves or enhances the character, appearance, amenity, and setting of the asset.*” The introduction of the undefined and imprecise word “normally”, not present in the Regulation 18 Draft, is unhelpful to the purpose behind the Policy and may be exploited by developers to get around it.

Removal of the word “normally” would make the Policy sounder.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Royal Tunbridge Wells Town Forum
Address	- - - -
Event Name	Pre-Submission Local Plan
Comment by	Royal Tunbridge Wells Town Forum [REDACTED]
Comment ID	PSLP_722
Response Date	01/06/21 08:15
Consultation Point	Policy EN 6 Shop Fronts (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Royal Tunbridge Wells Town Forum
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy EN 6 Shop Fronts	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes

Is sound

Yes

Complies with the Duty to Cooperate

Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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We support this Policy to retain the character of shop fronts in specified parts of the town.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Comment

Consultee	██████████
Email Address	██
Company / Organisation	Royal Tunbridge Wells Town Forum
Address	- - - -
Event Name	Pre-Submission Local Plan
Comment by	Royal Tunbridge Wells Town Forum ██████████
Comment ID	PSLP_723
Response Date	01/06/21 08:15
Consultation Point	Policy EN 7 Advertisements (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Royal Tunbridge Wells Town Forum
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy EN 7 Advertisements	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes

Is sound

Yes

Complies with the Duty to Cooperate

Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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We support this Policy on advertisements particularly as it will apply to conservation areas, listed buildings and non-designated heritage assets.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Royal Tunbridge Wells Town Forum
Address	- - - -
Event Name	Pre-Submission Local Plan
Comment by	Royal Tunbridge Wells Town Forum [REDACTED]
Comment ID	PSLP_726
Response Date	01/06/21 08:15
Consultation Point	Policy EN 8 Outdoor Lighting and Dark Skies (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Royal Tunbridge Wells Town Forum
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy EN 8 Outdoor Lighting and Dark Skies	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes

Is sound

Yes

Complies with the Duty to Cooperate

Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

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We support the presumption against outdoor lighting outside of the Limits to Built Development unless exceptional circumstances exist. This is not only important in relation to the open countryside but also to semi-rural settings on the edge of Royal Tunbridge Wells LBD to prevent light pollution leaking out into the open countryside.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Royal Tunbridge Wells Town Forum
Address	- - - -
Event Name	Pre-Submission Local Plan
Comment by	Royal Tunbridge Wells Town Forum [REDACTED]
Comment ID	PSLP_727
Response Date	01/06/21 08:15
Consultation Point	Policy EN 9 Biodiversity Net Gain (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Royal Tunbridge Wells Town Forum
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
	Policy EN 9 Biodiversity Net Gain
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes

Is sound

Yes

Complies with the Duty to Cooperate

Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

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After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

We strongly support the intention behind this policy but it will be very challenging to deliver it in practice. We therefore welcome the tightening of this policy relative to the Regulation 18 draft by stipulating that gains should be secured, on-site, for the lifetime of the development, or off-site for a minimum of 30 years, with appropriate funding mechanisms that are capable of being secured by condition and/or legal agreement and with long-term monitoring.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Royal Tunbridge Wells Town Forum
Address	- - - -
Event Name	Pre-Submission Local Plan
Comment by	Royal Tunbridge Wells Town Forum [REDACTED]
Comment ID	PSLP_728
Response Date	01/06/21 08:15
Consultation Point	Policy EN 10 Protection of designated sites and Habitats (View)
Status	Processed
Submission Type	Email
Version	0.3
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Royal Tunbridge Wells Town Forum
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy EN 10 Protection of designated sites and Habitats

Question 4

Do you consider that the Local Plan:

Is legally compliant	Yes
Is sound	Yes
Complies with the Duty to Cooperate	Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

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After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

We strongly support this policy with its recognition of the importance for Royal Tunbridge Wells and its urban population of Local Wildlife Sites, Roadside Nature Reserves, Local Nature Reserves and Candidate LNRs and Sites of Local Nature Conservation Value within and adjacent to the urban area,

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?	No, I do not wish to participate in examination hearing session(s)
--	--

Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Royal Tunbridge Wells Town Forum
Address	- - - -
Event Name	Pre-Submission Local Plan
Comment by	Royal Tunbridge Wells Town Forum [REDACTED]
Comment ID	PSLP_734
Response Date	01/06/21 08:15
Consultation Point	Policy EN 11 Ashdown Forest Special Protection Area and Special Area of Conservation (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Royal Tunbridge Wells Town Forum
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy EN 11 Ashdown Forest Special Protection Area and Special Area of Conservation

Question 4

Do you consider that the Local Plan:

Is legally compliant	Yes
Is sound	Yes
Complies with the Duty to Cooperate	Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

We support this Policy and the reference to mitigating Suitable Alternative Natural Green Spaces (SANGS) which might usefully be considered elsewhere in the Borough whenever there is major development on Greenfield sites, particularly on the Green Belt and AONB.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?	No, I do not wish to participate in examination hearing session(s)
--	--

Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Royal Tunbridge Wells Town Forum
Address	- - - -
Event Name	Pre-Submission Local Plan
Comment by	Royal Tunbridge Wells Town Forum [REDACTED]
Comment ID	PSLP_736
Response Date	01/06/21 08:15
Consultation Point	Policy EN 12 Trees, Woodland, Hedges, and Development (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Royal Tunbridge Wells Town Forum
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy EN 12 Trees, Woodland, Hedges, and Development

Question 4

Do you consider that the Local Plan:

Is legally compliant	Yes
Is sound	Yes
Complies with the Duty to Cooperate	Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

We strongly support this policy but would like to see the intention expressed in Paragraph 6.170 to work proactively with woodland owners and relevant organisations to bring woodland back into management where possible, imported into the policy itself.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?	No, I do not wish to participate in examination hearing session(s)
--	--

Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Royal Tunbridge Wells Town Forum
Address	- - - -
Event Name	Pre-Submission Local Plan
Comment by	Royal Tunbridge Wells Town Forum [REDACTED]
Comment ID	PSLP_737
Response Date	01/06/21 08:15
Consultation Point	Policy EN 13 Ancient Woodland and Veteran Trees (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Royal Tunbridge Wells Town Forum
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy EN 13 Ancient Woodland and Veteran Trees

Question 4

Do you consider that the Local Plan:

Is legally compliant	Yes
Is sound	Yes
Complies with the Duty to Cooperate	Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

We strongly support this policy including the inclusion of ancient wood pasture and historic parkland within the policy.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Royal Tunbridge Wells Town Forum
Address	- - - -
Event Name	Pre-Submission Local Plan
Comment by	Royal Tunbridge Wells Town Forum [REDACTED]
Comment ID	PSLP_738
Response Date	01/06/21 08:15
Consultation Point	Policy EN 14 Green, Grey, and Blue Infrastructure (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Royal Tunbridge Wells Town Forum
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy EN 14 Green, Grey, and Blue Infrastructure

Question 4

Do you consider that the Local Plan:

Is legally compliant	Yes
Is sound	Yes
Complies with the Duty to Cooperate	Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

We strongly support this policy and hope it will lead to a programme of street tree planting in appropriate parts of the RTW urban area financed by Sec 106 contributions. Trees contribute to health and wellbeing of residents and mitigate the effects of atmospheric pollution and climate change.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Royal Tunbridge Wells Town Forum
Address	- - - -
Event Name	Pre-Submission Local Plan
Comment by	Royal Tunbridge Wells Town Forum [REDACTED]
Comment ID	PSLP_739
Response Date	01/06/21 08:15
Consultation Point	Policy EN 15 Local Green Space (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Royal Tunbridge Wells Town Forum
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy EN 15 Local Green Space	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes

Is sound

Yes

Complies with the Duty to Cooperate

Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

We strongly support the added protection that designation as a Local Green Space will bring for those now designated. These spaces are of particular value in relation to health and wellbeing of residents in the densely populated urban area of RTW.

We would prefer to see the wider illustrative wording at the start of the Regulation 18 Draft Policy retained ie "A Local Green Space is a designated area of green or open space that is demonstrably special to the local community that it serves. These areas can include recreational playing fields or playgrounds, allotments, cemeteries, or local forested areas used for recreation"

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Royal Tunbridge Wells Town Forum
Address	- - - -
Event Name	Pre-Submission Local Plan
Comment by	Royal Tunbridge Wells Town Forum [REDACTED]
Comment ID	PSLP_741
Response Date	01/06/21 08:15
Consultation Point	Policy EN 16 Landscape within the Built Environment (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Royal Tunbridge Wells Town Forum
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy EN 16 Landscape within the Built Environment

Question 4

Do you consider that the Local Plan:

Is legally compliant	Yes
Is sound	Yes
Complies with the Duty to Cooperate	Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

We strongly support this policy which should help to conserve the character of landscapes within, on the edge of, or as important landscape approaches to RTW and other settlements.

We particularly welcome the proposed review of Important Landscape Approaches mentioned in paragraph 6.192 which will consider widening their application to include approaches to settlements along railway lines when the quality of the landscape clearly merits protection. Visitors to a settlement arriving by train may be far more aware of a landscape approach than those arriving on a motor road. Such landscapes may constitute a significant feature and create a lasting impression in the minds of visitors and tourists. A significant case in point exists in the approach to Royal Tunbridge Wells along the Tonbridge to High Brooms section of the Hastings Line between the exit from Somerhill Tunnel and the railway viaduct preceding the former refuse tip, including long views on the western side of the whole of the undulating and rising open AONB farmland with its isolated farm cottages and Vauxhall Rural Lane meandering along broadly in parallel, while the eastern side mainly consists of ancient woodland with extensive tracts of Bluebells in the spring.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?	No, I do not wish to participate in examination hearing session(s)
--	--

Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Royal Tunbridge Wells Town Forum
Address	- - - -
Event Name	Pre-Submission Local Plan
Comment by	Royal Tunbridge Wells Town Forum [REDACTED]
Comment ID	PSLP_742
Response Date	01/06/21 08:15
Consultation Point	Policy EN 17 Arcadian Areas (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Royal Tunbridge Wells Town Forum
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy EN 17 Arcadian Areas	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes

Is sound

Yes

Complies with the Duty to Cooperate

Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

We strongly support this policy. Arcadian areas are one of the defining features of Royal Tunbridge. In the case of Hungershall and Nevill Parks they look out at one another across a large open green space which should be considered an integral feature of their combined Arcadian Area. It would be worth considering at the first review of the Local Plan whether any further new areas within the urban fabric would warrant Arcadian Area status.

We believe that a greater enforcement effort should be directed to prevention of any loss to the character of Arcadian Areas from the actions of individual landowners.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Royal Tunbridge Wells Town Forum
Address	- - - -
Event Name	Pre-Submission Local Plan
Comment by	Royal Tunbridge Wells Town Forum [REDACTED]
Comment ID	PSLP_745
Response Date	01/06/21 08:15
Consultation Point	Policy EN 18 Rural Landscape (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Royal Tunbridge Wells Town Forum
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy EN 18 Rural Landscape	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes

Is sound

Yes

Complies with the Duty to Cooperate

Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

We strongly support this policy, particularly with regard to protection of historic farmsteads and Rural Lanes.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Comment

Consultee	██████████
Email Address	██
Company / Organisation	Royal Tunbridge Wells Town Forum
Address	- - - -
Event Name	Pre-Submission Local Plan
Comment by	Royal Tunbridge Wells Town Forum ██████████
Comment ID	PSLP_746
Response Date	01/06/21 08:15
Consultation Point	Policy EN 19 The High Weald Area of Outstanding Natural Beauty (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Royal Tunbridge Wells Town Forum
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy EN 19 The High Weald Area of Outstanding Natural Beauty

Question 4

Do you consider that the Local Plan:

Is legally compliant	Yes
Is sound	Yes
Complies with the Duty to Cooperate	Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

We strongly support this policy. We particularly welcome the redrafting of the Regulation 18 draft provision setting out one single set of conditions to apply to any proposal for development in the AONB.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Comment

Consultee	██████████
Email Address	██
Company / Organisation	Royal Tunbridge Wells Town Forum
Address	- - - -
Event Name	Pre-Submission Local Plan
Comment by	Royal Tunbridge Wells Town Forum ██████████
Comment ID	PSLP_747
Response Date	01/06/21 08:15
Consultation Point	Policy EN 20 Agricultural Land (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Royal Tunbridge Wells Town Forum
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy EN 20 Agricultural Land	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes

Is sound

Yes

Complies with the Duty to Cooperate

Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

We support this policy.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Comment

Consultee	██████████
Email Address	██
Company / Organisation	Royal Tunbridge Wells Town Forum
Address	- - - -
Event Name	Pre-Submission Local Plan
Comment by	Royal Tunbridge Wells Town Forum ██████████
Comment ID	PSLP_749
Response Date	01/06/21 08:15
Consultation Point	Policy EN 21 Air Quality (View)
Status	Processed
Submission Type	Email
Version	0.3
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Royal Tunbridge Wells Town Forum
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy EN 21 Air Quality	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes

Is sound

No

Complies with the Duty to Cooperate

Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because: . It is not effective

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

We strongly support much of this policy on air quality and the measures spelt out to mitigate the effects of any pollution. However, Air quality is a major health issue in Royal Tunbridge Wells. In view of the climate emergency, all future developments should be *expected* to be air quality positive and not merely neutral through building design, Sec 106 contributions or technological solutions and this should take specifically into account mitigation of the impact of all projected motorised transport to and from the site, *including* delivery vehicles and vehicles of statutory undertakers and other service providers.

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan 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 Policy could be made sound by requiring developments to be air quality positive unless exceptional circumstances justify their being merely air quality neutral.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . Yes, I wish to participate in hearing session(s)

Question 7a

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

We should like to illustrate why higher standards are required in the overriding public interest

Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Royal Tunbridge Wells Town Forum
Address	- - - -
Event Name	Pre-Submission Local Plan
Comment by	Royal Tunbridge Wells Town Forum [REDACTED]
Comment ID	PSLP_753
Response Date	01/06/21 08:15
Consultation Point	Policy EN 22 Air Quality Management Areas (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Royal Tunbridge Wells Town Forum
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy EN 22 Air Quality Management Areas	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes

Is sound

Yes

Complies with the Duty to Cooperate

Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

We strongly support this policy on AQMAs. Given the disproportionately high number of large-engined diesel cars (many now ageing and not optimally maintained) observable in Royal Tunbridge Wells which commuter rat-run through residential streets or are involved in the "school run", a case can be made for already declaring some parts of the urban road network an Air Quality Protection Zone.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

Yes, I wish to participate in hearing session(s)

Question 7a

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

This would only be necessary if there are objections to this policy.

Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Royal Tunbridge Wells Town Forum
Address	- - - -
Event Name	Pre-Submission Local Plan
Comment by	Royal Tunbridge Wells Town Forum [REDACTED]
Comment ID	PSLP_756
Response Date	01/06/21 08:15
Consultation Point	Policy EN 23 Biomass Technology (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Royal Tunbridge Wells Town Forum
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy EN 23 Biomass Technology	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes

Is sound

Yes

Complies with the Duty to Cooperate

Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

We have some reservations about biomass technology which many experts do not consider to be sustainable technology in relation to climate change mitigation and air quality. We do not object to their use off the gas grid but with air and ground heat pumps becoming generally available for areas off the gas grid, we believe these could be promoted in preference to biomass technology and that this could be explicitly done through the Plan.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Royal Tunbridge Wells Town Forum
Address	- - - -
Event Name	Pre-Submission Local Plan
Comment by	Royal Tunbridge Wells Town Forum [REDACTED]
Comment ID	PSLP_760
Response Date	01/06/21 08:15
Consultation Point	Policy EN 24 Water Supply, Quality, and Conservation (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Royal Tunbridge Wells Town Forum
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy EN 24 Water Supply, Quality, and Conservation

Question 4

Do you consider that the Local Plan:

Is legally compliant	Yes
Is sound	Yes
Complies with the Duty to Cooperate	Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

We support this policy on water supply and conservation which has been considerably strengthened from the form in the Regulation 18 draft. Nevertheless we have doubts as to whether TWBC will be able to ensure that major developments do not take place before the appropriate infrastructure is financed and put in place. There could be a conflict between this Policy and the government requirement for achieving housing targets in a borough that already faces water stress and waste water difficulties. Which requirement would then take precedence? The Regulation 19 Draft does not address this.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Comment

Consultee	██████████
Email Address	██
Company / Organisation	Royal Tunbridge Wells Town Forum
Address	- - - -
Event Name	Pre-Submission Local Plan
Comment by	Royal Tunbridge Wells Town Forum ██████████
Comment ID	PSLP_763
Response Date	01/06/21 08:15
Consultation Point	Policy EN 25 Flood Risk (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Royal Tunbridge Wells Town Forum
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy EN 25 Flood Risk	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes

Is sound

Don't know

Complies with the Duty to Cooperate

Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

We support the intention behind this Policy which is relevant to some low lying land in the south of RTW. We do not have the expertise to comment on the overall soundness of the technical aspects of flood prevention and mitigation.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Royal Tunbridge Wells Town Forum
Address	- - - -
Event Name	Pre-Submission Local Plan
Comment by	Royal Tunbridge Wells Town Forum [REDACTED]
Comment ID	PSLP_766
Response Date	01/06/21 08:15
Consultation Point	Policy EN 26 Sustainable Drainage (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Royal Tunbridge Wells Town Forum
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
	Policy EN 26 Sustainable Drainage
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes

Is sound

Yes

Complies with the Duty to Cooperate

Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

We support this Policy.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Comment

Consultee	██████████
Email Address	██
Company / Organisation	Royal Tunbridge Wells Town Forum
Address	- - - -
Event Name	Pre-Submission Local Plan
Comment by	Royal Tunbridge Wells Town Forum ██████████
Comment ID	PSLP_767
Response Date	01/06/21 08:15
Consultation Point	Policy EN 27 Noise (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Royal Tunbridge Wells Town Forum
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy EN 27 Noise	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes

Is sound

Yes

Complies with the Duty to Cooperate

Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

We support this Policy but feel it would be usefully strengthened by importing into it a specific reference to the matters taken into consideration in Paragraph 6.290. In Royal Tunbridge Wells the main risks are not industrial noise but road noise arising from or affecting new development, and aircraft noise arising from flight paths on the approach to Gatwick Airport which are an increasing problem in the western parts of the town even before any proposed expansion of Gatwick services takes effect.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Royal Tunbridge Wells Town Forum
Address	- - - -
Event Name	Pre-Submission Local Plan
Comment by	Royal Tunbridge Wells Town Forum [REDACTED]
Comment ID	PSLP_770
Response Date	01/06/21 08:15
Consultation Point	Policy EN 28 Land Contamination (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Royal Tunbridge Wells Town Forum
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy EN 28 Land Contamination	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes

Is sound

Yes

Complies with the Duty to Cooperate

Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

We support this Policy.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Comment

Consultee	██████████
Email Address	██
Company / Organisation	Royal Tunbridge Wells Town Forum
Address	- - - -
Event Name	Pre-Submission Local Plan
Comment by	Royal Tunbridge Wells Town Forum ██████████
Comment ID	PSLP_773
Response Date	01/06/21 08:15
Consultation Point	Policy H 1 Housing Mix (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Royal Tunbridge Wells Town Forum
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy H 1 Housing Mix	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes

Is sound

No

Complies with the Duty to Cooperate

Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because: . It is not effective

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

We are concerned that private developers are still tending not to build the type of housing needed to meet Objectively Assessed Need in the Borough, with a preponderance of large detached dwellings on recent Greenfield sites in Royal Tunbridge Wells, some just over the border in East Sussex. This Policy will be too weak to put a check on this.

The Policy could be made sounder by substituting the words "may be informed" by the words "**shall be informed**".

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? .

No, I do not wish to participate in examination hearing session(s)

Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Royal Tunbridge Wells Town Forum
Address	- - - -
Event Name	Pre-Submission Local Plan
Comment by	Royal Tunbridge Wells Town Forum [REDACTED]
Comment ID	PSLP_777
Response Date	01/06/21 08:15
Consultation Point	Policy H 2 Housing Density (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Royal Tunbridge Wells Town Forum
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy H 2 Housing Density	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes

Is sound

No

Complies with the Duty to Cooperate

Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not effective
- . It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

We strongly supported the previous wordings in the Regulation 18 draft but cannot do so in this watered down version. While we do not object to the important secondary criteria clearly identified here, the primary emphasis, (given the acute shortage of suitable land for meeting identified housing need in Royal Tunbridge Wells), should be to seek a significant uplift in the average density of residential development in and around the town.

It is essential that land should be used in an efficient manner as required by paragraph 123 of the NPPF in order to minimise the need for use of Greenfield sites, particularly in the Green Belt and AONB. This should apply both to any redevelopment of existing urban areas and to any Greenfield land which is allocated for residential development.

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan 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 Policy could be made sounder by importing more of the provisions of NPPF Paragraph 123 into it.

We think there is a need to set out some minimum densities per Hectare specifically in the policy to apply in all but special circumstances. This would avoid the kind of situation which has regrettably occurred on site AL/RTW 255 at Hawkenbury where the effective density is a paltry 17 housing units per Hectare on a site which is subject to very little land take for landscape mitigation. Not only is this massively below the level of density which would be appropriate within the urban fabric, but it has also resulted in the development of a substantial element of large private houses on a site which does not

appear to meet the local Housing Need identified for the town in evidence base documents. It is all the more regrettable that some of the land was formerly in TWBC ownership.

In order to avoid excessive land-take, we advocate a future design emphasis on terraced, semi-detached and small apartment blocks in major developments and reduced numbers of the 4 and 5 bedroom detached properties which are land-hungry and do not meet the housing needs profiles for the Borough. Higher density housing does not need to be ugly. Some of the most desirable properties in Royal Tunbridge Wells' "village area" are terraces and other clustered dwellings – the now valued high density housing of the past. Even in modern developments, a village atmosphere can be successfully created with terraces, maisonettes and other three to four storey developments forming an attractive part of the development.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . Yes, I wish to participate in hearing session(s)

Question 7a

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

In order to be able to demonstrate how important it should be to increase housing density for all residential development in and around the town to avoid having to lose valuable Green Belt countryside.

Comment

Consultee	██████████
Email Address	██
Company / Organisation	Royal Tunbridge Wells Town Forum
Address	- - - -
Event Name	Pre-Submission Local Plan
Comment by	Royal Tunbridge Wells Town Forum ██████████
Comment ID	PSLP_780
Response Date	01/06/21 08:15
Consultation Point	Policy H 3 Affordable Housing (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Royal Tunbridge Wells Town Forum
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy H 3 Affordable Housing	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes

Is sound

Yes

Complies with the Duty to Cooperate

Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

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After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

We strongly support this policy which seeks to address the most pressing housing need in the Borough and reflects policies which the Town Forum has been advocating for several years. There is a clearly established housing need for the 40% requirement for affordable housing on development sites of which 60% would be at social rent. We should have liked to see a 50% requirement in accordance with predicted need, but understand this would not be reasonably practicable on commercial developments.

The requirements on viability under paragraphs 6.335 and 6.336 are very welcome.

We also strongly support the mechanisms in the policy to ensure that it should be properly enforced in practice.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Royal Tunbridge Wells Town Forum
Address	- - - -
Event Name	Pre-Submission Local Plan
Comment by	Royal Tunbridge Wells Town Forum [REDACTED]
Comment ID	PSLP_782
Response Date	01/06/21 08:15
Consultation Point	Policy H 4 Estate Regeneration (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Royal Tunbridge Wells Town Forum
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy H 4 Estate Regeneration	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes

Is sound

Yes

Complies with the Duty to Cooperate

Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

We support this policy as effect is given to it in the place shaping policies for Royal Tunbridge Wells.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Royal Tunbridge Wells Town Forum
Address	- - - -
Event Name	Pre-Submission Local Plan
Comment by	Royal Tunbridge Wells Town Forum [REDACTED]
Comment ID	PSLP_786
Response Date	01/06/21 08:15
Consultation Point	Policy H 5 Rural Exception Sites (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Royal Tunbridge Wells Town Forum
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy H 5 Rural Exception Sites	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes

Is sound

Yes

Complies with the Duty to Cooperate

Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

We support this policy

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Royal Tunbridge Wells Town Forum
Address	- - - -
Event Name	Pre-Submission Local Plan
Comment by	Royal Tunbridge Wells Town Forum [REDACTED]
Comment ID	PSLP_787
Response Date	01/06/21 08:15
Consultation Point	Policy H 6 Housing for Older People and People with Disabilities (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Royal Tunbridge Wells Town Forum
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy H 6 Housing for Older People and People with Disabilities

Question 4

Do you consider that the Local Plan:

Is legally compliant	Yes
Is sound	Yes
Complies with the Duty to Cooperate	Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

We support this policy and strongly support the intention to promote housing for older people also being linked with general needs housing schemes to create a mixed and balanced community and community cohesion. For many older people, such mixed communities will be preferred to isolated retirement villages.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Royal Tunbridge Wells Town Forum
Address	- - - -
Event Name	Pre-Submission Local Plan
Comment by	Royal Tunbridge Wells Town Forum [REDACTED]
Comment ID	PSLP_789
Response Date	01/06/21 08:15
Consultation Point	Policy H 7 Rural Workers' Dwellings (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Royal Tunbridge Wells Town Forum
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy H 7 Rural Workers' Dwellings	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes

Is sound

Yes

Complies with the Duty to Cooperate

Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

We support this policy which should prevent essentially speculative building happening in the countryside by ensuring there is a real need for additional worker accommodation.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Royal Tunbridge Wells Town Forum
Address	- - - -
Event Name	Pre-Submission Local Plan
Comment by	Royal Tunbridge Wells Town Forum [REDACTED]
Comment ID	PSLP_791
Response Date	01/06/21 08:15
Consultation Point	Policy H 8 Self-Build and Custom Housebuilding (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Royal Tunbridge Wells Town Forum
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy H 8 Self-Build and Custom Housebuilding

Question 4

Do you consider that the Local Plan:

Is legally compliant	Yes
Is sound	No
Complies with the Duty to Cooperate	Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because: . It is not effective

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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We are concerned that there is nothing in the policy concerning the size or design of buildings on self-build plots. While this may be dealt with in planning applications, the proposed policy seems far too vague. Similarly, nothing is said about density on areas set aside for self-build.

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan 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 policy could be made sounder by expressly applying the requirements of NPPF paragraph 123 to any area set aside for self build in Royal Tunbridge Wells to ensure that a high density is applicable to make efficient use of land.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . No, I do not wish to participate in examination hearing session(s)

Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Royal Tunbridge Wells Town Forum
Address	- - - -
Event Name	Pre-Submission Local Plan
Comment by	Royal Tunbridge Wells Town Forum [REDACTED]
Comment ID	PSLP_793
Response Date	01/06/21 08:15
Consultation Point	Policy H 9 Gypsies and Travellers (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Royal Tunbridge Wells Town Forum
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
	Policy H 9 Gypsies and Travellers
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes

Is sound

Yes

Complies with the Duty to Cooperate

Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

We support this policy.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Royal Tunbridge Wells Town Forum
Address	- - - -
Event Name	Pre-Submission Local Plan
Comment by	Royal Tunbridge Wells Town Forum [REDACTED]
Comment ID	PSLP_795
Response Date	01/06/21 08:15
Consultation Point	Policy H 10 Replacement Dwellings outside the Limits to Built Development (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Royal Tunbridge Wells Town Forum
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy H 10 Replacement Dwellings outside the Limits to Built Development

Question 4

Do you consider that the Local Plan:

Is legally compliant	Yes
Is sound	Yes
Complies with the Duty to Cooperate	Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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We support this policy.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Royal Tunbridge Wells Town Forum
Address	- - - -
Event Name	Pre-Submission Local Plan
Comment by	Royal Tunbridge Wells Town Forum [REDACTED]
Comment ID	PSLP_796
Response Date	01/06/21 08:15
Consultation Point	Policy H 11 Residential Extensions, Alterations, Outbuildings, and Annexes (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Royal Tunbridge Wells Town Forum
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy H 11 Residential Extensions, Alterations, Outbuildings, and Annexes

Question 4

Do you consider that the Local Plan:

Is legally compliant	Yes
Is sound	Yes
Complies with the Duty to Cooperate	Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

We support this policy.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Royal Tunbridge Wells Town Forum
Address	- - - -
Event Name	Pre-Submission Local Plan
Comment by	Royal Tunbridge Wells Town Forum [REDACTED]
Comment ID	PSLP_798
Response Date	01/06/21 08:15
Consultation Point	Policy H 12 Extensions to Residential Curtilages (domestic gardens) outside the Limits to Built Development (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Royal Tunbridge Wells Town Forum
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy H 12 Extensions to Residential Curtilages (domestic gardens) outside the Limits to Built Development

Question 4

Do you consider that the Local Plan:

Is legally compliant	Yes
Is sound	Yes
Complies with the Duty to Cooperate	Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

We support this policy which should restrict the extension of curtilages into the countryside with its tendency to a suburbanising effect, unless there are the specified reasons in the Policy which justify it.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?	No, I do not wish to participate in examination hearing session(s)
---	--

Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Royal Tunbridge Wells Town Forum
Address	- - - -
Event Name	Pre-Submission Local Plan
Comment by	Royal Tunbridge Wells Town Forum [REDACTED]
Comment ID	PSLP_800
Response Date	01/06/21 08:15
Consultation Point	Policy ED 2 Retention of Existing Employment Sites and Buildings (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Royal Tunbridge Wells Town Forum
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy ED 2 Retention of Existing Employment Sites and Buildings

Question 4

Do you consider that the Local Plan:

Is legally compliant	Yes
Is sound	Yes
Complies with the Duty to Cooperate	Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

We support this policy and the use of Article 4 Directions to ensure that well located and suitable office buildings should be retained in office use within RTW.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Royal Tunbridge Wells Town Forum
Address	- - - -
Event Name	Pre-Submission Local Plan
Comment by	Royal Tunbridge Wells Town Forum [REDACTED]
Comment ID	PSLP_805
Response Date	01/06/21 08:15
Consultation Point	Policy ED 7 Retention of, and improvements to existing, and the promotion of new, tourist accommodation and attractions (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Royal Tunbridge Wells Town Forum
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy ED 7 Retention of, and improvements to existing, and the promotion of new, tourist accommodation and attractions

Question 4

Do you consider that the Local Plan:

Is legally compliant	Yes
Is sound	Yes
Complies with the Duty to Cooperate	Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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We strongly support this policy as it is required to facilitate an economic policy supported by the Town Forum for developing Royal Tunbridge Wells as a destination town based on its historical, cultural, leisure and natural heritage. As climate change mitigation develops, and in the wake of the recent pandemic, there will be an increase in local tourism from other parts of the UK (and in time from the near continent) and an increase in tourist accommodation will therefore be required.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?	No, I do not wish to participate in examination hearing session(s)
---	--

Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Royal Tunbridge Wells Town Forum
Address	- - - -
Event Name	Pre-Submission Local Plan
Comment by	Royal Tunbridge Wells Town Forum [REDACTED]
Comment ID	PSLP_807
Response Date	01/06/21 08:15
Consultation Point	Policy ED 12 Retention of Local Services and Facilities (View)
Status	Processed
Submission Type	Email
Version	0.2

Data inputter to enter their initials here AT

Question 1

Respondent's Name and/or Organisation Royal Tunbridge Wells Town Forum

Question 3

To which part of the Local Plan does this representation relate? Policy

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy ED 12 Retention of Local Services and Facilities

Question 4

Do you consider that the Local Plan:

Is legally compliant	Yes
Is sound	Yes
Complies with the Duty to Cooperate	Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because: . It is not effective

Question 5

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We strongly support this Policy which should help to ensure the vitality of Neighbourhood Centres within Royal Tunbridge Wells. Vibrant Neighbourhood Centres will be important in promoting active travel and reducing car journeys within the urban fabric of Royal Tunbridge Wells. We again make the long term case for also aiming to provide primary education facilities within half a mile of target populations in densely developed parts of the town so as to eliminate car journeys for educational purposes. KCC should face up to its responsibilities to deal effectively with the climate emergency in this respect.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . No, I do not wish to participate in examination hearing session(s)

Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Royal Tunbridge Wells Town Forum
Address	- - - -
Event Name	Pre-Submission Local Plan
Comment by	Royal Tunbridge Wells Town Forum [REDACTED]
Comment ID	PSLP_810
Response Date	01/06/21 08:15
Consultation Point	Policy TP 1 Transport Assessments/Statements, Travel Plans, and Mitigation (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Royal Tunbridge Wells Town Forum
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy TP 1 Transport Assessments/Statements, Travel Plans, and Mitigation
Paragraph Numbers: 6.546 - 6.549

Question 4

Do you consider that the Local Plan:

Is legally compliant	Yes
Is sound	No
Complies with the Duty to Cooperate	Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not effective
- . It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

Policy TP1 needs strengthening.

It has been weakened relative to the Regulation 18 version which had a paragraph requiring developers to "Demonstrate that the development complies with the requirements of Policy EN 23: Air Quality and the 'emissions mitigation assessment and cost calculation.

The current methodology is still 'predict and provide', whereas the Borough Council could decide on appropriate levels of motor traffic within the Borough and take action accordingly. The Government's Science and Technology Committee report of 22nd August 2019 on policies needed to meet the Government's commitment to net-zero emissions by 2050 stated that '*widespread personal vehicle ownership does not appear to be compatible with significant decarbonisation*'. The increase in car use which the local plan is seeking to accommodate is not compatible with the Government's climate commitment, nor is it compatible with TWBC's climate emergency declaration and aim to make the borough carbon neutral by 2030.

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan 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.

- 1 The reality is that the Highway Authority has limited powers and is rarely able to say that a development will cause a problem for the road network, because each development is judged incrementally; and the problems need to exist close to the development. The result is inadequate s106 funding for active travel. We suggest that it should be made explicit that developers'

responsibility for s106 contributions to support active travel solutions is not limited to locations near the development.

- 2 **Similarly to the policy that new developments have to show a net reduction in water outflow, the transport policy should state that all additional traffic movements have to be compensated by the developer funding infrastructure to enable motor traffic reduction elsewhere.**
- 3 The third paragraph of policy TP1 has not been included under the numbered items - **'Development proposals must:'** The paragraphs numbered 1 and 2 require the developer to **'Provide' or 'Demonstrate'** particular actions. There appears to be no reason why the third paragraph is not so numbered. This un-numbered paragraph is also weakened by using terms such as **'will seek'** rather than **'require'** which potentially undermines the ability of the Local Authority to execute this policy effectively.

Proposed revised text below:

Where adequate transport infrastructure is not available to serve the development, the Local Planning Authority will require the provision of, or contributions towards, appropriate measures that will address the identified inadequacy, and which will enable highway improvements, including active travel measures. Where a proposal necessitates such highway improvements, these will be designed in accordance with the latest national guidance at the time – currently LTN 1/20 and the government objectives set out in "Gear Change" and the developer will be required to meet the cost of the improvements and deliver the identified scheme where these are fairly and reasonably related to the development.

- 1 Although we welcome the requirement for travel plans to be produced for new developments, we are concerned that the thresholds based on m2 do not reflect the scale of activity to be undertaken within or the likely number of employees and the number of HGVs and other vehicles attending the site daily. Further, use class D2 Stadia has a threshold of 1500 seats which is relevant to the proposed re-siting of the Culverden football stadium which may not be 1500 seats but should require a transport assessment for its proposed location. We should like to see some specified sanctions in the event of travel plans not being maintained in practice.
- 2 Reinstate the paragraph which required a developer to "Demonstrate that the development complies with the requirements of Policy EN 23: Air Quality and the 'emissions mitigation assessment and cost calculation"

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . Yes, I wish to participate in hearing session(s)

Question 7a

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

So that we can develop our proposals for a sounder policy in more detail

Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Royal Tunbridge Wells Town Forum
Address	- - - -
Event Name	Pre-Submission Local Plan
Comment by	Royal Tunbridge Wells Town Forum [REDACTED]
Comment ID	PSLP_815
Response Date	01/06/21 08:15
Consultation Point	Policy TP 2 Transport Design and Accessibility (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Royal Tunbridge Wells Town Forum
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy TP 2 Transport Design and Accessibility	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes

Is sound

No

Complies with the Duty to Cooperate

Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not effective
- . It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

We generally support this policy which incorporates a number of improvements in relation to active travel and public rights of way compared to the earlier version.

However, the Local Plan makes insufficient reference to the latest national guidance on active travel ("Gear Change") and highway design ("LTN 1/20"). E.g. Para 2 refers to "...suitable arrangements for access by large vehicles", which could imply, for example, the need for wide junction radii. In contrast, the latest guidance emphasises the need to accommodate the needs of those walking and cycling ahead of those driving motor vehicles. Explicit reference needs to be made, for example, to the need to minimise junction radii to reduce motor vehicle turning speeds.

Para 7 also makes no reference to LTN 1/20 or Gear Change

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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All paras to be amended to refer to "LTN 1/20" and "Gear Change", where appropriate. For example:

Para 2 should be amended, as follows: "The development is accessible by relevant modes of transport, with priority given to active forms of travel, **in line with the latest government objectives, currently outlined in "Gear Change"**.

Add sentence at the end of Para 2. **"For the avoidance of doubt, catering for the needs of the largest vehicles must not be done at the expense of the needs of those choosing to travel by foot or by bike. As such, the latest national government design guidance should be followed (currently "LTN 1/20")**

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Royal Tunbridge Wells Town Forum
Address	- - - -
Event Name	Pre-Submission Local Plan
Comment by	Royal Tunbridge Wells Town Forum [REDACTED]
Comment ID	PSLP_816
Response Date	01/06/21 08:15
Consultation Point	Policy TP 3 Parking Standards (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Royal Tunbridge Wells Town Forum
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy TP 3 Parking Standards	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes

Is sound

No

Complies with the Duty to Cooperate

Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not effective
- . It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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We generally support this policy.

However, TP3 fails to support STR6 Active Travel which prioritises walking and cycling by providing positive actions to significantly reduce on-street parking to enable non-motorised users space on the road network. Heavy on-street parking in the narrow historic streets in the urban centre of Tunbridge Wells is a serious barrier to implementation of effective active travel for cyclists and pedestrians.

This policy also fails to anticipate :

- 1 A possible ban on on-pavement parking (following national consultation in 2020)
- 2 The provision of cycle parking and e-bike charging points
- 3 The provision of on-street electric car recharging points in residential zones A, B and C
- 4 Car charging points for car club vehicles at their vehicle bays (6.559)
- 5 The growth in demand for home deliveries and the need to allocate loading/unloading bays for delivery vehicles in residential streets

These omissions are not consistent with the ambitions of the Local Plan and are not likely to facilitate implementation of active travel in the urban centre of Tunbridge Wells.

Question 6

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The policy could be made sound by:

- 1 A possible ban on on-pavement parking (following national consultation in 2020)
- 2 The provision of cycle parking and e-bike charging points

- 3 The provision of on-street electric car recharging points in residential zones A, B and C
- 4 Car charging points for car club vehicles at their vehicle bays (6.559)
- 5 Allocating loading/unloading bays for delivery vehicles in residential streets
- 6 Dealing effectively with the problem of on-street parking in the town centre

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Royal Tunbridge Wells Town Forum
Address	- - - -
Event Name	Pre-Submission Local Plan
Comment by	Royal Tunbridge Wells Town Forum [REDACTED]
Comment ID	PSLP_817
Response Date	01/06/21 08:15
Consultation Point	Policy TP 4 Public Car Parks (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Royal Tunbridge Wells Town Forum
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy TP 4 Public Car Parks

Paragraph Numbers: 6.565-6.568

Question 4

Do you consider that the Local Plan:

Is legally compliant	Yes
Is sound	No
Complies with the Duty to Cooperate	Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because: . It is not effective

Question 5

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TP4 seeks to maintain the status quo rather than anticipate the changing future that climate change mitigation, active travel and rapidly changing patterns of work and retail will bring. The review of the parking strategy should be brought forward and recommendations implemented as soon as is reasonable – say within 12 months.

- 1 Changing travel and work patterns and the potential significant increases in active travel created will make anticipating car park demand uncertain, and rightly 6.568 suggests a review of this policy in 5 years time. Recent years have shown a significant decline in car park use. It seems a mistake therefore to require in TP4 para 1 that developments must not “result in net additional, or no net loss of, public car parking space on-site”, and paragraphs 2 and 3 go to lengths to explain where this might be built. This goes against the Local Plan’s ambitions for more walking and cycling, car club, cycle sharing and other schemes in RTW,
- 2 TP4 does not address the imbalance of location and provision of public car parking across the urban centre. This policy however only stresses the need for ‘close proximity’ for replacement car parking space. The proposed review of parking strategy should examine how many public car parking spaces are needed and in which location.
- 3 TP4 does not consider the future potential use of car parks as electric car charging hubs, both in the town centre and in car park locations near residential areas.

Question 6

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Paragraph 6.568 should be amended to say. “Given the changes as a result of the coronavirus pandemic outlined above and the borough’s commitment to net zero carbon by 2030, the parking policy will be reviewed and recommendations implemented within twelve months.

1 The policy should be amended as follows:

Paragraph 4 which requires an assessment to be made on the community benefits v the harm caused by a loss of car parking spaces should be moved to paragraph 1, and paragraphs 1, 2 and 3 be renumbered 2, 3, and 4.

1 The policy should consider matters other than “close proximity” when assessing replacement space in line with assessed need.

1 The policy should provide for car parks to act as charging hubs for electric vehicles.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Royal Tunbridge Wells Town Forum
Address	- - - -
Event Name	Pre-Submission Local Plan
Comment by	Royal Tunbridge Wells Town Forum [REDACTED]
Comment ID	PSLP_820
Response Date	01/06/21 08:15
Consultation Point	Policy TP 5 Safeguarding Railway Land (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Royal Tunbridge Wells Town Forum
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy TP 5 Safeguarding Railway Land	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes

Is sound

Yes

Complies with the Duty to Cooperate

Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

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We strongly support this safeguarding policy that all railway infrastructures in the borough will be protected and safeguarded by the Local Planning Authority to ensure that any additional future facilities or services can be accommodated and are not detrimentally impacted upon by other development needs. This is particularly necessary for future development of rail links to and from Royal Tunbridge Wells particularly from West Kent to the south coast and Brighton via Eridge, Crowborough, Uckfield and Lewes and to London (Victoria/London Bridge/Canary Wharf) via Croydon and Lewisham. Such new fast public transport routes could have a significant positive impact in reducing commuting by car and on through car journeys for leisure and other purposes.

We also support the case for safeguarding the Hawkhurst to Paddock Wood branch line alignment in its entirety as a future transport corridor, inter alia for use for active travel in the Borough

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

Yes, I wish to participate in hearing session(s)

Question 7a

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Our attendance would only be necessary if the policy is opposed by other interests, as we would then seek to demonstrate the soundness of this policy for the long term future of RTW and the Borough as a whole.

Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Royal Tunbridge Wells Town Forum
Address	- - - -
Event Name	Pre-Submission Local Plan
Comment by	Royal Tunbridge Wells Town Forum [REDACTED]
Comment ID	PSLP_821
Response Date	01/06/21 08:15
Consultation Point	Policy TP 6 Safeguarding Roads (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Royal Tunbridge Wells Town Forum
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy TP 6 Safeguarding Roads	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes

Is sound

Don't know

Complies with the Duty to Cooperate

Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

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We accept that it may be currently prudent to safeguard alignments for improvements to the A228 and A21. However it is our strong view that, given the climate emergency, national policy will shortly abandon costly and marginally useful road schemes in favour of transport solutions including public transport and active travel which will reduce day to day motor traffic and hence the need for any further major road building.

While we would support the retention of the existing section of the A228 as an active travel corridor if this scheme should go ahead, it would need to be designed as a fast commuter route for cycling and provide a complete link from Tunbridge Wells to Paddock Wood. It would be no good as an active travel route if it merely took cyclists safely through Colts Hill.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Comment

Consultee	██████████
Email Address	██
Company / Organisation	Royal Tunbridge Wells Town Forum
Address	- - - -
Event Name	Pre-Submission Local Plan
Comment by	Royal Tunbridge Wells Town Forum ██████████
Comment ID	PSLP_822
Response Date	01/06/21 08:15
Consultation Point	Policy OSSR 1 Retention of Open Space (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Royal Tunbridge Wells Town Forum
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy OSSR 1 Retention of Open Space	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes

Is sound

Don't know

Complies with the Duty to Cooperate

Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

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We support this Policy but with some reservations about future loss of any local sports or recreation facilities, which could lead to additional car journeys unless extensive active travel infrastructure is first provided. We are not convinced that in weighing the benefits or dis-benefits of any proposed alternative facility, the benefit of *retaining* a local amenity not reliant on motorised transport for access would be given sufficient weight.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Royal Tunbridge Wells Town Forum
Address	- - - -
Event Name	Pre-Submission Local Plan
Comment by	Royal Tunbridge Wells Town Forum [REDACTED]
Comment ID	PSLP_824
Response Date	01/06/21 08:15
Consultation Point	Policy OSSR 2 The Provision of Publicly Accessible Open Space and Recreation (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Royal Tunbridge Wells Town Forum
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy OSSR 2 The Provision of Publicly Accessible Open Space and Recreation

Question 4

Do you consider that the Local Plan:

Is legally compliant	Yes
Is sound	Yes
Complies with the Duty to Cooperate	Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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We strongly support the intention behind this policy and welcome the commitment to develop an Open Space Supplementary Planning Document to provide the necessary detail and guidance. It is, however, rather regrettable that this has not been done prior to the proposed allocation of so much Greenfield development both in Royal Tunbridge Wells and in other parts of the borough. If maintained, these proposed developments should be significantly informed by the proposed SPD. We therefore hope that the SPD will be made before any of the proposed housing allocations come forward as planning applications.

We also strongly support the requirement that future management and maintenance of new open spaces should be appropriately secured to the satisfaction of the Council.

We welcome the intention that the quantity and access standards set out in the Policy will always be treated as a minimum requirement and hope that, wherever reasonably practicable, provision will be negotiated to exceed those standards particularly in Royal Tunbridge Wells where interspersed large open green spaces are its principal defining characteristic as a town. This should be perpetuated in any new major development on its edge.

However, we feel that the reference to alternative provision mentioned in Paragraph 6.591 **should clarify what could be considered “conveniently and safely accessible”**. Only in exceptional circumstances should an alternative open space be considered conveniently and safely accessible if it cannot be realistically and safely accessed by active travel.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?	No, I do not wish to participate in examination hearing session(s)
--	--

Comment

Consultee	Mr Brian Lippard [REDACTED]
Email Address	[REDACTED]
Company / Organisation	RTW Civic Society
Address	[REDACTED] ROYAL TUNBRIDGE WELLS [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	RTW Civic Society [REDACTED]
Comment ID	PSLP_1534
Response Date	03/06/21 11:58
Consultation Point	Vision and Strategic Objectives 2 Strategic Objectives (View)
Status	Processed
Submission Type	Email
Version	0.4
Data inputter to enter their initials here	KJ
Question 1	
Respondent's Name and/or Organisation	Brian Lippard, Vice Chairman, RTW Civic Society
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Vision and Strategic Objectives 2 Strategic Objectives
Paragraph 3.15

Question 4

Do you consider that the Local Plan:

Is sound Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because: . It is not effective

Question 5

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These principles are sound but incomplete for a historic town with an exceptional setting. With the emphasis on growth and new development they do not fully recognise the distinct needs to protect and enhance the present built and natural environment, and the deficiencies of existing infrastructure.

Question 6

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Reword item 8. - To work to upgrade the existing environment, particularly heritage assets and the High Weald Area of Outstanding Natural Beauty, in relation to traffic, parking, and the provision of infrastructure.

Reason: The Strategic Objectives do not adequately reflect the sustainability principles expressed elsewhere in the Plan

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Mr Brian Lippard [REDACTED]
Email Address	[REDACTED]
Company / Organisation	RTW Civic Society
Address	[REDACTED] ROYAL TUNBRIDGE WELLS [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	RTW Civic Society [REDACTED]
Comment ID	PSLP_1537
Response Date	03/06/21 11:58
Consultation Point	Policy STR 5 Infrastructure and Connectivity (View)
Status	Processed
Submission Type	Email
Version	0.4
Data inputter to enter their initials here	KJ
Question 1	
Respondent's Name and/or Organisation	Brian Lippard, Vice Chairman, RTW Civic Society
Question 3	
To which part of the Local Plan does this representation relate?	Paragraph(s)
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy STR 5 Infrastructure and Connectivity	
Paragraph Nos. 4.90, 4.91, 4.94	
Question 4	
Do you consider that the Local Plan:	

Is sound

No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because: . It is not effective

Question 5

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Infrastructure and Connectivity (paras 4.90-4.91, 4.94)

Existing infrastructure needs more than 'protecting'. It is unrealistic to expect all the required infrastructure improvements to be obtained by negotiation on new development. Infrastructure betterment needs exist in addition to those mentioned (flooding at Paddock Wood), for example to promote active travel.

Question 6

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Re-word para 4.90 – As set out previously in Sections 2 and 3, **reviewing** existing infrastructure and securing investment from all sources in new infrastructure is key **to meeting the objectives of the Plan for sustainability and enhancement of the environment**.

Re-word 4.94: Alongside this Local Plan, the Council has developed an Infrastructure Delivery Plan (IDP), which seeks to identify the key elements of infrastructure that will be required to support the level and distribution of development being proposed **and the other objectives of the Local Plan** and how it will be delivered and phased. It also sets out what mechanisms will be used to ensure the timely delivery of infrastructure. It is critical that the necessary infrastructure (whether physical or social) is delivered in a timely way, to ensure that the development programme **and the objectives of the Plan for sustainability and environmental improvement are** not delayed and that built development and infrastructure is brought forward in a comprehensive approach.

Reason: Sustainability and enhancing the built and natural environment require reducing road traffic and providing infrastructure for walking and cycling, including in areas not affected by new development.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Mr Brian Lippard [REDACTED]
Email Address	[REDACTED]
Company / Organisation	RTW Civic Society
Address	[REDACTED] ROYAL TUNBRIDGE WELLS [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	RTW Civic Society [REDACTED]
Comment ID	PSLP_1540
Response Date	03/06/21 11:58
Consultation Point	Policy STR 8 Conserving and Enhancing the Natural, Built, and Historic Environment (View)
Status	Processed
Submission Type	Email
Version	0.4
Data inputter to enter their initials here	KJ
Question 1	
Respondent's Name and/or Organisation	Brian Lippard, Vice Chairman, RTW Civic Society
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy STR 8 Conserving and Enhancing the Natural, Built, and Historic Environment	
Question 4	
Do you consider that the Local Plan:	
Is sound	No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because: . It is not effective

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

Conserving and Enhancing the Natural, Built and Historic Environment (Policy STR 8)

This Policy fails to make it clear how it applies to the existing built environment, including smaller urban sites, by using the term 'landscape' ambiguously.

Question 6

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Proposal: Reword as follows: Development is expected to make a positive contribution to the **whole** natural, built, and historic environment of the borough. This includes landscape assets, biodiversity, geodiversity, priority habitats and species, designated sites and areas, archaeological assets **and the general built environment**. This will be achieved by the following approach:

- 1 Development should contribute to, and enhance, the urban and rural **environment** of the borough, with particular regard to the designated High Weald Area of Outstanding Natural Beauty;
- 2 The landscape character of the borough will be protected through retention and enhancement of the key characteristics or valued landscape features and qualities, as well as through the restoration of landscape character, in accordance with the objectives of the Borough Landscape Character Assessment SPD;
- 3 Development proposals must be informed by a clear understanding of the **setting** (on- and off-site) and demonstrate how it has incorporated and enhanced site characteristics and landscape features, avoiding and minimising harm wherever possible. Landscape mitigation, where required, should be identified at the outset of the scheme design process to ensure that proposals are truly landscape-led and should be used to reinforce and restore **local** character. All new landscaping should make a positive contribution to landscape character;

Reason: Besides some ambiguity in the wording of the Policy it refers to the Council's Historic Environment Review, which however does not take account of the history of Royal Tunbridge Wells as a nineteenth century residential town which shaped so much of its environment.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . Yes, I wish to participate in hearing session(s)

Question 7a

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If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

This is related to our objection about local heritage assets. We are particularly concerned that consideration of the built environment within the town of Tunbridge Wells is not sufficiently recognised. The architectural history of our town is important.

[TWBC: see PSLP_1539 for objection to Local Heritage Assets under Policy EN5]

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box: Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Mr Brian Lippard [REDACTED]
Email Address	[REDACTED]
Company / Organisation	RTW Civic Society
Address	[REDACTED] ROYAL TUNBRIDGE WELLS [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	RTW Civic Society [REDACTED]
Comment ID	PSLP_1542
Response Date	03/06/21 11:58
Consultation Point	Policy STR/RTW 2 Royal Tunbridge Wells Town Centre (View)
Status	Processed
Submission Type	Email
Version	0.4
Data inputter to enter their initials here	KJ
Question 1	
Respondent's Name and/or Organisation	Brian Lippard, Vice Chairman, RTW Civic Society
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR/RTW 2 Royal Tunbridge Wells Town Centre

[TWBC: this response also duplicated under Policy AL/RTW 1 Former Cinema Site, Mount Pleasant Road) - see PSLP_1541]

Question 4

Do you consider that the Local Plan:

Is sound

No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because: . It is not effective

Question 5

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Town Centre (para 5.28 and AL/RTW 1 and 2) Cinema Site

This Policy is ineffective. The Plan fails to reflect the urgency of the need for comprehensive planning for the town centre, in particular for the civic buildings and the adjoining cinema site. Planning for these two sites will largely determine the ability of the town centre to respond positively to the rapidly changing world. The summary in 5.28 reflects the 2018 planning consent for an unsuitable scheme led by luxury retirement flats; this project having failed there is no reason to require future development to take the same form.

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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Re-word 5.28 as:

The former cinema site, Mount Pleasant Road: A derelict central site which has been vacant for many years. This site is the subject of Policy AL/RTW 1, which reflects the planning permission for development for a mixed-use scheme comprising mixed Commercial Class E uses, as well as a cinema and residential. **Future development will be expected to make full use of the commercial potential of the site in the context of the town centre as a whole, with high quality development compatible with adjacent listed buildings and townscape.**

Reason: The failure to develop this site over more than twenty years reflects the high land value demanded by successive owners. Elsewhere policies in the Local Plan require developers to take account of all Plan obligations in forming their proposals, to ensure that land values reflect the acceptable use. The same logic should be applied to this site. (Strengthening the wording of 5.28 would make it more consistent with the Policy and leave less room for doubt).

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? Yes, I wish to participate in hearing session(s)

Question 7a

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If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

What happens to the site of the town hall is so important that we think it deserves much greater attention in the Local Plan than to be simply deferred for consideration in a town centre plan which is scheduled for 2025. This is one of the few sites which, being currently owned by the council, can be developed to maximise community use.

We seek a commitment from the council that the site will be retained by them and used for the benefit of the community.

We are particularly mindful of the cinema site which has been in the hands of developers since 2001 and still shows no sign of being developed. It would be a tragedy for the town if the council were to be allowed to sell the town hall site, thus running the risk of another derelict central site.

Future Notifications

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Comment

Consultee	Mr Brian Lippard [REDACTED]
Email Address	[REDACTED]
Company / Organisation	RTW Civic Society
Address	[REDACTED] ROYAL TUNBRIDGE WELLS [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	RTW Civic Society [REDACTED]
Comment ID	PSLP_1541
Response Date	03/06/21 11:58
Consultation Point	Policy AL/RTW 1 Former Cinema Site, Mount Pleasant Road (View)
Status	Processed
Submission Type	Email
Version	0.5
Data inputter to enter their initials here	KJ
Question 1	
Respondent's Name and/or Organisation	Brian Lippard, Vice Chairman, RTW Civic Society
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy AL/RTW 1 Former Cinema Site, Mount Pleasant Road

[TWBC: this response also duplicated under Policy STR/RTW 2 (Royal Tunbridge Wells Town Centre)
- see PSLP_1542]

Question 4

Do you consider that the Local Plan:

Is sound

No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because: . It is not effective

Question 5

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Question 6

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Reason: The failure to develop this site over more than twenty years reflects the high land value demanded by successive owners. Elsewhere policies in the Local Plan require developers to take account of all Plan obligations in forming their proposals, to ensure that land values reflect the acceptable use. The same logic should be applied to this site. (Strengthening the wording of 5.28 would make it more consistent with the Policy and leave less room for doubt).

Question 7

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Question 7a

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Future Notifications

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Comment

Consultee	Mr Brian Lippard [REDACTED]
Email Address	[REDACTED]
Company / Organisation	RTW Civic Society
Address	[REDACTED] ROYAL TUNBRIDGE WELLS [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	RTW Civic Society [REDACTED]
Comment ID	PSLP_1533
Response Date	03/06/21 11:58
Consultation Point	Policy AL/RTW 19 Land to the north of Hawkenbury Recreation Ground (View)
Status	Processed
Submission Type	Email
Version	0.6
Data inputter to enter their initials here	KJ
Question 1	
Respondent's Name and/or Organisation	Brian Lippard, Vice Chairman, RTW Civic Society
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
	Policy AL/RTW 19 Land to the north of Hawkenbury Recreation Ground
Question 4	
Do you consider that the Local Plan:	
Is sound	No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because: . It is not effective

Question 5

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The Society has no problem with the introduction of a sports hub near the town centre providing it has sufficient on-site parking and provision of suitable access for traffic, cyclists and pedestrians so that there will be minimal adverse impact on nearby residents. Our opinion is that the current plan does not meet these two conditions and hence we wish to lodge a formal objection.

Parking

Para 1.5 of the supporting document "Site Options Analysis for a Sports Hub" dated July 2020 states that there are insufficient football pitches available in the borough and that the demand for women's and girls' football would double over the period of the Local Plan. No specific mention was made as to the number of pitches required but the proposed number of a total of nine on the site (three already present plus six new ones) would be consistent with this assessment and projection of need.

Planning consent was granted in 2017 and renewed in April 2021 via Planning Application RTW 21/00300. The supporting document "Traffic Statement" from a firm of consultants calculated that 11 parking spaces would be sufficient if all the pitches were used simultaneously. We pointed out that the consultants hadn't considered the possibility of mini football festivals being held. Wateringbury (near Maidstone) hold one annually and have 500 juniors using four pitches simultaneously and have at least 150 cars which need parking. It is interesting to note Condition 8 attached to the approved application which states there must be "a management plan for the use of the paying pitches in order to limit pressure on the car parking facilities". The reason given was "Development without provision of adequate accommodation for the parking of vehicles is likely to lead to parking inconvenient to other road users".

AL/RTW 20 Land at Culverden Stadium, indicates that the Tunbridge Wells Football Club (TWFC) will have to vacate this site. AL/RTW 19 states that TWFC will be expected to move to the Hawkenbury site. From talking to one of their committee members, we understand that they expect to have 500 spectators attend some of their matches, especially for an important league or cup game. Some away supporters would probably come by coach but we would suggest that that the on-site parking currently proposed would be significantly insufficient.

These three documents referred to above are inconsistent with each other. The Site Options states that there will be a very strong demand for football pitches. This is used as a justification in the Local Plan for such a large number of pitches with the expectation of much usage. However, the Planning Application effectively admits the proposed parking is insufficient. Further, the Local Plan intends TWFC to move to Hawkenbury without providing sufficient on-site parking or indicating where extra parking would be provided.

Access

Point 5 of AL/RTW 19 states "The provision of improved cycle, pedestrian and potential bridal linkages within and beyond the site linking up with other Public Rights of Way, in particular with linkages to the

wider town and via High Woods Lane to Pembury, as set out in the Local Cycling and Walking Infrastructure Plan.”(LCWIP)

Despite being updated in March 2021, the LCWIP does not show these. No cycle routes from Pembury or TW town centre to the site are shown. Neither are pedestrian routes. Two walking routes are shown from the town centre but these both terminate at Forest Road.

If 111 parking spaces really are going to be sufficient then it is questionable whether there will be the need to widen High Woods Lane or improve other road junctions to cater for the sports hub.

As indicated before, we suspect that 111 spaces will be far too few. If this is the case then two-way access will be needed all the way from Halls Hole Road to the sports hub parking site so that latecomers who find the parking already full can turn round and leave. No doubt they will look to park on the access road so either double yellow lines will have to be painted, and enforced, or a third lane on these access roads will need to be provided to cater for this parking.

Point 4 of AL/RTW 19 says that “an overspill area of parking should be included”. The recent Planning Application made no mention of this. Hence we are forced to conclude that these two documents are incompatible with each other.

Question 6

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Policy AL/RTW 19 needs to be rewritten. It is impossible for us to provide wording now as the council needs to decide whether it will stick rigidly with 111 on-site parking spaces and not move TWFC to the site or whether it will insist that TWFC moves to Hawkenbury and does a detailed analysis of how many spaces this would require.

We suggest that at the same time, the council gives consideration as to whether it will or definitely will not allow mini football festivals on the site.

Policy AL/RTW 19 and the LCWIP need to be brought into line so that, either cycle and pedestrian routes from the town centre and from Pembury to the sports hub are clearly shown or the Policy specifically states they cannot be provided.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . Yes, I wish to participate in hearing session(s)

Question 7a

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If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Although we have only covered parking and access to the Hawkenbury sports hub, we expect there will be other objections from sports clubs, in particular Rusthall. We think a discussion with the Inspector is necessary so that TWBC can give us all a proper understanding of why the Local Plan contains what it does. We are mindful of the probable unstated requirement of retaining the same acreage of playing fields within the area if some existing ones are converted into housing. This has the potential of forcing new sports fields onto places where there is no demonstrable need.

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Mr Brian Lippard [REDACTED]
Email Address	[REDACTED]
Company / Organisation	RTW Civic Society
Address	[REDACTED] ROYAL TUNBRIDGE WELLS [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	RTW Civic Society [REDACTED]
Comment ID	PSLP_1539
Response Date	03/06/21 11:58
Consultation Point	Policy EN 5 Heritage Assets (View)
Status	Processed
Submission Type	Email
Version	0.4
Data inputter to enter their initials here	KJ
Question 1	
Respondent's Name and/or Organisation	Brian Lippard, Vice Chairman, RTW Civic Society
Question 3	
To which part of the Local Plan does this representation relate?	Paragraph(s)
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Paragraph No. 6.55	
Policy STR8, EN1, EN4	
Question 4	
Do you consider that the Local Plan:	

Is sound

No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because: . It is not effective

Question 5

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Reference is made in many places in the Local Plan to **Local Heritage Assets**.

Our comments refer specifically to the town of Royal Tunbridge Wells although we expect they would apply to the rest of the borough.

Para 6.55 starts with "Local heritage assets are those that appear on the local list of heritage assets". We would expect this to mean that the Council has a consolidated list of protected structures, landscape features, historic sites etc as defined by Historic England. No such list appears as a supporting document to the Plan and, we understand that one has not been adopted. The statutory list of Grade I and II listed buildings is readily available to everyone. Our concern is the absence of a consolidated list of the non-statutory locally defined heritage assets.

Question 6

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Giving effect to the Plan requires the Council either to commit to producing a definitive list of local heritage assets, or to modify the Plan to indicate how the built heritage of Royal Tunbridge Wells will be protected.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . Yes, I wish to participate in hearing session(s)

Question 7a

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If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

We feel that this is an important issue which needs specific direction from the Inspector on what to do about producing a comprehensive list of local heritage assets. We believe that a discussion between the Inspector, the Council and the Civic Society would be beneficial in determining what can be done and how to achieve it.

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box: Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Linda El-Mokadem ([REDACTED])
Email Address	[REDACTED]
Company / Organisation	RTW Monson Swimming Club
Address	[REDACTED] Tunbridge Wells TN4 [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	RTW Monson Swimming Club (Linda El-Mokadem [REDACTED])
Comment ID	PSLP_1950
Response Date	04/06/21 16:58
Consultation Point	Pre-Submission Local Plan (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	RTW Monson Swimming Club
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Pre-Submission Local Plan

Question 4

Do you consider that the Local Plan:

Is sound No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not positively prepared
- . It is not effective
- . It is not consistent with national policy

Question 5

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[TWBC: Comments from covering email]

I am writing on behalf of RTW Monson the local swimming club in order to write with comments for the Pre-Submission of the Local Tunbridge Wells Borough Council Plan. In particular we would like to comment on the 'soundness' of the plan given the supporting documents. As the local swimming club, Royal Tunbridge Wells Monson, we are deeply concerned that the council have not given Swimming provision enough consideration. This is particularly disappointing given that the Retail & Leisure Survey 2017 & the recent survey in 2020 shows that there is public demand for a swimming pool. The current draft only really focuses on the new development at Paddock Wood and the possibility of a new 25m pool there and has no detail on the scope. We also feel that the existing provision of St John's is not adequate for the growing population and we are aware that local residents are struggling for access to Swimming Lessons and general pool time for both children and adults. Indeed as a club we are struggling for pool time and are seriously concerned about the sustainability of our club going forward.

As you know swimming is a life saving skill and provides numerous health, social and wellbeing benefits. Given the changing retail and leisure landscape, swimming remains a vital skill and tool in health and fitness that you have to physically travel to a venue in order to participate in. It could be argued therefore, that swimming may become a 'destination activity' and supersede many of the other activities that individuals are now able to participate in virtually and provide a destination venue for leisure.

We would therefore ask you to further consider in line with the National Plan to "promote vitality and viability" in the town centre first and ensure the leisure provision and swimming facilities are in particular is fit for purpose, meets the need of the population- particularly given the fact that the supporting surveys to the plan highlight swimming pools as an area of focus for local people.

[TWBC: Comments on representation form]

1. It doesn't take into account the Retail & Leisure Study 2017 or latest 2020 study which highlights the requirement of more swimming pools. The proposal for a 25m pool does not detail how many lanes, or whether it will be suitable for competitions. A 4-lane pool for example is expensive to run and will not be as commercially successful or meet the local population demand/needs. What quantitative work has been carried out to look at oversubscription of swimming classes etc. Have the local aquatic disciplines been contacted as key stakeholders?

2. Doesn't account for the lack of provision of swimming pool space in central town of the Borough, lack of lessons etc. Or the fact that the current facilities are old and not fit for purpose. Therefore, doesn't take into account the National Plan 'To promote vitality & Viability with the town centre first approach including leisure. Or key challenges around focus on leisure & culture to ensure long term adaptability of the town centre.

3. With lockdown pushing people to move online for many activities in leisure, swimming remains a destination venue and a key lifesaving and health promoting activity and the plan should take such factors into account.

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan 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.

1. Mention of the improvement/replacement of St Johns Leisure centre. 2. Specifically mention the format of the swimming pool proposed at Paddock Wood. 3. Indicate how leisure in Tunbridge Wells itself will be improved as per info given in point 5 above.

As the local swimming club and therefore a key Leisure user for the local area, we feel that the plan should reflect the previous studies findings (i.e. more pools) as well as have an understanding of the constraints that local clubs are working with and the sustainability of such clubs without adequate Leisure facilities that are fit for purpose and the population (children) and the times they can take part in leisure activities.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . Yes, I wish to participate in hearing session(s)

Question 7a

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

We are a key user and are hugely concerned about our viability for the future.

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box: Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Livia Rurarz-Huygens [REDACTED]
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	Livia Rurarz-Huygens [REDACTED]
Comment ID	PSLP_233
Response Date	25/05/21 13:23
Consultation Point	Policy AL/RTW 14 Land at Tunbridge Wells Garden Centre (View)
Status	Processed
Submission Type	Web
Version	0.2
Question 1	
Respondent's Name and/or Organisation	Livia Rurarz-Huygens
Question 2	
Agent's Name and Organisation (if applicable)	Private resident
Question 3	
To which part of the Local Plan does this representation relate?	Paragraph(s)
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
5.91, 5.92, 5.93, 5.94	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Don't know
Is sound	No

Complies with the Duty to Cooperate

Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because: . It is not effective

Question 5

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Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

5.91 Existing vehicular access to the site is directly from the A26 Eridge Road to the south east corner of the site, close to the bend in the Eridge Road. The Spa Valley Railway Line is located south of the site, including a bridge that crosses the Eridge Road just south of the site access. The existing access from the site onto the Eridge Road is already dangerous with a steep slope onto a busy bend with restricted visibility. The proposed development will add considerably to the traffic using this access road and so will represent a much greater risk of accident.

There is no pedestrian footpath on the garden centre side of the A 26 Eridge Road and so the pedestrians from the houses on the development going into town will need to cross a busy road on a dangerous bend.

5.92 The site was released from the Green Belt, and the Development Strategy Topic Paper and Green Belt studies set out the exceptional circumstances and compensatory improvements to the remaining Green Belt to justify the changes to the boundary in this location. What to date have been the compensatory improvements to the remaining Green Belt?

The 2019 Plan describes the site as being part of a Biodiversity Opportunity Area where any development should demonstrate net gains for nature and biodiversity. Reference was also made to the DEFRA "MAGIC" website which described the area as suitable as woodpasture and parkland. Both these descriptions have been removed from the current plan.

5.93 It lies adjacent to the Royal Tunbridge Wells Conservation Area and to Tunbridge Wells Common, which is a designated Local Wildlife Site. Part of the site is also covered by the Environment Agency's Flood Zone 3.

River Grom flooding Report 2017 (Currently Correct /Relevant unless structural changes have been made)– Ref pages 7-9 Extracts:(page 7 – 2.3 para 4)To the south and east of The Pantiles, much of the area has separate surface water and foul water drainage. The surface water sewers generally discharge to watercourses which ultimately flow into the River Grom.(Page 9 – 2.4.1 para 3).... There is a Combined Sewer Overflow (CSO) from the public combined sewer in the culverted section of the River Grom that allows the combined sewer in the Pantiles area of Tunbridge Wells to discharge into it if its capacity is exceeded.

The development is in a river valley. Under present conditions High Rocks Lane regularly floods as the point where it meets Hungershall Park (and where it is presumed the proposed "emergency exit" will be for the development). As a result the road is always in a poor condition with potholes that reappear quickly after frequent repairs. The road at this point is a blind bend with no footpath so pedestrians and cyclists often veer across the roadway to avoid the potholes and create a real danger

of accidents to oncoming vehicles. This situation will only get worse once a large area of the valley floor is concreted over as a result of the development.

It was recently noticed by local residents that the site currently suffers from a sewage problem. A large manhole cover had been dislodged and was surrounded by household waste which had obviously been forced out. It is hoped that this would be resolved as part of the development, especially as the River Grom is in close proximity and there is a seasonal flooding issue in that area, as referred to above in the 2017 flooding report.

5.94 *Development would need to be sensitively designed to respect the location in proximity to the Common, the conservation area, and the topography of the site. However, it constitutes a sustainable site on the edge of the town centre and could accommodate a mix of uses, to include the retention/expansion of the existing garden centre business and the introduction of some residential development within the site. However, Kent County Council, as the local highways authority, considers that the scale of development on the site may be limited due to the current access constraints. 108 Tunbridge Wells Borough Local Plan Regulation 19 Consultation Pre-Submission Local Plan Map 14 Site Layout Plan*

Policy AL/RTW 14 Land at Tunbridge Wells Garden Centre This site, as defined on the Royal Tunbridge Wells Policies Map, is allocated for the expansion of the existing Use Class E (a) commercial use (garden centre) with an element of residential of approximately 25-30 residential dwellings, of which 30 percent shall be affordable housing. Development on the site shall accord with the following requirements:

- 1 *Means of access, including secondary and emergency means of access, to be informed by a transport statement; it is likely that the scale of any development may be limited by the quality of access arrangements that can be achieved within the confines of the site. An emergency access is likely to be required to the north;*

Planning consents often require provision of social/affordable housing under Section 106 Agreements, but invariably the developer comes back to the local authority later and pleads that it renders the scheme unviable. The 30% (eg) then falls away to 10% or less. The infrastructure requirements on this site will render development especially expensive. The contribution this site could make to meeting housing need is negligible.

Previous planning for access - Refused(89/02011/FUL | New vehicular access. New gate and 1.8m high chain link boundary fence | Wyevale Garden Centre Eridge Road Royal Tunbridge Wells Kent TN4 8HP (midkent.gov.uk)) Ref. No: 89/02011/FUL | Received: Tue 07 Nov 1989 | Validated: Thu 14 Jun 1990 | Status: Decided Council Letter 1990 - Extracts detailing the Refusal reasons:1 a) The proposed access would be likely to create unacceptable additional hazard to traffic.2 a) The sight lines are inadequate and would create unacceptable additional hazards to traffic.3 a) The proposal would be undesirable in an area which is predominately rural in character, and would be detrimental both to the appearance and to the rural amenities of the locality.4 a) The proposal would be likely to be unacceptably detrimental to residential amenities of adjacent dwellings

The only change since 1990 is higher volumes of traffic on High Rocks Lane and Hungershall Park.

No known local precedents have been set for a requirement of a secondary and/or an emergency access. Example: The existing adjacent large estate has no secondary or emergency access.

Access: The suggested 'North' secondary and emergency access point will:

- . Destroy a Bio Diverse habitat, impacting the natural rural dynamic .
- . By default the access point becomes a tacit 'extra access' immediately opening onto High Rocks Lane with hazardous restricted/limited line of sight which is onto a speed de-restricted area and is a width constricted lane, plus opposite another lane entrance point; as highlighted in the council's planning permission access refusal 1990.
- . There is a high probability for this access to become a local shortcut

Proposing a Secondary and Emergency access appears to be a leverage argument to open up the site with another access point thereby ignoring the hazards identified, refer to previous valid refusal rational.

There is a high probability for dangerous additional 'on road parking' at the lower end of Hungershall Park/ corner of High Rocks lane/ Cabbage Stalk Lane. The proposed new developments at Spratsbrook Farm and the old Plant & Tools Hire site by The West Station which is to have access directly on to

Eridge Road, will both increase traffic flows along this busy stretch and force drivers to find alternative routes.

Newts and a variety of amphibian wildlife have been seen in the site North aspect / River Grom area of this location.

In traffic management terms an emergency exit would require either traffic light control, or a roundabout (taking up additional land) further eroding the natural character of the area.² *The provision of pedestrian and cycle access to the north and improved pedestrian and cycle access into the town;*

If the access point is allowed to the north, then the suggested access is onto a hazardous speed de-restricted and width restricted lane. This was one of the reasons the previous planning for access was refused.

This would also create a safety hazard for pedestrians as there is no pavement from the suggested access secondary/emergency point towards Cabbage Stalk Lane.

- 1 *Adequate servicing and parking to serve the expanded commercial use on the site;*
- 2 *Provision of a green route through the site from east to west connecting to existing Public Rights of Way on Tunbridge Wells Common and Cabbage Stalk Lane; Site East West access – Cabbage Stalk Lane will cause additional volume of use. This poses the following problems:*

1) Compromise to safety and hazard as now a designated cycle path. Several near misses have already occurred with current multi-use volumes; as the majority of cyclists appear to disregard this lane as being a shared facility with pedestrians, pedestrians and dog walkers, plus vehicular access traffic.

2) Cyclists coming out of the new development will generally turn right into Cabbage Stalk Lane, adding to the volumes of cyclists using that lane. Furthermore, this will surely add to the number of cyclists on the Common who increasingly seem to be ignoring the “no cycling” rule there.

3) For those who might turn left into High Rocks Lane, this would add to the number of cyclists on this narrow lane with blind corners and numerous potholes - adding yet further risk to themselves, pedestrians and cars.

4) This is likely to further increase the volume of cyclists coming down the hill in Hungershall Park and towards the proposed development. Residents are increasingly concerned about the number of cyclists coming around the corner at very high speed and oblivious to the blind entrance several drives. There have been near misses recently and including one cyclist who recently came off his bike near the entrance to the drive at no. 12 Hungershall.

- 1 *Development shall be located on the areas identified for mixed use on the site layout plan; Tunbridge Wells Borough Local Plan 109 Pre-Submission Local Plan Regulation 19 Consultation*
- 2 *Green infrastructure shall be provided on the areas shown indicatively in green on the site layout plan, and these shall be retained and enhanced. This shall include suitable buffering and enhancements to the River Grom corridor and to the setting of the adjacent Tunbridge Wells and Rusthall Common; The plan shows a green space buffer running alongside Cabbage Stalk Lane. The current woodland buffer is substantial and therefore the developer is likely to bulldoze and excavate as much as is feasible subject to ground stability and the preservation of valuable and species trees etc. The trees provide cover and privacy for wildlife and seclusion for walkers and local residents but are not in themselves wonderful specimens but are nevertheless very important to the semi rural nature of the area. The retention of as much tree cover as possible is very important.*

The River Grom flows along the Southern boundary of the plot alongside the railway line. The woodland and the river provide a habitat for deer and other wild animals. It would be desirable if the western end of the plot be preserved for wildlife, not be built upon and not used for vehicular access.⁷ *Regard will be given to existing hedgerows and mature trees on-site, with the layout and design of the development protecting those of most amenity value, as informed by an arboricultural survey and a landscape and visual impact assessment;*

The development will inevitably destroy and erode an established valuable bio-diverse habitat in a unique rural area.

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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Provide pavement on the Common side of the A26 Eridge road as pedestrians will be crossing the A26 at a dangerous busy point.

Make clear what have been the compensatory improvements to the remaining Green Belt as a result of the removal of this section of the Green belt. Additionally, make clear how the biodiversity of the area will be safeguarded given shrinking habitat.

Remove the planned North exit that would lead onto Hungershall as no known local precedents have been set for a requirement of a secondary and/or an emergency access.

Ensure that onroad parking on Hungershall is limited.

Remove the planned cycle access to town along Cabbage Stalk Lane.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?	. No, I do not wish to participate in examination hearing session(s)
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Future Notifications

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Comment

Consultee	Livia Rurarz-Huygens [REDACTED]
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	Livia Rurarz-Huygens [REDACTED]
Comment ID	PSLP_347
Response Date	24/05/21 21:23
Consultation Point	Policy AL/RTW 14 Land at Tunbridge Wells Garden Centre (View)
Status	Processed
Submission Type	Web
Version	0.3
Question 1	
Respondent's Name and/or Organisation	Livia Rurarz-Huygens
Question 3	
To which part of the Local Plan does this representation relate?	Paragraph(s)
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
5.91, 5.92, 5.93, 5.94	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Don't know
Is sound	No
Complies with the Duty to Cooperate	Don't know
Question 4a	

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound . It is not effective because:

Question 5

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There is no pedestrian footpath on the garden centre side of the Eridge Road and so the pedestrians from the houses on the development going into town will need to cross a busy road on a dangerous bend.

Therefore:

1) Traffic Safety and Hazard: Vehicle access point on A26 Eridge Road. Road Traffic Safety compromised due to additional vehicle movement volumes; with a traffic hazard as there is restricted line of sight (ref. also 5.94) Note: Existing access considered to be on apex of bend, not as defined above as 'close to the bend'. 2) Pedestrian Safety and hazard: No available pavement on the Common side of the A26 pedestrians will be crossing the A26 at a dangerous busy point

5.92 The site was released from the Green Belt, and the Development Strategy Topic Paper and Green Belt studies set out the exceptional circumstances and compensatory improvements to the remaining Green Belt to justify the changes to the boundary in this location. What to date have been the compensatory improvements to the remaining Green Belt?

The 2019 Plan describes the site as being part of a Biodiversity Opportunity Area where any development should demonstrate net gains for nature and biodiversity. Reference was also made to the DEFRA "MAGIC" website which described the area as suitable as woodpasture and parkland. Both these descriptions have been removed from the current plan.

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reappear quickly after frequent repairs. The road at this point is a blind bend with no footpath so pedestrians and cyclists often veer across the roadway to avoid the potholes and create a real danger of accidents to oncoming vehicles. This situation will only get worse once a large area of the valley floor is concreted over as a result of the development.

It was recently noticed by local residents that the site currently suffers from a sewage problem. A large manhole cover had been dislodged and was surrounded by household waste which had obviously been forced out. It is hoped that this would be resolved as part of the development, especially as the River Grom is in close proximity and there is a seasonal flooding issue in that area, as referred to above in the 2017 flooding report.

5.94 *Development would need to be sensitively designed to respect the location in proximity to the Common, the conservation area, and the topography of the site. However, it constitutes a sustainable site on the edge of the town centre and could accommodate a mix of uses, to include the retention/expansion of the existing garden centre business and the introduction of some residential development within the site. However, Kent County Council, as the local highways authority, considers that the scale of development on the site may be limited due to the current access constraints. 108 Tunbridge Wells Borough Local Plan Regulation 19 Consultation Pre-Submission Local Plan Map 14 Site Layout Plan*

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Access: The suggested 'North' secondary and emergency access point will:

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Farm and the old Plant & Tools Hire site by The West Station which is to have access directly on to Eridge Road, will both increase traffic flows along this busy stretch and force drivers to find alternative routes.

Newts and a variety of amphibian wildlife have been seen in the site North aspect / River Grom area of this location.

In traffic management terms an emergency exit would require either traffic light control, or a roundabout (taking up additional land) further eroding the natural character of the area.² *The provision of pedestrian and cycle access to the north and improved pedestrian and cycle access into the town;*

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- 1 *Adequate servicing and parking to serve the expanded commercial use on the site;*
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- 2) Cyclists coming out of the new development will generally turn right into Cabbage Stalk Lane, adding to the volumes of cyclists using that lane. Furthermore, this will surely add to the number of cyclists on the Common who increasingly seem to be ignoring the “no cycling” rule there.
- 3) For those who might turn left into High Rocks Lane, this would add to the number of cyclists on this narrow lane with blind corners and numerous potholes - adding yet further risk to themselves, pedestrians and cars.
- 4) This is likely to further increase the volume of cyclists coming down the hill in Hungershall Park and towards the proposed development. Residents are increasingly concerned about the number of cyclists coming around the corner at very high speed and oblivious to the blind entrances of several drives. There have been near misses recently and including one cyclist who recently came off his bike near the entrance to the drive at no. 12 Hungershall.

- 1 *Development shall be located on the areas identified for mixed use on the site layout plan; Tunbridge Wells Borough Local Plan 109 Pre-Submission Local Plan Regulation 19 Consultation*
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The development will inevitably destroy and erode an established valuable bio-diverse habitat in a unique rural area.

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Establish a pedestrian footpath on the garden centre side of the Eridge Road.

Make clear what to date have been the compensatory improvements to the remaining Green Belt

It is hoped that flooding issues would be resolved as part of the development.

Consider eliminating the North access emergency exit.

Consider eliminating the cycle route on Cabbage Stalk Lane.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?	. No, I do not wish to participate in examination hearing session(s)
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Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:	Yes, I wish to be notified of future stages of the Local Plan
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Supporting Information File Ref No: SI_142

Comment

Consultee	Ann Russell ([REDACTED])
Email Address	[REDACTED]
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Ann Russell ([REDACTED])
Comment ID	PSLP_2060
Response Date	27/05/21 20:21
Consultation Point	Policy PSTR/FR 1 The Strategy for Frittenden parish (View)
Status	Processed
Submission Type	Email
Version	0.3
Files	PSLP_2060_A Russell_SI.pdf
Data inputter to enter their initials here	KJ
Question 1	
Respondent's Name and/or Organisation	Ann Russell on behalf of Rosaline Russell
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy PSTR/FR 1 The Strategy for Frittenden parish

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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[TWBC: for site plan and image see representation attached]

I have spoken with your colleague Gwenda Bradley on several occasions recently with regards to the Call For Sites process. Gwenda was incredibly helpful and informative and advised me to send you an email prior to the consultation period ending on the 4th June. I discussed in length with Gwenda that my mother-in-law has a 22 acre area site (shown below, area within green line) which she would like to be considered within this scheme. Proposed Land Owner - Rosaline Russell Proposed Site - 22 acres surrounding Shenlands Barn, Ayleswade Lane, TN27 9JG

Shenlands Barn (shown as A on the map) is a large detached barn which was converted from an agricultural building to residential use in 2017. It is located 1.2 miles south of Headcorn within the Tunbridge Wells Borough and Frittenden Parish. The house has 22 acres to the rear and surrounding area. It falls outside an Area of Outstanding Natural Beauty. There are no flooding or Public Right of Way concerns. Ownership of the land is in the name of Rosaline and John Russell. Sadly John passed away last year and I am assisting my mother-in-law Roz with this process. Therefore Roz Russell is the sole owner of the land. Roz resides in Shenlands Barn and her garden also currently incorporates plot B on the map.

Visually it is a very attractive flat area and there are some mature trees to the boundaries and well established hedging. There are also 2 ponds. It is located on the Headcorn / Frittenden borders surrounded by beautiful countryside and well supported by the local community. The 22 acres is currently rented by a local cattle farmer for Arable farming and used to provide silage.

We believe that it would make an ideal site for family homes or a retirement village but are happy to consider all options that may be available to us. We are also happy to consider full or partial land to be designated within the plan. The area is very well located for schools with at least 5 primary schools in very close proximity - Headcorn Primary, Frittenden Primary, Biddenden Primary, Smarden Primary and also Sutton Valence. There are also a number of excellent secondary schools, be it grammar, comprehensive or private. The location of Headcorn train station located a mile away from the land provides excellent access to London. We are also fortunate to have a bus stop at the end of our lane which gives excellent access to Headcorn High Street, Tenterden, Sutton Valence and Maidstone. Clarendon Homes have recently completed a similar project located immediately to the adjacent side of Biddenden Road (A274) which falls under Maidstone Borough Council. In earlier years it was home to a residential home, however due to a fire it was closed. In recent years it has been replaced by a very attractive residential development with approximately 15 homes. Similarly to our proposed site, it is well surrounded by trees and provides screening and has no visual detriment to the surrounding area.

Our current access points can be seen identified on the map. There are currently 2 on the A274 (AP2 and AP3) which have been there since the 1950's and are used by the farmer to gain access for grass cutting. There is one additional access point which is located on Ayleswade Lane (AP1). The site has no history of previous uses and will have no contamination risk. We have conducted a contamination desk study in previous years and are happy to provide these to you. We have no ecology report to date but are happy to do so if we are fortunate to be considered. We have no restrictions within the 22 acres however we would like them to be well built and within keeping to the area. We would ensure that we engage with the current owners of Shenlands Farm who would potentially be impacted by this

process. Through consultation with them we would offer them the plot of land (identified as B on map) immediately to the rear of their home if planning was successful. This would then allow them to be fully screened from both noise and visual pollution. In summary, we believe that our proposed area would make an excellent designated site. We have no timing restrictions and therefore would work within your timeframe, ie, within the 5 years. We are also happy to explore and consider various options and look forward to hopefully discussing possible opportunities at a future date.

For office use only

New Site Submission? Enter site address

22 acres surrounding Shenlands Barn, Ayleswade Lane, TN27 9JG

Question 7

***Please note** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.*

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

Comment

Consultee	Ms Su Denne [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Rusthall Parish Council
Address	[REDACTED] [REDACTED] ROYAL TUNBRIDGE WELLS [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Rusthall Parish Council [REDACTED]
Comment ID	PSLP_1545
Response Date	04/06/21 11:57
Consultation Point	Policy AL/SP 2 Land at and adjacent to Rusthall Recreation Ground, Southwood Road (View)
Status	Processed
Submission Type	Email
Version	0.3
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Rusthall Parish Council
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy AL/SP 2 Land at and adjacent to Rusthall Recreation Ground, Southwood Road

Paragraph No(s) 5.807 to 5.815

Policies Map (Inset Map No(s)) 76

Question 4

Do you consider that the Local Plan:

Is legally compliant Yes

Is sound No

Complies with the Duty to Cooperate Yes

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not positively prepared
- . It is not justified

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

The plan is not positively prepared for the following reasons:

Meeting local needs:

We do not consider that the local need underpinning the policy has been adequately identified. The policy is based upon insufficient evidence that is not up-to-date. The Playing Pitch Strategy was published in 2017, and no further update has been made since. There are no teams registered as having Southwood Road as their home ground. The Jockey Farm pitch, not part of the proposed allocation, is owned by the Rusbridge family and is where the Rusthall teams play.

We are advised by the club that it is not the lack of facilities that is creating an issue, rather the quality of the pitches available. This is the case at the proposed development site: the quality of the existing pitches at the recreation ground is poor due to lack of adequate drainage. This means that they are not fully utilised in the winter months. It is considered that simply building more pitches, on equally waterlogged land, would not be the most efficient way to increase usage. Rather the existing pitches should be upgraded first to maximise their usage across the year.

This would conform to the Football Association's "SURVIVE. REVIVE. THRIVE. THE FA GRASSROOTS FOOTBALL STRATEGY 2020-24", published in March 2021, which promotes the need for "quality pitches", based on the Performance Quality Standard (PQS), where a key criteria is the ability to drain water.

A further assessment of demand could then be undertaken to ascertain how many pitches, of similar quality, would be required. Should a demand be identified, the prioritisation of a 3G (all-weather) pitch, may be a more prudent investment and would also reduce the amount of land required for provision.

Achieving sustainable development

We do not consider that the policy is consistent with achieving sustainable development for the reasons provided below:

Environmental sustainability:

1 Biodiversity

The site comprises two fields, divided by a mature hedgerow and the site lies within a larger Biodiversity Opportunity Area – it is unclear how development of the site would benefit this.

Furthermore, since the planning permission for the site was reapproved, a very large badger sett has been identified on the boundary of the proposed land. The Badger Trust has confirmed that this is currently in use.

Badgers are protected species and Paragraph 175(a) of the National Planning Policy Framework states, *“if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused”*.

A survey of the site should therefore be undertaken; whilst surveys can be undertaken at any time of the year, the Badger Trust recommend that the best time to survey is in early spring or late autumn when badgers are active but there is less vegetation to hide the signs.

The Badger Trust recommend an approach to assessing and mitigating impacts of development on badgers. Negative impacts should be avoided and mitigation measures (if considered suitable) would require, among other things, a 30-metre buffer zone. If not feasible, a licence to move the sett would be required.

1 Existing community uses

Rusthall Football Club currently lease land at Jockey Farm and have heavily invested in the Club and facilities over the last 35 years. This has included draining the pitch, at significant cost (circa £100,000), and provision of a club house. This has been supported by volunteers, the landowner and with grants from sporting foundations and TWBC.

The pitch is well-used by the local community and hosts a variety of football events. There is concern that by developing the land at Jockey Farm to provide additional pitches, this could jeopardise the existing Jockey Farm pitch, should the landowner consider it necessary to reutilise the land to enable the continued viability of the land. This important and much-valued facility could be lost.

1 Economic sustainability:

Two of the fields proposed for development belong to Jockey Farm, which has been in the Rusbridge family since 1925 and operates as a free range egg enterprise and a pedigree Sussex Beef Suckler herd.

The two fields proposed are surrounded on two sides by other fields that are in constant use by Jockey Farm and this will make it more difficult for the farm to continue to trade.

We understand that the landowner has a particular need in the short term for the land comprising the southern field, therefore the ability to safeguard this land from development would be paramount.

The Plan is not Justified

Within the Strategic Environment Assessment (p.192), the site itself has been scored as having no impact on ‘biodiversity’, despite the site lying within the AONB and a wider area recognised as a Biodiversity Opportunity Area. As noted above, the site also houses mature hedgerows and a badger sett.

Furthermore, the site is scored as having a neutral impact on ‘business growth’, in spite of it requiring the compulsory purchase of farmland, which is critical to the viability of Jockey Farm.

The site is considered to have neutral / slightly positive effect on services and facilities, defined as ‘improved access and range of key services and facilities’. Whilst the site would extend the existing recreation ground facilities, there is a concern, as noted above, on the potential impact on the existing football pitch owned by Jockey Farm, should that require reutilising as a result of lessened viability of the overall farm business. This well-used facility could be lost

It is also not clear to what extent reasonable alternatives to this site have been evaluated against other sites that would be capable of addressing the suggested need for additional playing pitch space. Within the SEA, for instance, the site is considered against other sites in Speldhurst Parish, but not against other sites suitable for this particular use. All of the other sites within the Parish had been put forward for residential / business / education development and not for recreational development.

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan 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.

A comparison of alternative sites suitable for recreational use (as a sports hub) should be undertaken, to ascertain if the site at Speldhurst remains the most appropriate.

Assessments on the impacts on biodiversity should be undertaken, in particular the impact on the badger set. Any proposal for development must be supported by a biodiversity appraisal, which must demonstrate how negative impacts would be minimised and biodiversity net gain achieved.

The appraisal should demonstrate that where significant harm cannot be avoided, proposed development and other changes should adequately mitigate or, as a last resort, compensate for the harm. The appraisal must demonstrate a measurable biodiversity net gain of 10% by utilising the Defra biodiversity metric (or as amended). Where this is not demonstrated, we consider that the development should be refused.

Measures to achieve biodiversity net gain, mitigation or compensation involving the creation of habitat and/or relocation of species, must be agreed by the Local Planning Authority and include sufficient funding to support at least 30 years of post-development habitat management or land use change. This would be in line with the emerging Environment Bill.

A review of the current facilities at the recreation ground should be undertaken to ascertain the extent to which upgrading the existing pitches – which are currently under-used as a result of poor drainage, particularly in the winter months – would address demand. The prioritisation of a 3G pitch could assist this and would require only the northern field of Jockey Farm, retaining the southern field for economic use by the farm.

Should the additional evidence continue to point to a need for recreational use at this particular site, as the demand for the facilities has been calculated to the end of the Local Plan period, i.e. once the quantum of development has been delivered, it would appear sensible to incorporate a staged approach into the policy itself, informed by demand, for instance:

Phase 1:

- Investment to upgrade the existing pitches to bring them up to the required quality in terms of drainage; and
- Upgrading of the changing facilities to enable unisex use.

Phase 2:

- Development of a 3G pitch on the northern field

Phase 3:

- Consider need to expand further into the southern field.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Supporting Information File Ref No: SI_84a-u

Comment

Agent	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Sigma Planning Services
Address	Sigma House 6 Garden Street ROYAL TUNBRIDGE WELLS TN1 2XB
Consultee	Kevin Willcox [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Rydon Homes
Address	Rydon House Station Row FOREST ROW BN3 7AJ
Event Name	Pre-Submission Local Plan
Comment by	Rydon Homes (Kevin Willcox - [REDACTED])
Comment ID	PSLP_1629
Response Date	03/06/21 13:25
Consultation Point	Pre-Submission Local Plan (View)
Status	Processed
Submission Type	Email
Version	0.9
Files	Sigma Planning for Rydon Homes_RYDON 13.pdf Sigma Planning for Rydon Homes_List of Appendices TWBC LP.docx Sigma Planning for Rydon Homes_RYDON 17.pdf Sigma Planning for Rydon Homes_RYDON 14.pdf Sigma Planning for Rydon Homes_RYDON 3.pdf Sigma Planning for Rydon Homes_RYDON 9.pdf Sigma Planning for Rydon Homes_RYDON 2.pdf Sigma Planning for Rydon Homes_RYDON 6.pdf Sigma Planning for Rydon Homes_RYDON 12.pdf Sigma Planning for Rydon Homes_Composite Representations.pdf Sigma Planning for Rydon Homes_RYDON 4.pdf Sigma Planning for Rydon Homes_RYDON 7.pdf Sigma Planning for Rydon Homes_RYDON 8.pdf

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[Sigma Planning for Rydon Homes RYDON 10.pdf](#)

Data inputter to enter their initials here KJ

Question 1

Respondent's Name and/or Organisation Rydon Homes Ltd

Question 2

Agent's Name and Organisation (if applicable) Sigma Planning Services

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Legal Compliance

[TWBC: see also representation numbers PLSP_1629, 1702, 1705, 1707, 1708, 1709, 1710, 1713, 1714, 1715, 1717, 1721, 1729, 1732, 1733, 1734, 1737, 1739, 1741, 1743, 1744, 1745 & 1746]

Question 4

Do you consider that the Local Plan:

Is legally compliant No

Is sound No

Complies with the Duty to Cooperate No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not positively prepared
- . It is not effective
- . It is not justified
- . It is not consistent with national policy

Question 5

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[TWBC: see supporting documents attached, including composite of all representations].

1 A robust evidence base.

A sound development plan is required to be justified by a robust evidence base. The decision by Members to take the Plan forward for submission to the Secretary of State should have been informed by a complete evidence base and full access by Members to it. This was not the case. The decisions by Cabinet of 21st January 2021 and Full Council 3rd February 2021 agreed to undertake consultation on the Pre-Submission version of the Local Plan (Regulation 19) as it stood before them, subject to authorising the Head of Planning to make minor modifications. At that point key documents were not available to Members, as set out in Appendix A to the report (Rydon 1). Those documents were, allegedly, highly influential in the significant changes to the proposed Spatial Strategy between the Regulation 18 and 19 stages of the Local Plan process. Without access to those documents, Members were not in an informed position to put the Plan forward for Reg 19 consultation.

1 Community Involvement.

Similar considerations apply in relation to the availability of those key documents to the public. Most were made available only days before the commencement of the consultation period on 26th March 2021 leaving the absolute minimum period of time for the public to appraise those very detailed documents and produce a cogent response within the ten week consultation period. There appears to be no reason why those important documents could not have been provided sooner so that Members could make informed decisions and interested parties could have more time to consider them. For example, the Hankinson Duckett Associates Landscape and Visual Impact Assessment of Proposed Allocation Sites within the High Weald AONB was being discussed with Member Working Groups in September 2020 and is dated November 2020 but it was only made available on 9th March 2021. Other key documents were similarly held back from publication. In the context of a positively prepared and justified development plan, in the spirit of transparency and true public engagement, it is difficult to understand why this was the case. It may not strictly be a legal default but it certainly conflicts with the spirit of the process and associated Government Guidance and reflects badly on the TWBC claim that their Plan is positively prepared and justified.

3.Sustainability Appraisal.

The plan-making authority are required to assess the sustainability of their plan proposals and this includes the consideration of reasonable alternatives. The Issues and Options version of the Plan (2017) was accompanied by an Interim SA, the Reg 18 Draft Plan (2019) was accompanied by a full SA and likewise the current Reg 19 Pre-Submission version is accompanied by a full SA. However, in each case, the alternatives that are tested essentially involve different strategies for the spatial distribution of a fixed housing requirement figure. There is no full SA testing of lower or higher numbers of housing provision and there is therefore no robust basis upon which to judge the ability of the District to accommodate the uncapped housing needs of the District or to assist in meeting the unmet housing needs of other Districts. This is most unsatisfactory, does not properly fulfil their legal obligations and undermines confidence in the Council's claim not to be able to meet housing need in full (beyond capped targets) or to assist in addressing unmet housing need in other Districts.

4.Duty to Co-Operate.

Tunbridge Wells forms a substantial part of the West Kent Housing Market Area (WKHMA) together with Sevenoaks and Tunbridge Wells Districts. It has borders with 4 other Districts –

Maidstone

Ashford

Rother

Wealden

There is a significant overlap in housing market terms with Wealden District to the south-west and Maidstone Borough to the north-east. The borders with Ashford to the east and Rother to the south-east, are more rural, dispersed and less significant.

The Council's Duty to Co-Operate Statement provides extensive records of meetings

held with representatives of those adjoining authorities but there is little or no evidence of any constructive, positive or productive engagement, as required by planning law and Government Guidance. Viewed from the outside there appears to be a general understanding between all of the authorities concerned that they should confine themselves to meeting their own locally generated housing needs and that environmental constraints prevent each authority from accommodating more than their bare minimum housing target. This assumption is not based upon objective testing and balancing of economic, social and environmental objectives but upon perception, anecdotal assumptions, environmental lobbying and local political resistance to change. This runs contrary to National and Regional objectives and interests which, in the absence of an over-arching Regional Strategy, depend upon a joint approach from individual District Councils to collectively secure wider objectives – particularly in relation to meeting housing numbers across the South-East and to improve the affordability of housing across the Region.

From their various representations and Statements of Common Ground, the situation with adjoining authorities appears to be that none of them are able to assist in meeting TWBC housing needs and:-

Sevenoaks

Estimated 1900 homes, or more, unmet need and a failed Local Plan.

Tonbridge & Malling

aim to meet their own needs but are encountering difficulty in doing so and have problems with their own Local Plan process which has evidently failed. They object to the TWBC Local Plan proposals at Tudeley/Capel because of proximity and consequent impact upon their local infrastructure and long term spatial strategy of limiting growth in the south of their District at Tonbridge. They advocate a mixed portfolio of housing sites across Tunbridge Wells Borough as a preferred strategy.

Wealden

have a failed Local Plan, a significantly increased housing requirement to meet and a dire five year housing land supply position which is a legacy of their inappropriate moratorium on new housing based upon, subsequently unjustified, measures to protect the Ashdown Forest SPA and SAC. Their new Local Plan is at a very early stage although it seems unlikely that they will be able to meet current and future housing needs in full themselves – particularly in the northern part of District which overlaps with the Tunbridge Wells housing market.

Maidstone

expects both authorities to meet their own needs through forthcoming Local Plans.

Ashford

currently both authorities agree to meet their own Housing needs but Ashford does not know if it will be able to it will be able to plan to meet its own local housing needs for the next Local Plan (SoCG Paragraph 2.8).

Rother

are at an early stage of plan preparation and are not yet able to ascertain whether it can meet its own needs. It is facing a significant increased level of housing need and AONB constraints. (SoCG Paragraph 2.16).

In summary therefore there is a request from Sevenoaks for assistance with 1900 dwellings, Wealden and Rother may need assistance, Tonbridge and Malling have difficulty meeting their own needs and object to the TWBC Spatial Strategy, Maidstone and Ashford are confident in meeting current identified needs but reserve their position for the future. None of the adjoining Authorities are in a position to accommodate any unmet needs from Tunbridge Wells Borough Council.

Therefore, despite many meetings since 2015 there is no settled position, no joint planning, no offer to accommodate TWBC unmet needs and a number of adjoining Authorities either do require assistance in meeting their housing needs or may do so in the foreseeable future. Furthermore, it is clear from the SA and the Housing Topic Paper that TWBC have not looked in any level of detail into

the implications of increasing their housing provision above the capped figure or to take account of unmet housing need in neighbouring authority areas. There is therefore no evidence to justify their position.

This suggests that whilst there has been administrative engagement, there is no evidence that this has been constructive, pro-active or effective. The legal requirements go beyond simple engagement and the Council have failed to discharge the Duty to Co-operate in this respect.

This repeats the situation in the other two Authorities that comprise the WKHMA, Sevenoaks and Tonbridge and Malling, where similar isolationist approaches have been rejected at Examination by their respective Inspectors (Report on the Examination of Sevenoaks District Local Plan 2nd March 2020 – Karen Baker (Rydon 2) and letter to Tonbridge and Malling Borough Council, 2nd March 2021 from Inspectors Louise Crosby and Luke Fleming appointed to conduct an Examination of the Tonbridge and Malling Local Plan). (Rydon 3)

In concluding that SDC had not complied with the DtC in Section 33A of the 2004 Act Karen Baker found that the process did not demonstrate that there had been active, constructive or on-going engagement in respect of unmet housing need. Despite the Secretary of State stressing to Inspectors the importance of being pragmatic in getting plans in place, Ms Baker advised SDC to withdraw their Plan and when they did not do so she issued her Report recommending that the Local Plan is not adopted. SDC have sought to challenge this position in the High Court but were unsuccessful.

Similarly in Tonbridge and Malling Borough Council District Ms Crosby and Mr Fleming could find little evidence of constructive, active and ongoing engagement between the Council and SDC in seeking to address SDC unmet housing needs. They also sought to be pragmatic in addressing the situation but were unable to ignore a failure to comply with the DtC. Their letter advises Tonbridge and Malling Borough Council to withdraw their plan from Examination but Tonbridge and Malling Borough Council have declined to do so (Letter 11th March 2021). (Rydon 3). A Report in similar terms to that issued in the case of the Sevenoaks Local Plan can now be expected.

Tunbridge Wells Borough Council rely on the same basic evidence with respect to the DtC as Sevenoaks and Tonbridge and Malling in the WKHMA. However, TWBC have not taken steps to overcome the flaws in their approach to the preparation of their Plan or in their compliance with the DtC. Therefore they have not complied with Section 33A of the Planning and Compulsory Purchase Act 2004.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? Yes, I wish to participate in hearing session(s)

Question 7a

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

In order to ensure that the Inspector fully understands the representations made and the issues raised can be fully examined and discussed.

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Supporting Information File Ref No: SI_84a-u

Comment

Agent	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Sigma Planning Services
Address	[REDACTED] [REDACTED] ROYAL TUNBRIDGE WELLS [REDACTED]
Consultee	Kevin Willcox [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Rydon Homes
Address	[REDACTED] [REDACTED] FOREST ROW [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Rydon Homes [REDACTED]
Comment ID	PSLP_1745
Response Date	03/06/21 13:25
Consultation Point	Pre-Submission Local Plan (View)
Status	Processed
Submission Type	Email
Version	0.4
Files	Sigma Planning for Rydon Homes_RYDON 17..pdf Sigma Planning for Rydon Homes_RYDON 5.pdf Sigma Planning for Rydon Homes_RYDON 12.pdf Sigma Planning for Rydon Homes_RYDON 7.pdf Sigma Planning for Rydon Homes_RYDON 10.pdf Sigma Planning for Rydon Homes - covering letter.pdf Sigma Planning for Rydon Homes_RYDON 13.pdf Sigma Planning for Rydon Homes_RYDON 2.pdf Sigma Planning for Rydon Homes_RYDON 18.pdf Sigma Planning for Rydon Homes_RYDON 11.pdf Sigma Planning for Rydon Homes_RYDON 3.pdf Sigma Planning for Rydon Homes_RYDON 15.pdf Sigma Planning for Rydon Homes_RYDON 9.pdf Sigma Planning for Rydon Homes_RYDON 6.pdf Sigma Planning for Rydon Homes_RYDON 14.pdf

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[Sigma Planning for Rydon Homes_Composite Representations.pdf](#)

Data inputter to enter their initials here KJ

Question 1

Respondent's Name and/or Organisation Rydon Homes Ltd

Question 2

Agent's Name and Organisation (if applicable) Sigma Planning Services

Question 3

To which part of the Local Plan does this representation relate? Paragraph(s)

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Comments on whole Plan

[TWBC: see also representation numbers PLSP_1629, 1702, 1705, 1707, 1708, 1709, 1710, 1713, 1714, 1715, 1717, 1721, 1729, 1732, 1733, 1734, 1737, 1739, 1741, 1743, 1744, 1745 & 1746]

Question 4

Do you consider that the Local Plan:

Is legally compliant No

Is sound No

Complies with the Duty to Cooperate No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not positively prepared
- . It is not effective
- . It is not justified
- . It is not consistent with national policy

Question 5

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[TWBC: see supporting documents attached, including composite of all representations].

OVERALL CONCLUSIONS

- 1 Rydon Homes consider that the PSLP is unsound because it:-
 - . has failed to comply with the Duty to Co-operate and is therefore not legally compliant.
 - . has failed to properly address the public consultation process in a transparent, fair and reasonable manner.
 - . does not provide fully for the housing needs of the Borough and the unmet needs of adjoining Authorities.
 - . has not properly tested the ability to meet higher housing figures.
 - . has not tested all reasonable alternative spatial strategy options.
 - . promotes an unbalanced spatial strategy which is unlikely to deliver the necessary housing, particularly in the early part of the plan period, because of being over reliant on very large sites.
 - . does not provide a suitable mix of size, type and location of housing allocations.
 - . fails to recognise the potential of the main towns of Hawkhurst and Cranbrook for limited growth required for their future vitality and viability, putting at risk their important role as rural service centres.
 - . has departed substantially from the Spatial Strategy of the Reg 18 Draft Local Plan due largely to unjustified conclusions about impact on the AONB which are not supported by the evidence base.
 - . is based on a flawed Sustainability Appraisal which fails to consider reasonable alternative strategy options or reasonable alternative housing sites and contains a number of errors in individual site assessments.
 - . promotes the loss of Green Belt land over the alternative of development in the AONB where sensitive site selection and mitigation can keep landscape impact to acceptable levels.
- 1 As a result the Plan is not legally compliant, positively prepared, effective, justified by its evidence base or consistent with national policy. It is unsound and should not proceed.
- 1 To produce a sound plan it is considered that TWBC must:-
 - . re-visit the DtC and properly explore the quantum of unmet needs in adjoining Authority areas and their ability to assist in meeting those needs.
 - . increase the housing provision figures to reflect the ability to assist in meeting unmet housing need in neighbouring areas.
 - . re-visit the Spatial Strategy to properly address the potential for development at other Green Belt locations within the Tonbridge – Paddock Wood corridor and to recognise the development potential and social and economic needs of the main rural towns of Hawkhurst and Cranbrook.
 - . include within the new housing allocations, land at Fowlers Park, Hawkhurst and Boycourt Orchards, Sissinghurst which should have been carried forward from proposed allocations in the Reg 18 Plan to the Reg 19 PSLP.

Question 7

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Event Name	Pre-Submission Local Plan
Comment by	Rydon Homes [REDACTED]
Comment ID	PSLP_1705
Response Date	03/06/21 13:25
Consultation Point	Vision and Strategic Objectives 2 Strategic Objectives (View)
Status	Processed
Submission Type	Email
Version	0.8
Files	Sigma Planning for Rydon Homes RYDON 6.pdf Sigma Planning for Rydon Homes RYDON 7.pdf Sigma Planning for Rydon Homes - covering letter.pdf Sigma Planning for Rydon Homes RYDON 2.pdf Sigma Planning for Rydon Homes Composite Representations.pdf Sigma Planning for Rydon Homes RYDON 9.pdf Sigma Planning for Rydon Homes RYDON 5.pdf Sigma Planning for Rydon Homes RYDON 16.pdf Sigma Planning for Rydon Homes RYDON 3.pdf Sigma Planning for Rydon Homes RYDON 11.pdf Sigma Planning for Rydon Homes RYDON 14.pdf Sigma Planning for Rydon Homes RYDON 17.pdf Sigma Planning for Rydon Homes RYDON 15.pdf

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Question 1

Respondent's Name and/or Organisation Rydon Homes Ltd

Question 2

Agent's Name and Organisation (if applicable) Sigma Planning Services

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Vision and Strategic Objectives

Paragraph 3.15

[TWBC: see also representation numbers PLSP_1629, 1702, 1705, 1707, 1708, 1709, 1710, 1713, 1714, 1715, 1717, 1721, 1729, 1732, 1733, 1734, 1737, 1739, 1741, 1743, 1744, 1745 & 1746]

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Is sound No

Complies with the Duty to Cooperate No

Question 4a

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[TWBC: see supporting documents attached, including composite of all representations].

Vision and Strategic Objectives

Unlike the Strategic Objectives set out in the Draft Reg 18 version of the Plan, the objective is not stated to be to deliver the housing needs identified for the Borough by the end of the plan period but only to contribute to meeting housing need. This diluted objective is inconsistent with a Plan that should be positively prepared and ambitious in order to accord with Government policy. The objective No. 2 seeks only to significantly boost the supply of affordable housing and is therefore inconsistent with Government policy that seeks to significantly boost the supply of all types of homes. The dumping down of the Government's priority of the delivery of a significantly greater number of new homes than in the past, infers a reluctance on behalf of the Council to grapple with the problems of meeting housing needs in full. It is imperative that each local planning authority across the South-East region plays a full part in increasing housing provision, if issues of current and worsening lack of adequate housing provision and levels of affordability are to be improved. There is conflict between the Council's approach and the Guidance set out in Paragraph 11a of the NPPF which requires Plans to positively seek opportunities to meet the development needs of their area and be sufficiently flexible to adapt to rapid change. As a result the Strategic Objectives are not positively prepared and the Plan is unsound.

Question 7

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Question 1

Respondent's Name and/or Organisation Rydon Homes Ltd

Question 2

Agent's Name and Organisation (if applicable) Sigma Planning Services

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Section 4: The Development Strategy and Strategic Policies

Paragraph 4.41

[TWBC: see also representation numbers PLSP_1629, 1702, 1705, 1707, 1708, 1709, 1710, 1713, 1714, 1715, 1717, 1721, 1729, 1732, 1733, 1734, 1737, 1739, 1741, 1743, 1744, 1745 & 1746]

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Is sound No

Complies with the Duty to Cooperate No

Question 4a

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Do you consider that the Local Plan is not sound because:

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- . It is not effective
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Question 5

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[TWBC: see supporting documents attached, including composite of all representations].

Limiting the scale of development in the AONB

The specific references in this paragraph to the need to limit the scale of development in the AONB is unwarranted. Protection of the AONB is only one of a range of important elements to be considered in a Sustainability Assessment. Great weight must be afforded to its protection but that is also the case with a number of other planning policy considerations such as Heritage, Ecology and Green Belt. The specific reference suggests that AONB has been given particular priority emphasis in preparing the SA, which would not be good planning practice. The relevant sentence should be removed.

Question 7

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Comment ID	PSLP_1709
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Agent's Name and Organisation (if applicable) Sigma Planning Services

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Section 4: The Development Strategy and Strategic Policies

Paragraph 4.48

[TWBC: see also representation numbers PLSP_1629, 1702, 1705, 1707, 1708, 1709, 1710, 1713, 1714, 1715, 1717, 1721, 1729, 1732, 1733, 1734, 1737, 1739, 1741, 1743, 1744, 1745 & 1746]

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Changes from the Draft Local Plan (Reg 18)

The “refinement” of the Draft Local Plan referred to in this paragraph was not justified by the additions to the evidence base in the period between the publication of the Draft and Pre-Submission versions of the Local Plan. In particular it was not justified by the Hankinson Duckett Associates appraisal of the proposed allocations in the Draft Plan which only suggested the removal of one housing allocation at Cranbrook. The Plan is poorer as a result of those changes from the Reg 18 version and needs to be modified to make it sound by reinstating the remaining allocations proposed in the Draft Plan, suitably modified in accordance with the Hankinson Duckett Associates advice. This paragraph needs to be removed as part of the modifications to the Plan and are necessary to make it sound.

Question 7

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Question 1

Respondent's Name and/or Organisation

Rydon Homes Ltd

Question 2

Agent's Name and Organisation (if applicable)

Sigma Planning Services

Question 3a

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Section 4: The Development Strategy and Strategic Policies

Paragraph 4.46

[TWBC: see also representation numbers PLSP_1629, 1702, 1705, 1707, 1708, 1709, 1710, 1713, 1714, 1715, 1717, 1721, 1729, 1732, 1733, 1734, 1737, 1739, 1741, 1743, 1744, 1745 & 1746]

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Is legally compliant

No

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No

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Question 4a

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Development Potential of Hawkhurst and Cranbrook

Whilst this paragraph is factually correct, it is unbalanced and does not give an accurate assessment of the potential of Hawkhurst and Cranbrook as main towns to play an important part in the spatial strategy and to deliver meaningful levels of housing, particularly in the early part of the plan period. The paragraph should be more balanced and confirm the potential for both settlements to accommodate sustainable growth without unacceptable harm to the integrity of the AONB and to address localised issues of traffic congestion and air quality in the case of Hawkhurst.

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[TWBC: see supporting documents attached, including composite of all representations].

Spatial Strategy

Overview

1 It is agreed that the main towns in the Borough are:-

Royal Tunbridge Wells

Southborough

Paddock Wood

Cranbrook

Hawkhurst

The most sustainable spatial strategy would be one of focussing most development in or adjoining these settlements to take advantage of existing Infrastructure and public transport services and to provide finance and opportunity to be a catalyst for the improvement of the services available at these settlements for the benefit of both existing and future residents. Growth should be proportionate with the size of the settlement and the existing level of services. This is a conventional approach but is also the most effective, sustainable and deliverable option.

1 The Issues and Options document in 2017 set out 5 alternative strategies of which none of the options reflected this strategy – the nearest being Option 1 – Focussed Growth on the main towns and Option 3 – Proportional development across all settlements. A combination of these two options was never properly tested and the option remains a sustainable and effective one in the event that the current strategy is found to be flawed.

1 The options selected for the Draft Local Plan (2019) were a combination of Option 3 and 5, introducing the risky, highly contentious and, as yet, unproven, concept of a new settlement at Tudeley. The proportion of housing numbers directed to the Tudeley/Capel/Paddock Wood proposed conurbation compared to other locations was as follows:-

Tudeley/Capel/Paddock Wood - 60%

Royal Tunbridge Wells - 13%

Main Towns - 20.5%

Smaller Settlements - 6.5%

1 In the Pre-Submission Local Plan these proportions changed to:-

Tudeley/Capel/Paddock Wood - 66.5%

Royal Tunbridge Wells - 16%

Main Towns - 11%

Smaller Settlements - 6.5%

This adjustment is significant. The proportion of housing directed to smaller settlements remains the same and there is a modest increase at the main town of Tunbridge Wells. However, the main change is a significant reduction, 9.5% at the main towns of Cranbrook and Hawkhurst and a significant increase of 6.5% at the new settlement of Tudeley/Capel/Paddock Wood, meaning that it is now expected to provide over two-thirds of the housing need for the District over the plan period and beyond.

1 The Head of Planning's Report to Cabinet of 21st January (Rydon 1) claimed that this was a more robust strategy on 5 counts (Paragraph 3.18) but in fact there are only three because the same points are duplicated:-

1 **Fewer allocations** in the AONB – but the consequence is more development in the Green Belt.

1 **Reduced development at some smaller settlements** – but increases at others because the % remains the same.

1 **More provision for urban intensification at Tunbridge Wells** – but brownfield land is a finite resource and already the first point of call. It is difficult to see how deliverable brownfield sites

suddenly emerged in Tunbridge Wells between the Draft Plan and the Pre-Submission Plan. The numbers were not significant in any event.

- 1 The change in those proportions is also questioned because it was not supported by any new evidence. The Draft Plan included major development in the AONB and so does the Pre-Submission version. The Hankinson Duckett Associates LVIA of proposed Allocation Sites within the High Weald AONB (November 2020) suggested some alterations to the proposed housing allocations, mainly sensitive landscaping and design to mitigate impact, but there was no general finding of unacceptable harm to the integrity of the AONB. The assessment of cumulative effects (Chapter 7) suggested that the removal of one site at Cranbrook and the reduction of built development at a further site at Cranbrook and three sites at Hawkhurst would reduce the intensity of development along the A229 and would provide localised improvements to the AONB which, if developed positively in more detail, could mitigate against the predicted cumulative effects. There is therefore no finding of unacceptable cumulative harm to the AONB.
 - 1 It is puzzling why, if unacceptable AONB harm was not identified by the LVIA appraisal, TWBC felt compelled to change their spatial strategy between Draft and Pre-Submission versions of the Plan. (See Officer Report to Cabinet 3rd February 2021). It is also puzzling that they chose not to release this document when it was completed in November 2020 but held it back until March 2021, after the Pre-Submission Plan had been finalised.
 - 1 Ultimately they have executed a trade-off between Green Belt and AONB constraints, exercising their decision in favour of the AONB over the Green Belt constraint. This was despite the fact that the Hankinson Duckett Associates report was positive about the potential for mitigation of impact upon the AONB. Both policies are of national importance but Green Belt is an absolute policy that seeks to prevent development in principle, irrespective of individual harm to local surroundings. AONB impact, on the other hand, must be given great weight but is capable of mitigation by design and landscaping in the circumstances of the individual case. The more logical and robust planning response to the Draft Plan would therefore be to follow the Hankinson Duckett Associates advice, retaining the housing allocations in the AONB but modifying them and therefore retaining the sustainability and deliverability advantages of proportionate growth at the main locations of Cranbrook, Hawkhurst and Pembury.
 - 1 The Inspector should ask TWBC to explain why options for a new settlement in the northern part of the District to the south-east of Paddock Wood, where there are no Green Belt or AONB designations, have not been tested and evaluated.
10. The conclusion is that the proposed Spatial Strategy is not justified by the evidence base or effective, in that too much reliance is placed upon the punctual delivery of major development at Tudeley/Capel/Paddock Wood. This puts the delivery of the plan objectives at serious risk because of the uncertainty surrounding the timely delivery of front-loaded infrastructure needed to support those proposals. It is also inconsistent with National policy that seeks the certainty of the prompt delivery of housing to significantly boost the supply of homes and to protect the Green Belt. A strategy which placed greater emphasis on utilising and enhancing existing infrastructure and services at main towns whilst mitigating impact upon the AONB to acceptable levels, is to be preferred. The strategy of the Draft Local Plan achieved a better balance of minimising impact upon the Green Belt, providing sustainable growth at main towns and securing more certainty about the delivery of new housing. The Pre-Submission Plan represents a retrograde step and the strategy should have either not changed or moved in the other direction, placing less reliance on the new settlement concept.

Question 7

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Address	[REDACTED] [REDACTED] FOREST ROW [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Rydon Homes [REDACTED]
Comment ID	PSLP_1710
Response Date	03/06/21 13:25
Consultation Point	Policy STR 1 The Development Strategy (View)
Status	Processed
Submission Type	Email
Version	0.6
Files	Sigma Planning for Rydon Homes_RYDON 3.pdf Sigma Planning for Rydon Homes_RYDON 18.pdf Sigma Planning for Rydon Homes_RYDON 10.pdf Sigma Planning for Rydon Homes_RYDON 16.pdf Sigma Planning for Rydon Homes_RYDON 11.pdf Sigma Planning for Rydon Homes_RYDON 13.pdf Sigma Planning for Rydon Homes_RYDON 5.pdf Sigma Planning for Rydon Homes_RYDON 8.pdf Sigma Planning for Rydon Homes_RYDON 15.pdf Sigma Planning for Rydon Homes - covering letter.pdf Sigma Planning for Rydon Homes_RYDON 9.pdf Sigma Planning for Rydon Homes_List of Appendices TWBC LP.docx Sigma Planning for Rydon Homes_RYDON 7.pdf Sigma Planning for Rydon Homes_RYDON 4.pdf

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Question 1

Respondent's Name and/or Organisation Rydon Homes Ltd

Question 2

Agent's Name and Organisation (if applicable) Sigma Planning Services

Question 3

To which part of the Local Plan does this representation relate? Policy

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR 1 The Development Strategy

[TWBC: see also representation numbers PLSP_1629, 1702, 1705, 1707, 1708, 1709, 1710, 1713, 1714, 1715, 1717, 1721, 1729, 1732, 1733, 1734, 1737, 1739, 1741, 1743, 1744, 1745 & 1746]

Question 4

Do you consider that the Local Plan:

Is legally compliant No

Is sound No

Complies with the Duty to Cooperate No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not positively prepared
- . It is not effective
- . It is not justified
- . It is not consistent with national policy

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[TWBC: see supporting documents attached, including composite of all representations].

The Development Strategy

The development strategy is flawed in that:-

- . the housing target of 12204 dwellings is too low. See the attached Technical Note prepared by Neame Sutton Ltd. (Rydon 4).
- . the strategy should include strategic growth at the main locations of Pembury, Hawkhurst and Cranbrook on a scale that is not “transformational” but constitutes expansion consistent with their scale and character and with their role as important service centres. The opportunity should be taken to enhance local facilities, infrastructure and services through controlled growth to the benefit of the existing and expanded communities.
- . the strategy should consider the potential for the provision of a new settlement outside of the Green Belt but should, at least, look to minimise the amount of land that needs to be taken out of the Green Belt.
- . the strategy of limiting development in the HWAONB to that which can be accommodated whilst still conserving its key characteristics is supported but this should not be limited to small scale development or at the expense of requiring more land to be taken out of the Green Belt. Exceptional circumstances exist to justify some major development in the AONB in terms of the large proportion of the District that is covered by the AONB designation and the need for housing, particularly affordable housing. This need is in evidence across the District but also in areas within the AONB that are remote from Tunbridge Wells and the Paddock Wood development focus. The strategy needs to focus more on those main towns in terms of:-
 - their local housing need.
 - to reduce the risk of the non-delivery of housing, particularly in the early part of the plan period by providing a range of smaller sites in different locations and making more effective use of existing infrastructure.
 - to assist in maintaining and enhancing the provision of social housing, local services, facilities and infrastructure at rural settlements.
 - improving the geographical balance of housing provision which is overwhelmingly focussed on the western part of the Borough.
 - to improve the choice of location for purchasers of new homes and reduce the risk of market saturation in the western part of the Borough.

Question 7

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Question 2

Agent's Name and Organisation (if applicable) Sigma Planning Services

Question 3

To which part of the Local Plan does this representation relate? Policy

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR 4 Ensuring Comprehensive Development

[TWBC: see also representation numbers PLSP_1629, 1702, 1705, 1707, 1708, 1709, 1710, 1713, 1714, 1715, 1717, 1721, 1729, 1732, 1733, 1734, 1737, 1739, 1741, 1743, 1744, 1745 & 1746]

Question 4

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Is sound No

Complies with the Duty to Cooperate No

Question 4a

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[TWBC: see supporting documents attached, including composite of all representations].

Ensuring Comprehensive Development

This policy is generally supported but there are concerns that the production of Supplementary Planning Documents, although essential to the proper planning of those major new development areas, will inevitably delay the process of bringing the sites forward and delivering housing from them. Similarly, the prospect of the need for Compulsory Purchase Orders and the associated administrative and legal processes give rise to significant concerns about potential delay. This puts the Council's housing trajectory at serious risk and it must properly reflect the potential delays associated with the lawful preparation, consultation and adoption of SPDs and the drawing up and execution of CPOs. These potential delays need to be realistically factored into any housing delivery trajectory and this heightens the need for a wider range of housing sites to be identified to provide a different type, scale and location of sites, suitable for development by small and medium builders rather than national housebuilders and capable of early delivery to maintain a five year supply of housing, particularly in the early part of the plan period where the "transformational" sites will be within a protracted lead in period.

Question 7

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Question 3

To which part of the Local Plan does this representation relate? Policy

Question 3a

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Policy STR 9 Green Belt

[TWBC: see also representation numbers PLSP_1629, 1702, 1705, 1707, 1708, 1709, 1710, 1713, 1714, 1715, 1717, 1721, 1729, 1732, 1733, 1734, 1737, 1739, 1741, 1743, 1744, 1745 & 1746]

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[TWBC: see supporting documents attached, including composite of all representations].

Green Belt

It is not considered that there has been adequate consideration and reasonable alternatives for the release of land from the Green Belt on the scale proposed. There are potential development locations outside the Green Belt and AONB which have not been fully assessed and development opportunities within other parts of the Borough, including within the AONB, where greater housing numbers can be accommodated without unacceptable harm to the AONB or local character. This could reduce the extent of the land proposed to be released from the Green Belt.

There is no need for this policy to mention the removal of land from the Green Belt if its main purpose is to retain controls over the remainder of the Green Belt once the deletions have been made.

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Consultation Point	Policy STR/CRS 1 The Strategy for Cranbrook and Sissinghurst parish (View)
Status	Processed
Submission Type	Email
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Question 3

To which part of the Local Plan does this representation relate? Policy

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR/CRS 1 The Strategy for Cranbrook and Sissinghurst parish

[TWBC: see also representation numbers PLSP_1629, 1702, 1705, 1707, 1708, 1709, 1710, 1713, 1714, 1715, 1717, 1721, 1729, 1732, 1733, 1734, 1737, 1739, 1741, 1743, 1744, 1745 & 1746]

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The Strategy for Cranbrook and Sissinghurst Parish

- 1 The Pre-Submission Plan proposes to build approximately 415-429 Dwellings at Cranbrook and Sissinghurst. Of these, 216 already have planning permission and therefore only 199-213 are new sites to be allocated in the Plan.

Cranbrook is one of the main towns in the Borough and is located at the eastern end of the Borough. It is not close to any sizeable settlement and therefore must play a self-contained role as a Service Centre for its extensive rural hinterland. It has its own affordable housing needs, which cannot reasonably be met elsewhere, and existing rural services and facilities need to be supported. The Local Plan evidence base does not properly consider those aspects from the point of view of retaining and enhancing the vitality of the town as a rural service centre.

- 1 At the Draft Local Plan (Reg 18) stage it was proposed to deliver 718–803 new dwellings which was clearly a level of growth that the Council considered was able to be assimilated by the settlement, consistent with maintaining its character.

That is agreed.

- 1 At the same time the IDP identifies significant infrastructure requirements for Cranbrook and Sissinghurst irrespective of the quantum of new development proposed. These include:-

- a new medical centre
- a new community hub – including meeting space, new library and Parish Council Offices
- expansion of the Primary School
- replacement community hall at Sissinghurst
- improvements to provision of open space, sport and recreation grounds, sports pitches, allotments, children's and youth space, amenity greenspace and extensions to existing provision (TWBLP Para. 5.824)

These infrastructure requirements are not funded and KCC has requested financial contributions. New development of around 200 dwellings – 11 pa over the Plan period – cannot reasonably be expected to make any meaningful financial contribution towards these improvements in local infrastructure and services and the IDP is emaciated as a result.

- 1 The PSLP says that the testing of large-scale growth through the plan-making process has shown this to be inappropriate – particularly in terms of the impact of individual sites on the AONB. (PSLP Para. 5.276). However, the evidence base does not support this conclusion. The Hankinson Duckett Associates LVIA suggests the deletion of only one site at Cranbrook due to impact upon the AONB. Several of the sites that are not taken forward from the Reg 18 Plan to the Pre-Submission version are not in the AONB. An example is the proposed allocation in the Draft Plan Ref. AL/CRS 16 Land at Boycourt Orchards, Angley Road, Wilsley Pound which was allocated for approximately 20-25 dwellings and lies outside the AONB. The Hankinson Duckett Associates report assesses the site with the adjoining site AL/CRS 15, as follows:-

“The alignment of the sites is consistent with the north-western edge of the settlement. The visibility of these sites from the AONB is extremely limited and any views of the sites from the AONB would be seen in the context of the existing settlement”. (Para. 4.5.13).

Nevertheless the sites are deleted by the PSLP.

- 1 Furthermore only 62% of the area surrounding Cranbrook is in the AONB. There is therefore significant potential for locating sites for housing outside the AONB. Ironically the three new housing allocations proposed at Cranbrook in the PSLP are all in the AONB. (AL/CRS1), AL/CRS2, AL/CRS3). There does not therefore appear to have been a credible or consistent assessment of the constraints, needs and opportunities at Cranbrook to support Policy STR/CRS1 or to explain the major change of policy between the Draft and Pre-Submission versions of the Plan.
- 1 It is concluded that there is significant potential for more housing development at Cranbrook, without material impact upon the AONB and with the ability to support the local rural economy and assist in financing improvements to local infrastructure and facilities. Some of this potential was confirmed by the proposals in the Draft Local Plan (Reg18) and there is nothing substantive that has changed, or arisen from, consultation or recent reports that justifies the severe reduction in housing allocations since then. The changes made by the PSLP appear to be arbitrary and not justified by the evidence base. They certainly do not optimise the potential of Cranbrook to deliver more housing.
- 1 The Plan is therefore unsound because by failing to recognise the full potential for Housing growth at Cranbrook and Sissinghurst it is not positively-prepared and the current strategy is not justified by the evidence base, in particular the over- cautious and unwarranted concern about adverse impact upon the AONB. The Plan is not fully effective because small sites at Cranbrook and Sissinghurst would increase the range and location of housing allocations and help to redress the imbalance that currently exists in terms of emphasis on locations in the west of the Borough and upon transformative scale development at Tudeley, Capel/ Paddock Wood. For these reasons it is also inconsistent with National policy.

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Policy STR/CRS 1 The Strategy for Cranbrook and Sissinghurst parish

[TWBC: see also representation numbers PLSP_1629, 1702, 1705, 1707, 1708, 1709, 1710, 1713, 1714, 1715, 1717, 1721, 1729, 1732, 1733, 1734, 1737, 1739, 1741, 1743, 1744, 1745 & 1746]

Question 4

Do you consider that the Local Plan:

Is legally compliant No

Is sound No

Complies with the Duty to Cooperate No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

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SUSTAINABILITY APPRAISAL

- 1 The plan-making authority are required to assess the sustainability of their plan proposals and this includes the consideration of reasonable alternatives. The Issues and Options version of the Plan (2017) was accompanied by an Interim SA, the Reg 18 Draft Plan (2019) was accompanied by a full SA and likewise the current Reg 19 Pre-Submission version is accompanied by a full SA. However, in each case, the alternatives that are tested essentially involve different strategies for the spatial distribution of a fixed housing requirement figure. There is no full SA testing of lower or higher numbers of housing provision and there is therefore no robust basis upon which to judge the ability of the District to accommodate the uncapped housing needs of the District or to assist in meeting the unmet housing needs of other Districts. This is most unsatisfactory, does not properly fulfil their legal obligations and undermines confidence in the Council's claim not to be able to meet housing need in full (beyond capped targets) or to assist in addressing unmet housing need in other Districts.

Site 29 – Land at Boycourt Orchards. A229 Angley Road, Wisley Pound, Cranbrook. TN17 2HR

- 1 The same flaw arises in connection with this site. The part of the site which was proposed housing allocation AL/CRS 16 in the Draft Reg 18 Local Plan is assessed in the Reg 18 SA but is not assessed in the Reg 19 SA. This is a reasonable alternative, as demonstrated by the Reg 18 Draft Local Plan proposed allocation and it should have been assessed. The SA is unsound as a result. Furthermore, the scores for the whole site in the Reg 19 SA are based upon loss of greenfield land in the AONB whereas the site does not lie in the AONB. This is a fundamental flaw in this site assessment and the SA is unsound as a result.
- 1 Copy extracts from the Reg 18 and Reg 19 SAs are attached for the purposes of comparison. (Rydon 18 and 19).

CONCLUSION

- 1 The failure of the SA to consider all reasonable alternative spatial strategies or Reasonable alternative sites and to test higher and lower housing numbers, together with the identified errors in assessing impacts on sustainability objectives in the two quoted cases (there are likely to be other similar errors) lead to the conclusion that the SA is unsound and therefore the Plan is not legally compliant.

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Event Name	Pre-Submission Local Plan
Comment by	Rydon Homes [REDACTED]
Comment ID	PSLP_1729
Response Date	03/06/21 13:25
Consultation Point	Hawkhurst (View)
Status	Processed
Submission Type	Email
Version	0.5
Files	Sigma Planning for Rydon Homes RYDON 6.pdf Sigma Planning for Rydon Homes RYDON 5.pdf Sigma Planning for Rydon Homes RYDON 1.pdf Sigma Planning for Rydon Homes RYDON 15.pdf Sigma Planning for Rydon Homes RYDON 18.pdf Sigma Planning for Rydon Homes RYDON 2.pdf Sigma Planning for Rydon Homes RYDON 9.pdf Sigma Planning for Rydon Homes RYDON 4.pdf Sigma Planning for Rydon Homes RYDON 14.pdf Sigma Planning for Rydon Homes RYDON 13.pdf Sigma Planning for Rydon Homes RYDON 16.pdf Sigma Planning for Rydon Homes RYDON 8.pdf Sigma Planning for Rydon Homes RYDON 17.pdf Sigma Planning for Rydon Homes RYDON 7.pdf Sigma Planning for Rydon Homes RYDON 3.pdf

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Question 3a

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Section 5: Hawkhurst

Paragraphs 5.353 & 5.354

[TWBC: see also representation numbers PLSP_1629, 1702, 1705, 1707, 1708, 1709, 1710, 1713, 1714, 1715, 1717, 1721, 1729, 1732, 1733, 1734, 1737, 1739, 1741, 1743, 1744, 1745 & 1746]

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[TWBC: see supporting documents attached, including composite of all representations].

Housing Provision in Hawkhurst

These paragraphs seek to confirm the overall level of housing development at Hawkhurst will be 161-170 dwellings. Paragraph 5.354 goes on to recognise that this is a substantial reduction on that put forward for consultation at an earlier stage – namely 681-731 dwellings. This significant change from the Draft Local Plan is not justified because:-

(a) **AONB** – The Hankinson Duckett Associates LVIA of November 2020 – Paragraph 7.8 suggests a reduction in the numbers of dwellings proposed on three Draft Local Plan proposed allocations HA1, Hawkhurst Golf Club, HA8, Hawkhurst Business Park and HA9, land at Santer's Yard, Gills Green. This reduction in numbers would provide an increased open space provision within three sites, reduce the intensity of development along the A229 and provide localised improvements to the AONB which, if developed positively in more detail, could mitigate against the predicted cumulative effects on the AONB. The report does not suggest the removal of any of the proposed housing allocations at Hawkhurst from the Local Plan or any further reduction of numbers at other Hawkhurst sites. The report therefore does not provide any justification for the removal of housing allocation sites proposed in the Draft (Reg 18) Local Plan. The LUC Landscape Sensitivity Assessment (2018) identified scope for small scale residential development at various points around the town and this was fed into the Draft Local Plan proposed allocations in November 2019. There is nothing in the evidence base that contradicts the conclusions of these 2018 and 2020 landscape assessments. The dramatic reduction in housing numbers at Hawkhurst is therefore not supported by any professional landscape evidence.

(b) **Air Quality** – The Air Quality Topic Paper of February 2021 addresses the situation at the crossroads in the centre of Hawkhurst and the proposed Air Quality Management Area on a short stretch of the Cranbrook Road to the north of the junction. This is associated with existing levels of traffic congestion on this arm of the junction. The air quality impacts are modelled for the PSLP but no wider testing has been carried out. The conclusion is that it is reasonable to expect concentrations to reduce from those measured and modelled in 2019 in the coming years, more rapidly than they have in previous years. The modelling of air quality impacts associated with additional traffic from newly-built dwellings were modelled for the period 2020-2027. It was felt that impacts were lessening sufficiently by 2027 and so it was considered that the model did not need to go any further into the future. Air Quality is therefore proposed to be managed by two policies, EN23, Air Quality and EN24, Air Quality Management Areas. The current situation in respect of air quality impacts is therefore that:-

- there is nothing that precludes higher levels of housing development at Hawkhurst over the Plan Period, which remain untested by the evidence base on Air Quality.
- air quality impacts are lessening as vehicle emission levels decline to the point where modelling beyond 2027 was considered to be unnecessary.
- air quality management is secured by development management policies EN23 and EN24.

There have therefore been no changes in the understanding of air quality impacts between the Draft Local Plan and PSLP stages that are of a significance that would justify the reduction of housing numbers at Hawkhurst by 76%.

(c) **Highways** – there is an issue of traffic congestion at the crossroads in the centre of Hawkhurst at the junction of the A268 and the A229. This is a longstanding issue. The junction is controlled by traffic lights and, at times, queues form. This is also the cause of air quality issues on the northern

leg of the junction on Cranbrook Road. New housing development at Hawkhurst will address this issue in a number of ways, which may vary, with the location of the individual site and the scale of the proposal itself. Various means of addressing the issue include:-

- junction improvements
- traffic light phasing
- a localised by-pass of the junction
- measures to reduce trip generation

The issue is therefore one of traffic management tailored to individual development projects and this has been the ongoing approach by the highway authority who have never identified a finite cap upon the capacity of the junction. The issue is one of traffic congestion and not highway safety. There has been no material change in the highway situation between the Draft Plan and the PSLP and therefore no reason why the confidence held by TWBC about housing numbers proposed at Hawkhurst in the Draft (Reg 18) Local Plan cannot continue.

Question 7

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Files	Sigma Planning for Rydon Homes_RYDON 5.pdf Sigma Planning for Rydon Homes_RYDON 13.pdf Sigma Planning for Rydon Homes_RYDON 1.pdf Sigma Planning for Rydon Homes_RYDON 4.pdf Sigma Planning for Rydon Homes_RYDON 16.pdf Sigma Planning for Rydon Homes_RYDON 10.pdf Sigma Planning for Rydon Homes_List of Appendices TWBC LP.docx Sigma Planning for Rydon Homes_RYDON 15.pdf Sigma Planning for Rydon Homes_RYDON 14.pdf Sigma Planning for Rydon Homes_RYDON 17.pdf Sigma Planning for Rydon Homes_RYDON 3.pdf Sigma Planning for Rydon Homes_RYDON 12.pdf Sigma Planning for Rydon Homes_RYDON 18.pdf Sigma Planning for Rydon Homes_RYDON 2.pdf

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Section 5: Hawkhurst

Paragraphs 5.360

[TWBC: see also representation numbers PLSP_1629, 1702, 1705, 1707, 1708, 1709, 1710, 1713, 1714, 1715, 1717, 1721, 1729, 1732, 1733, 1734, 1737, 1739, 1741, 1743, 1744, 1745 & 1746]

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Infrastructure requirements in Hawkhurst

This paragraph is supported but the Plan does not include the comprehensive policies necessary to deliver these infrastructure requirements. In particular, there is no provision to safeguard land for replacement playing fields to facilitate the expansion of Hawkhurst CEP School or new housing provision to deliver the new medical centre and public car parking to the north of Birchfield Grove. These were to be delivered as part of a package of proposals contained within Policy AL/HA4 of the Draft (Reg 18) Local Plan but that policy has not been carried forward into the PSLP.

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Consultation Point	Policy STR/HA 1 The Strategy for Hawkhurst parish (View)
Status	Processed
Submission Type	Email
Version	0.8
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Site 413 – Land at Fowlers Park, Hawkhurst

- 1 In the SA accompanying the Draft (Reg 18) Local Plan this site is assessed as the whole site and also separately as part of the site. The "whole site" extends to about 34 acres but the "part" site comprises only the western end which adjoins the settlement of Hawkhurst. It is this part of the site which was proposed as a mixed use allocation for housing, a medical centre, safeguarded land for school playing fields, public car parking and public open space – Policy AL/HA4 of the Draft Local Plan. The SA for this part site included no "very negative" or "negative" impacts and landscape impacts were assessed as only "slightly negative". Most of the sustainability objectives were neutral, slightly positive or positive. The SA was therefore supportive of the development potential of this part of the site. (Rydon 17).
- 2 However, in the SA accompanying the PSLP (Reg 19) (Reg 18) there is no separate assessment of the "part" site. Only the large site is assessed and it includes Negative and Very Negative impacts on the sustainability objectives of land use and landscape. Also, the Biodiversity impact has changed from neutral in the Reg 18 Plan to slightly negative in the Reg 19 Plan for no obvious reason. There is an assessment of the small site proposed to be allocated for a medical centre but the "part" site, previously proposed site allocation A/HA4 in the Reg 18 Draft Local Plan, is not assessed. This makes the Reg 19 SA unsound because it has not assessed all reasonable alternatives and there is no SA justification for not taking the AL/HA4 proposed allocation forward to the PSLP.
- 3 Copy extracts from the Reg 18 and Reg 19 SAs are attached for purposes of comparison. (Rydon 18 and 19).

CONCLUSION

- 1 The failure of the SA to consider all reasonable alternative spatial strategies or Reasonable alternative sites and to test higher and lower housing numbers, together with the identified errors in assessing impacts on sustainability objectives in the two quoted cases (there are likely to be other similar errors) lead to the conclusion that the SA is unsound and therefore the Plan is not legally compliant.

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The Strategy for Hawkhurst Parish

- 1 Hawkhurst has a population of about 5000 people and is located within the south-east part of the Borough. It forms part of the West Kent Housing Market Area, together with the western parts of the Borough. It lies wholly within the High Weald AONB and is an important rural service centre.

Hawkhurst is one of the main towns in the Borough and is located at its eastern end. It is not close to any other sizeable settlement and therefore must play a self-contained role as a service centre for its extensive rural hinterland. It has its own affordable housing needs, which cannot reasonably be met elsewhere and existing rural services and facilities need to be supported. The Local Plan evidence base does not properly consider these aspects from the point of view of retaining and enhancing the vitality of the town as a rural service centre.

- 1 At the Draft Local Plan stage it was proposed to deliver 681-731 new dwellings which was clearly a level of growth that the Council considered was able to be assimilated by the settlement, consistent with maintaining its character. That is agreed.
- 1 At the same time, the IDP identifies significant infrastructure requirements for Hawkhurst irrespective of the quantum of new development proposed. These include:-
 - a new medical centre
 - a new community hall/centre
 - expansion of the Primary School
 - more areas for children's play space and parks and recreation grounds, children's natural play at Hawkhurst Pond and improvements to the quality and capacity of King George V playing field.

KCC also expect financial contributions from new housing development towards the delivery of a new community hub at Wilkes Field, Cranbrook.

- 1 The Hawkhurst Neighbourhood Plan was made in March 2018 and modified in April 2020. The text of the PSLP – Paragraph 5.365 – confirms that, whilst some policies of the NP are not superseded by the PSLP, those that relate to the pre-existing Limits to Built Development and the scale of development sites, notably HD1(a) and HD1(b), are out-of-date. The NP also includes a number of specific goals and reference to a list of projects that indicate how developer contributions could potentially be used.
- 1 The PSLP proposes only 161-170 new dwellings at Hawkhurst, a reduction of 76% from the numbers proposed in the Reg 18 version of the Plan. Of these, three of the proposed allocation sites already have planning permission, totalling 92 units, and there is a current planning application on the fourth proposed allocation site for 71 units which was submitted in October 2020 and was recently refused planning permission (20/02788). The proposed housing allocations at Hawkhurst therefore simply recognise planning history and there are no new housing allocations proposed for the remainder of the Plan period to 2038. This is an extraordinary and inappropriate planning approach to a settlement of such size and importance.
- 1 Furthermore the town's infrastructure requirements are not funded and the PSLP will not provide any developer contributions towards the required improvements to local infrastructure and services. Criterion 10 of Policy STR/HA1, which seeks developer contributions, either in kind (normally land) and/or financial, from residential schemes to be used towards a long list of local

infrastructure improvements, is effectively redundant from the outset and will only be relevant to residential development not currently envisaged by the Plan, such as that granted on appeal.

- 1 The text of the PSLP (Paragraph 5.354) suggests that the substantial reduction in housing numbers from the proposals in the Draft Plan reflects the outcome of additional evidence base studies and research – but this is not the case.

(a) **AONB** – The Hankinson Duckett Associates LVIA of November 2020 – Paragraph 7.8 suggests a reduction in the numbers of dwellings proposed on three Draft (Reg 18) Local Plan proposed allocations HA1, Hawkhurst Golf Club, HA8, Hawkhurst Business Park and HA9, land at Santer's Yard, Gills Green. This reduction in numbers would provide an increased open space provision within three sites, reduce the intensity of development along the A229 and provide localised improvements to the AONB which, if developed positively in more detail, could mitigate against the predicted cumulative effects on the AONB. The report does not suggest the removal of any of the proposed housing allocations at Hawkhurst from the Local Plan or any further reduction of numbers at other Hawkhurst sites. The report therefore does not provide any justification for the removal of housing allocation sites proposed in the Draft (Reg 18) Local Plan. The LUC Landscape Sensitivity Assessment (2018) identified scope for small scale residential development at various points around the town and this was fed into the Draft Local Plan proposed allocations in November 2019. There is nothing in the evidence base that contradicts the conclusions of these 2018 and 2020 landscape assessments. The dramatic reduction in housing numbers at Hawkhurst is therefore not supported by any professional landscape evidence.

(b) **Air Quality** – The Air Quality Topic Paper of February 2021 addresses the situation at the crossroads in the centre of Hawkhurst and the proposed Air Quality Management Area on a short stretch of the Cranbrook Road to the north of the junction. This is associated with existing levels of traffic congestion on this arm of the junction. The air quality impacts are modelled for the PSLP but no wider testing has been carried out. The conclusion is that it is reasonable to expect concentrations to reduce from those measured and modelled in 2019 in the coming years, more rapidly than they have in previous years. The modelling of air quality impacts associated with additional traffic from newly-built dwellings were modelled for the period 2020-2027. It was felt that impacts were lessening sufficiently by 2027 and so it was considered that the model did not need to go any further into the future. Air Quality is therefore proposed to be managed by two policies, EN23, Air Quality and EN24, Air Quality Management Areas. The current situation in respect of air quality impacts is therefore that:-

- there is nothing that precludes higher levels of housing development at Hawkhurst over the Plan Period, which remain untested by the evidence base on Air Quality.
- air quality impacts are lessening as vehicle emission levels decline to the point where modelling beyond 2027 was considered to be unnecessary.
- air quality management is secured by development management policies EN23 and EN24.

There have therefore been no changes in the understanding of air Quality impacts between the Draft Local Plan and PSLP stages that are of a significance that would justify the reduction of housing numbers at Hawkhurst by 76%.

(c) **Highways** – there is an issue of traffic congestion at the crossroads in the Centre of Hawkhurst at the junction of the A268 and the A229. This is a longstanding issue. The junction is controlled by traffic lights and, at times, queues form. This is also the cause of air quality issues on the northern leg of the junction on Cranbrook Road. New housing development at Hawkhurst will address this issue in a number of ways, which may vary, with the location of the individual site and the scale of the proposal itself. Various means of addressing the issue include:-

- junction improvements
- traffic light phasing
- a localised by-pass of the junction
- measures to reduce trip generation

The issue is therefore one of traffic management tailored to individual development projects and this has been the ongoing approach by the highway authority who have never identified a finite cap upon the capacity of the junction. The issue is one of traffic congestion and not highway safety. There has been no material change in the highway situation between the Draft Plan and the PSLP and

therefore no reason why the confidence held by TWBC about housing numbers proposed at Hawkhurst in the Draft (Reg 18) Local Plan cannot continue to be accommodated.

It is concluded that there is no evidential justification for limiting new housing at Hawkhurst to the level proposed in the PSLP.

- 1 The settlement of Hawkhurst has the potential to provide significantly more housing numbers towards local and boroughwide housing need than is currently proposed. This would assist in broadening the range, location and type of housing sites allocated in the Plan. It will also assist housing delivery, particularly in the early part of the Plan period. This potential is consistent with the status of the town as one of the main towns in the Borough and its role as a Rural Service Centre supporting the local rural economy. It can also secure opportunities to improve local infrastructure and services through the provision of land and development contributions. The growth of the Town can be achieved without harm to its essential character and will support the vitality and viability of local businesses and infrastructure throughout the Plan period and beyond.
- 1 The Draft Plan recognised this potential and proposed substantial housing allocations. The PSLP does not do so, or make any assessment of the adverse impact upon the rural economy, the vitality and viability of local services and infrastructure of a period of nil growth up to 2038. The Plan is therefore not positively prepared, justified by a robust evidence base or effective in terms of the delivery of housing and new local infrastructure. It is not consistent with National policy that seeks to:-
 - significantly boost the supply of homes
 - support a prosperous rural economy
 - ensure the vitality of the town centre
 - provide social, recreational and cultural facilities and services the community needs
- 1 By way of an example of the potential that was recognised by the Draft Plan but is discarded in the PSLP, it is useful to consider Land at Fowlers Park which is controlled by Rydon Homes Ltd and is being promoted, in accordance with the Draft Local Plan. The site lies on the eastern edge of the town and was proposed under Policy AL/HA4 for mixed uses of housing, community uses (a new Medical Centre), open space and playing fields for the local Primary School. (safeguarded)
- 1 In terms of planning history a larger site was dismissed on appeal in 2013 but the potential for a smaller development close to the settlement edge was not ruled out.
- 1 The Council confirmed this potential in the adopted Site Allocations Local Plan (2016) where Policy AL/HA4 Birchfield, Rye Road allocated a site for 26 dwellings and one of the policy criteria was:-

“development must not compromise the possibility of future access to land to the north”

The explanatory text is as follows:-

7.25 It is possible that land to the north of Birchfield, Rye Road could provide an appropriate location to contribute to the development needs of Hawkhurst within the next Plan period (post 2026). Therefore, any development of the Birchfield site should not jeopardise access to land to the north. However, it should be emphasised that the allocation of sites for the post- 2026 period would depend on a housing requirement for Hawkhurst being identified in a future review of the Plan and an assessment of available sites at that time”.

The Birchfield development has now been completed and in accordance with the policy criteria, access to Rye Road has been safeguarded to secure development at Fowlers Park to the north.

- 1 The SHELAA July 2019 concluded that the Fowlers Park site is suitable, in part, as a potential Local Plan allocation subject to further consideration. (Rydon 6).
- 1 The site was proposed as a mixed use allocation AL/HA4 in the Draft Local Plan for:-
 - approximately 100 dwellings
 - a medical centre or community facility
 - safeguarded land for future school expansion
 - public car park – 15 spaces

- public open space

(Rydon 7)

The Sustainability Assessment for the relevant part of the site confirmed that there were no negative or very negative landscape or land use impacts arising from the development of part of the site. Landscape impacts were assessed as being “slightly negative”. (Rydon 7).

- 1 The LUC Landscape Sensitivity Assessment of Hawkhurst (July 2018) identified high sensitivity in all the landscape parcels around Hawkhurst, which lies entirely in the AONB. Fowlers Park lies in Parcel Ha5 where the sensitivity level is reduced to Medium-High for small development proposals and the conclusion is that there are opportunities for small scale residential development associated with the existing urban edge. The LSA formed part of the evidence base that supported the proposed allocation AL/HA4 in the Draft Local Plan. (Rydon 9)
- 1 The HDA Landscape and Visual Impact Assessment of Proposed Allocation Sites within the High Weald AONB (November 2020) concluded that the potential harm to the AONB if Draft Local Plan allocation AL/HA4 was taken forward in accordance with the recommendations of the report was Medium/Low. The report’s conclusions on Land at Fowlers Park are:-

“The site has a tangible increase in rurality from west to east. This change in development potential across the site is reflected in the proposals map for the draft allocation, which safeguards the more sensitive areas of the site as open space land-uses. These provide opportunities for enhancement within the site, including potential new recreational routes and facilities, which would benefit the AONB landscape within the site”. (Rydon 8).

- 1 Against this background it is a mystery why the site was not carried forward to the PSLP. It should be re-instated as a proposed mixed use allocation including housing, a medical centre, safeguarded land for school playing fields, public car park and open space as per the attached masterplan. (Rydon 10).
- 1 The suitability of the Fowlers Park site for a mixed used development has been extensively assessed by relevant professional disciplines. The findings are summarised in the attached Design Document. (Rydon 10).
- 1 Further evidence of the justification for the allocation of the site, as set out in the Draft Local Plan (Reg 18 version) is provided in the following Topic-specific reports:-
- 1 **Landscape** – Allen Scott have prepared a review of the TWBC evidence base in relation to the PSLP (attached dated 14th May 2021 (Rydon 12)). This concludes that the Hankinson Duckett Associates Visual Impact Assessment agrees that landscape impacts upon the AONB, with mitigation, will fall within acceptable limits and there are potential enhancements.
- 1 **Air Quality** – Air Quality Consultants have reviewed the air quality justification provided by TWBC which contributed to their decision not to carry forward the Fowlers Park mixed use allocation from the Draft Local Plan to the Pre-Submission version (attached dated May 2021 (Rydon 11)). Their conclusion is that, based upon future air quality impacts, there is no justification for limiting new housing in Hawkhurst to 170 dwellings and the Draft Local Plan (Reg 18) proposals remain valid.
- 1 These up-dated technical assessments of the key development impacts arising from the proposed mixed use allocation AL/HA4 in the Draft (Reg 18) Local Plan confirm that it remains a sustainable development option consistent with the Scale and character of the settlement and capable of delivering much needed housing and new local services/infrastructure, to support the vitality and viability of Hawkhurst and the local rural economy over the plan-period.

Question 7

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Address	[REDACTED] [REDACTED] FOREST ROW [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Rydon Homes [REDACTED]
Comment ID	PSLP_1733
Response Date	03/06/21 13:25
Consultation Point	Policy AL/HA 5 Land to the north of Birchfield Grove (View)
Status	Processed
Submission Type	Email
Version	0.4
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Question 2

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Question 3

To which part of the Local Plan does this representation relate? Policy

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy AL/HA 5 Land to the north of Birchfield Grove

[TWBC: see also representation numbers PLSP_1629, 1702, 1705, 1707, 1708, 1709, 1710, 1713, 1714, 1715, 1717, 1721, 1729, 1732, 1733, 1734, 1737, 1739, 1741, 1743, 1744, 1745 & 1746]

Question 4

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Is sound No

Complies with the Duty to Cooperate No

Question 4a

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Do you consider that the Local Plan is not sound because:

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[TWBC: see supporting documents attached, including composite of all representations].

Proposed Medical Centre – Land to the North of Birchfield Grove, Hawkhurst

- 1 There is a pressing need for improved medical facilities at Hawkhurst. However, the PSLP does not facilitate the delivery of the new Medical Centre.
- 1 In the Draft Local Plan (Reg 18) the medical centre was to be provided as part of a package of proposals including housing, a public car park, safeguarded land for playing fields to facilitate the expansion of Hawkhurst C of E Primary School and extensive Public Open Space. The relevant DLP policy is AL/HA4 but this was not carried forward to the PSLP.
- 1 On the basis of the Draft Local Plan interested parties, including multiple landowners, Rydon Homes Ltd (the proposed developers of the housing), the doctor's practices and the NHS jointly, set about preparing proposals to deliver the Local Plan Policy package in terms of finance, access, phasing and land provision. These preparations are continuing in the hope that the unexpected and unjustified change of position by TWBC will be reversed – either by TWBC themselves or through the Examination of the Plan. However, without the complete package for comprehensive development there are issues of access, land provision and funding which mean that the new medical centre cannot be provided in isolation.
- 1 A stand alone policy for providing the medical centre has no realistic prospect of delivery and therefore the policy is not justified, positively prepared or effective. To be made sound the Plan needs to include a proportion of housing at Fowlers Park as well as the other community benefits, to resolve the access, land provision and funding issues which prohibit the Doctor's Surgery coming forward in isolation. This would be in line with the Council's policy for this site that was initiated in the Site Allocations Local Plan (2016) and would provide a complete and soft development edge to the eastern side of the Town.

Question 7

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Consultation Point	Policy EN 1 Sustainable Design (View)
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Submission Type	Email
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Question 3

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Question 3a

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Policy EN 1 Sustainable Design

[TWBC: see also representation numbers PLSP_1629, 1702, 1705, 1707, 1708, 1709, 1710, 1713, 1714, 1715, 1717, 1721, 1729, 1732, 1733, 1734, 1737, 1739, 1741, 1743, 1744, 1745 & 1746]

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[TWBC: see supporting documents attached, including composite of all representations].

Sustainable Design

The Policy is not clearly drafted and has limited purpose as it repeats other policies within the Plan. It should be simplified with extraneous and duplicated contents removed.

Criteria 9 should be omitted as the provision of communication infrastructure is not a material planning consideration and is a function of service providers. Housing can provide internal ducting to facilitate cable routing within the dwelling but this is a detailed design matter that does not amount to Development.

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Policy EN 4 Historic Environment

[TWBC: see also representation numbers PLSP_1629, 1702, 1705, 1707, 1708, 1709, 1710, 1713, 1714, 1715, 1717, 1721, 1729, 1732, 1733, 1734, 1737, 1739, 1741, 1743, 1744, 1745 & 1746]

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[TWBC: see supporting documents attached, including composite of all representations].

Historic Environment

The Policy lacks any clear relationship with Government Guidance set out in Section 16 of the NPPF and Paragraphs 189-192 in particular. The references to other Guidance leap over the NPPF and thereby diminish/ignore it.

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Policy EN 5 Heritage Assets

[TWBC: see also representation numbers PLSP_1629, 1702, 1705, 1707, 1708, 1709, 1710, 1713, 1714, 1715, 1717, 1721, 1729, 1732, 1733, 1734, 1737, 1739, 1741, 1743, 1744, 1745 & 1746]

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[TWBC: see supporting documents attached, including composite of all representations].

Heritage Assets

A clear relationship with relevant guidance set out in Section 16 of the NPPF is required. The wording of this policy differs materially from that in the NPPF and needs to be more directly associated in order to avoid confusion and potential conflict.

The penultimate paragraph, last sentence, is vague, unhelpful and is not a policy of itself. This part of the policy wording should be transferred to the explanatory text. If the Council are to apply Local Plan heritage policies to non-designated heritage assets then they should be identified in the Local Plan and locally listed. It is not sufficient to identify them at the application stage.

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Response Date	03/06/21 13:25
Consultation Point	Policy EN 12 Trees, Woodland, Hedges, and Development (View)
Status	Processed
Submission Type	Email
Version	0.4
Files	Sigma Planning for Rydon Homes_RYDON 1.pdf Sigma Planning for Rydon Homes_RYDON 5.pdf Sigma Planning for Rydon Homes_RYDON 13.pdf Sigma Planning for Rydon Homes_RYDON 12.pdf Sigma Planning for Rydon Homes_RYDON 16.pdf Sigma Planning for Rydon Homes_RYDON 18.pdf Sigma Planning for Rydon Homes_RYDON 2.pdf Sigma Planning for Rydon Homes_RYDON 8.pdf Sigma Planning for Rydon Homes_Composite Representations.pdf Sigma Planning for Rydon Homes_RYDON 15.pdf Sigma Planning for Rydon Homes_RYDON 7.pdf Sigma Planning for Rydon Homes_RYDON 11.pdf Sigma Planning for Rydon Homes_RYDON 10.pdf

[Sigma Planning for Rydon Homes_RYDON 3.pdf](#)
[Sigma Planning for Rydon Homes - covering letter.pdf](#)
[Sigma Planning for Rydon Homes_RYDON 4.pdf](#)
[Sigma Planning for Rydon Homes_List of Appendices TWBC LP.docx](#)
[Sigma Planning for Rydon Homes_RYDON 6.pdf](#)
[Sigma Planning for Rydon Homes_RYDON 17.pdf](#)
[Sigma Planning for Rydon Homes_RYDON 9.pdf](#)
[Sigma Planning for Rydon Homes_RYDON 14.pdf](#)

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Question 1

Respondent's Name and/or Organisation Rydon Homes Ltd

Question 2

Agent's Name and Organisation (if applicable) Sigma Planning Services

Question 3

To which part of the Local Plan does this representation relate? Policy

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy EN 12 Trees, Woodland, Hedges, and Development

[TWBC: see also representation numbers PLSP_1629, 1702, 1705, 1707, 1708, 1709, 1710, 1713, 1714, 1715, 1717, 1721, 1729, 1732, 1733, 1734, 1737, 1739, 1741, 1743, 1744, 1745 & 1746]

Question 4

Do you consider that the Local Plan:

Is legally compliant No

Is sound No

Complies with the Duty to Cooperate No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not positively prepared
- . It is not effective
- . It is not justified
- . It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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[TWBC: see supporting documents attached, including composite of all representations].

The wording “adversely affects” is too imprecise and the policy should refer to “loss or material damage”. Lesser impacts are potentially not serious and do not justify the presumption against development that is implicit in the Policy. This conflicts with positive planning and the presumption in favour of sustainable development. Development does not become unsustainable because it has a minor adverse impact upon trees, whether they are important or not.

The expectation that all development must increase tree cover, especially in urban areas, is excessive and not justified by any national policy requirement. It is too onerous a requirement to apply to all development and will potentially give rise to an inconsistency with the development plan capable of undermining the presumption in favour of development that complies with the development plan. There is extensive and unwarranted potential for worthwhile development projects to be refused planning consent as a result. There also needs to be provision for trees to be removed where necessary and justified.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

Yes, I wish to participate in hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Supporting Information File Ref No: SI_84a-u

Comment

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Company / Organisation	Rydon Homes
Address	[REDACTED] [REDACTED] FOREST ROW [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Rydon Homes [REDACTED]
Comment ID	PSLP_1746
Response Date	03/06/21 13:25
Consultation Point	Policy EN 15 Local Green Space (View)
Status	Processed
Submission Type	Email
Version	0.5
Files	Sigma Planning for Rydon Homes_RYDON 4.pdf Sigma Planning for Rydon Homes_List of Appendices TWBC LP.docx Sigma Planning for Rydon Homes_RYDON 11.pdf Sigma Planning for Rydon Homes_RYDON 10.pdf Sigma Planning for Rydon Homes_RYDON 5.pdf Sigma Planning for Rydon Homes_RYDON 14.pdf Sigma Planning for Rydon Homes_RYDON 12.pdf Sigma Planning for Rydon Homes - covering letter.pdf Sigma Planning for Rydon Homes_RYDON 18.pdf Sigma Planning for Rydon Homes_RYDON 3.pdf Sigma Planning for Rydon Homes_RYDON 1.pdf Sigma Planning for Rydon Homes_RYDON 7.pdf Sigma Planning for Rydon Homes_RYDON 8.pdf Sigma Planning for Rydon Homes_RYDON 15.pdf

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[Sigma Planning for Rydon Homes_Composite Representations.pdf](#)
[Sigma Planning for Rydon Homes_RYDON 2.pdf](#)

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Question 1

Respondent's Name and/or Organisation Rydon Homes Ltd

Question 2

Agent's Name and Organisation (if applicable) Sigma Planning Services

Question 3

To which part of the Local Plan does this representation relate? Policy

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy EN 15 Local Green Space

[TWBC: see also representation numbers PLSP_1629, 1702, 1705, 1707, 1708, 1709, 1710, 1713, 1714, 1715, 1717, 1721, 1729, 1732, 1733, 1734, 1737, 1739, 1741, 1743, 1744, 1745 & 1746]

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[TWBC: see supporting documents attached, including composite of all representations].

Rydon Homes Limited have an interest in land to the north of Wish Court, Matfield. These representations seek to object to Policy EN 15 Local Green Space with particular reference to the designation of Site Number 20 – Woodland north of Wish Court, Matfield as Local Green Space.

Under ref 17/01142 TWBC approved a development of 20 homes on land immediately adjoining the proposed LGS. As part of that scheme an area of land has been set aside as an ecological mitigation area. The approved scheme, which has since been completed, was previously allocated within the Regulation 18 version of this Local Plan. The extent of the ecological mitigation area was sufficient to meet its purpose.

The approval of the above scheme and the ecological surveys conducted showed the presence of protected species. This is not uncommon in this part of the country. The ecological mitigation area satisfied all stakeholders that the scheme could go ahead with no negative impact to the wildlife on the site.

The site has been consistently proposed for development. In 2016 it was one of two sites actively being considered by the Parish Council as a potential candidate for a replacement for the grossly inadequate nearby Brenchley Primary School.

The site has been consistently promoted as a potential housing site. The July 2019 SHELAA identifies the site as site ref 36. The Council's assessment identifies a potential yield of 110 units which would make an important contribution to meeting the Council's need to invest in sufficient homes. The Site was considered inappropriate due to the presence of woodland and that part of the site is an ecological mitigation for an extant planning permission.

The Site has been further assessed within the SHELAA (dated January 2021). The conclusion drawn on the site reflects the position of the July 2019 in so far as the woodland coverage and that part of the site is an ecological mitigation site for the completed development at Merchants Lea (constructed by Rydon Homes Limited). The yield similarly to 2019, is at 110 units. It is acknowledged that the ecological management area is required to be retained and proposals would not seek to alter this. However, the remaining land is both available and suitable to be developed for residential development. It is our view that it is inappropriate to include land within the SHELAA that has a required use/purpose pursuant to an implemented planning permission and that the SHELAA should have only considered the reduced footprint area which excludes the ecological management area required by planning permission ref. 17/01142.

With regards to the SHELAA, the Council cannot reasonably argue that it is unsustainable given its position adjacent to the existing Limits to Built Development and the consent granted under planning permission ref. 17/01142. The proposed designation of the site as LGS is an undisguised attempt to prevent sustainable development. This is contrary to the intentions of the NPPF and is not justified.

The National Planning Policy Framework (NPPF) sets out, at paragraphs 99-101, guidance as to the criteria that must be met when considering to identify and designate land as a Local Green Space (LGS). Paragraphs 99 – 101 state the following:

'99. The designation of land as Local Green Space through local and neighbourhood plans allows communities to identify and protect areas of particular importance to them. Designating land as Local Green Space should be consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs and other essential services. Local Green Space should only be designated when a plan is prepared or updated, and be capable of enduring beyond the end of the plan period.

- 1 *The Local Green Space designation should only be used where green space is:*
- 1 *In reasonable close proximity to the community it serves;*

- 2 *Demonstrably special to the local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including playing fields), tranquillity or richness of its wildlife: and*
- 3 *Local in character and is not an extensive tract of land.*
- 1 *Polices for managing development within Local Green Space should be consistent with those for Green Belts.'*

The NPPF sets out clear criteria, **all** of which must be met in order for the land to be considered for designation. If any one of the criteria is not satisfied then it is **not** appropriate to designate the site as LGS. Therefore for Site Number 20 to be allocated as a LGS, all part of Paragraph 100 must be met. We do not consider this is the case, as set out below:

Proximity to the community.

The criteria of 'Proximity' implies both a geographical juxta positioning of the site in question to the existing village, and an implication of ability to make use of that juxta positioning in some way. Whilst the site is adjacent to the Limits of Built Development, there is no public right of access over any part of the site in question. There is a public footpath immediately adjacent to the western boundary of the site. It enjoys limited proximity and is peripheral and indeed remote from most of the community of Matfield. The public are unable to access the land legally and make any use or take any benefit from any designation.

Local in character and is not an extensive tract of land.

The land in question cannot be considered local in character. It comprises overgrown small shrubs and immature self-seeded trees with bramble. By contrast every other piece of undeveloped land in the vicinity is either an open field or a mature wood. As a result it cannot be considered 'local in character'.

The TWBC LGS Designation Methodology states at paragraph 3.5 '*All sites will be judged on their merits, but as a guide and in reference to Natural England's Accessible Natural green Space standards (ANGst) a site over 20 ha (50 acres) is likely to be considered an extensive tract of land not suitable for designation as a LGS.'*

This is at odds with Examiners views on a number of Neighbourhood Plans considering this very point: Seddlescombe NP 4.3 acres, Alrewas NP relating to 2.5 and 3.9 ha; Tatenill NP relating to 9.2 and 4.3 ha; Oakley & Deane NP relating to 5ha; and Brixworth NP relating to 22.5 , 7.2 and 2.7ha. All of which were considered to represent 'extensive tracts of land'

This site at 4.3 ha clearly falls within an area where Examiners would consider the land to be 'extensive'.

Demonstrably special to the local community and holds a particular local significance.

There is nothing in the TWBC Local Green Space Assessment 2019 or TWBC Local Green Space Assessment 2021 that mentions any support for this from the local community. The proposed designation appears to have been initiated solely as a result of the Role and Function Study (carried out by the TWBC) and not by any prompting from the local community. Indeed the Parish Council considered the site appropriate for a replacement Primary School at one point. Now that it is a proposed designation it will be supported by the local community but that is the wrong way around.

Given that Rydon Homes carried out pre application consultation with the community, including meetings with the Parish Council, the local community were well aware that the area was being looked at for potential development. At no point did they try to instigate any further protection to the area beyond the actual development site through a S106 Agreement etc.

The Council has not demonstrated that this area is special to the local community. In fact, there is no public right of access to the site. Further to this is, it should be noted that within the Parish of Brenchley that the site has an overprovision of amenity greenspace, with a surplus of some 2.62 ha when compared against the TWBC quantity standards. This clearly demonstrates that the site is not special to the local community or holds a particular local significance.

The Council consider that the site 'is a special amenity' but do not explain or evidence what that amenity is or may be. This is a completely unjustified statement. The assessment then goes on to say that it 'may become a protected species habitat'. The guidance does suggest that Local Green Space designation may be appropriate for the 'richness of wildlife'. But the Council has not undertaken any surveys to identify or justify this. In addition the survey work relating to the Rydon scheme identified and included appropriate mitigation by way of an ecological mitigation area. It is clear from the surveys

undertaken that whilst there is wildlife on the site it is not anything unusual or unexpected, indeed the fact that appropriate mitigation can be accommodated rather supports the view that there is an ordinariness to the wildlife on site rather than a richness.

Conclusion

Policy EN15 is therefore considered to be unsound in respect of the allocation of Site Number 20. Allocations of LGS in a Local Plan must complement investment in sufficient homes and are to be seen as enduring beyond the end of the plan period (NPPF para 99). The proposed designation of this site as an LGS would conflict with Government guidance because:

- . Policy EN15 with respect of Site Number 20 is not positively prepared – Matfield is a sustainable settlement which is identified as having the ability to accommodate a level of planned growth. This site adjoins the Limits of Built Development, it has been promoted through the Council's Call for Sites as a potential candidate for development, it has been considered as one of only two potential sites for a replacement Primary School, and as such could in the future be a site for a sustainable expansion of the village.
- . Policy EN15 with respect to Site Number 20 is not consistent with national policy – the site is peripheral to the village with no public access. Whilst there is a public footpath adjacent to the western boundary this is not heavily used and is only for occasional recreational purposes. As such the site's designation fails the test of proximity. It is not local in character. It is quite at odds with the typical local character.
- . Policy EN15 with respect of Site Number 20 is not justified - the Council's benchmark for judgement on the extent of the land is at odds with Examiners decisions on this matter in NP Examinations. The land sought to be designated is an extensive tract of land. In addition, the Council has provided no evidence that the site is special in any way to the local community. The special amenity point overstates the wildlife richness on the site and in any event is not evidence-based by any studies.

The proposed designation should therefore be deleted from the Plan.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . Yes, I wish to participate in hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box: Yes, I wish to be notified of future stages of the Local Plan

Supporting Information File Ref No: SI_84a-u

Comment

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Company / Organisation	Rydon Homes
Address	[REDACTED] [REDACTED] FOREST ROW [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Rydon Homes [REDACTED]
Comment ID	PSLP_1739
Response Date	03/06/21 13:25
Consultation Point	Policy EN 19 The High Weald Area of Outstanding Natural Beauty (View)
Status	Processed
Submission Type	Email
Version	0.5
Files	Sigma Planning for Rydon Homes_RYDON 6.pdf Sigma Planning for Rydon Homes_RYDON 2.pdf Sigma Planning for Rydon Homes_RYDON 11.pdf Sigma Planning for Rydon Homes - covering letter.pdf Sigma Planning for Rydon Homes_RYDON 15.pdf Sigma Planning for Rydon Homes_RYDON 4.pdf Sigma Planning for Rydon Homes_RYDON 16.pdf Sigma Planning for Rydon Homes_RYDON 5.pdf Sigma Planning for Rydon Homes_RYDON 18.pdf Sigma Planning for Rydon Homes_RYDON 14.pdf Sigma Planning for Rydon Homes_RYDON 3.pdf Sigma Planning for Rydon Homes_Composite Representations.pdf Sigma Planning for Rydon Homes_RYDON 17.pdf

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Question 1

Respondent's Name and/or Organisation Rydon Homes Ltd

Question 2

Agent's Name and Organisation (if applicable) Sigma Planning Services

Question 3

To which part of the Local Plan does this representation relate? Policy

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy EN 19 The High Weald Area of Outstanding Natural Beauty

[TWBC: see also representation numbers PLSP_1629, 1702, 1705, 1707, 1708, 1709, 1710, 1713, 1714, 1715, 1717, 1721, 1729, 1732, 1733, 1734, 1737, 1739, 1741, 1743, 1744, 1745 & 1746]

Question 4

Do you consider that the Local Plan:

Is legally compliant No

Is sound No

Complies with the Duty to Cooperate No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

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- . It is not consistent with national policy

Question 5

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[TWBC: see supporting documents attached, including composite of all representations].

The High Weald Area of Outstanding Natural Beauty

The specific reference to guidance currently set out in the High Weald AONB Management Plan should be omitted. It elevates existing external guidance to the status of an adopted development plan policy. The list of seven objectives, taken from the current HWAONB Management Plan are out of context and are irrelevant in many respects to most development projects in terms of practicality or potentially harmful impact. The relationship between a generic development plan policy that ensures great weight is given to conserving landscape and scenic beauty and helpful and specific guidance provided by an external consultee body should be kept separate. It is not the function of all new development to promote the management objectives of the HWAONB Unit. Development Plan policy should ensure that those objectives are not prevented but, in most cases they will not be affected or damaged and it is therefore excessive to say that all development in the AONB will need to promote those 7 objectives. A simple reference to the HWAONB Management Plan in the explanatory text is sufficient.

Question 7

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Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Supporting Information File Ref No: SI_146

Comment

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Company / Organisation	Rydon Homes
Address	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Rydon Homes (David Neame - [REDACTED])
Comment ID	PSLP_2089
Response Date	04/06/21 13:25
Consultation Point	Pre-Submission Local Plan (View)
Status	Processed
Submission Type	Email
Version	0.12
Files	Appendix 4 - 675 Land at Finches Farm Reg19 Landscape Advisory Note 210528.pdf Appendix 1 - Site Location Plan - Finches Farm, Five Oak Green.pdf APPEND~3.PDF Appx 2f Flinches Farm, 5 Oak Green Archaeological.pdf Neame Sutton for Rydon Homes - full representation.pdf Appx2b Five Oak Green FRA Tech Note.pdf Appx 2e Land at Finches Farm Vision Document.pdf Appx2c Noise Report - Issue.pdf Appx 2d Five Oak Green Technical Note 240521.pdf Appx2a Landscape Appraisal.pdf Appendix 5 - ED81 Inspectors Letter to TMBC 2.3.21.pdf
Data inputter to enter their initials here	KJ

Question 1

Respondent's Name and/or Organisation Rydon Homes Ltd

Question 2

Agent's Name and Organisation (if applicable) Neame Sutton

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Soundness and Duty to Cooperate

[TWBC: the full representation attached has been set against PSLP (whole Plan) (PSLP_2089), Policy STR1 (PSLP_2092) and Policy STR/CA1 (PSLP_2093). Appendices listed have also been attached as supporting documents]

Question 4

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1.0 Instructions and Introduction

1.1 Neame Sutton Limited, Chartered Town Planners, is instructed by Rydon Homes Limited (“Rydon”) to prepare and submit representations in relation to the Regulation 19 consultation version of the Tunbridge Wells Borough Local Plan (“the Plan”) published in March 2021.

1.2 This document sets out Rydon’s Representations on the Plan and deals with the following specific matters:

- . Matters of Legal Compliance
- . Consideration of the correct Housing Need and Housing Requirement within the Plan in the context of the Housing Supply identified by the Council; and,
- . Site-specific representations in relation to Rydon’s promotion site at Finches Farm, Five Oak Green

1.3 The relevant sections of the Plan, including paragraph and policy references, are cited throughout these representations along with the soundness tests that it is considered the Plan fails to comply with.

1.4 These representations are supported by a series of technical reports and appraisals prepared by Rydon’s professional project team, which comprise:

Table 1: Technical Reports and Appraisal Accompanying Representations

Document

Author

Appendix

Assessment of Housing Trajectory and Land Supply

Neame Sutton

Appendix 3

Green Belt Assessment Review

Allen Scott

Appendix 4

Site-Specific Technical Pack:

- Vision Document
- Access Appraisal
- Drainage Appraisal
- Landscape Appraisal
- Noise and Vibration Assessment
- Heritage and Archaeology Assessment

Richards Urban Design

RPS

SMA

Allen Scott

SMA

Orion Heritage

Appendix 2

Appendix 2

Appendix 2

Appendix 2

Appendix 2

Appendix 2

2.0 Legal Compliance

Duty to Cooperate:

2.1 There are a number of Legal Compliance matters that the Council must address if it intends to proceed with the submission of a Local Plan for Examination. The Regulation 19 consultation stage is intended to comprise the version of the Plan that the Council considers to be Sound and in compliance with the various legal requirements.

2.2 Unlike matters of Soundness that can be addressed through modifications to the Plan any issues relating to Legal Compliance of the Plan cannot be addressed retrospectively.

2.3 It is therefore of vital importance to the Council that the Plan meets the Legal Compliance requirements before it proceeds.

2.4 Of particular importance in the case of Tunbridge Wells and its surrounding authorities is the Duty to Cooperate ("DtC"). Section 110 of the Localism Act 2011 introduces a new Section 33a into the Planning and Compulsory Purchase Act 2004, which requires the Local Planning Authority to cooperate with its neighbouring authorities and other bodies.

2.5 Sub-section (2) goes on to set out how the engagement should be undertaken by stating:

'In particular, the duty imposed on a person by subsection (1) requires the person—

(a). to engage constructively, actively and on an ongoing basis in any process by means of which activities within subsection (3) are undertaken, and

(b). to have regard to activities of a person within subsection (9) so far as they are relevant to activities within subsection (3).'

2.6 Government policy also confirms that:

*'In order to demonstrate effective and on-going joint working, strategic policy-making authorities should prepare and maintain one or more statements of common ground, documenting the cross-boundary matters being addressed and progress in cooperating to address these. These should be produced using the approach set out in national planning guidance, and be made publicly available throughout the plan-making process to provide transparency.'*¹

2.7 It is therefore a vital legal requirement of the Plan making process that the Council engages with its neighbours on a constructive, active and, ongoing basis. The engagement should be documented throughout the process to demonstrate compliance with the legal requirements.

2.8 The Council has produced a Duty to Cooperate ("DtC") Statement for the Pre- Submission Local Plan (March 2021) that sets out how the Council has collaborated, engaged and cooperated with neighbouring authorities, public bodies and other stakeholders during the preparation of the Local Plan².

2.9 These representations focus specifically on the strategic issue of meeting housing need, which is covered in Section 4 (Pages 46-48) of the DtC Statement.

2.10 The DtC Statement confirms that the Council has worked specifically with those authorities within the same housing market area as defined in the Council's Strategic Housing Market Assessment ("SHMA"), namely:

- . Sevenoaks District Council
- . Tonbridge and Malling District Council

. Wealden District Council

. Rother District Council

2.11 Rather concerningly the DtC Statement goes on to confirm that the Council has only focussed its consideration on Sevenoaks District Council on the basis that is the only authority which has indicated it does not intend to meet its own housing needs in full.

2.12 As a consequence of the Council's focus its DtC consideration has effectively taken its 'eye off the ball' in relation to the other authorities. This has lead to a fundamental failure specifically in relation to Tonbridge and Malling District, which is explored further below, together with Maidstone and Ashford.

Sevenoaks District Council:

2.13 Dealing first with Sevenoaks.

2.14 The DtC Statement summarises the extent of the discussions that have taken place with Sevenoaks, which appears to be limited to an initial request by Sevenoaks in April 2019 for some of its unmet need to be dealt with by Tunbridge Wells. Following which the Council has concluded that it could not meet any unmet need arising from Sevenoaks.

2.15 The Council's conclusion on not being able to meet any unmet need arising from Sevenoaks appears to have been heavily influenced by the fact that, at that time (April 2019), the Sevenoaks Plan had not been examined³.

2.16 Since April 2019 the Sevenoaks Plan has been to examination and the Inspector reached the conclusion that was not legally compliant in relation to a number of key considerations including DtC. The Inspector consequently recommended the Sevenoaks Plan should be withdrawn.

2.17 Sevenoaks sought to challenge the Inspector's conclusions in her Report (dated 02 March 2020). That challenge was rejected by the court in December 2020 and a subsequent attempt by Sevenoaks to appeal the ruling was rejected on 08 April 2021.

2.18 It is therefore inevitable that Sevenoaks will need to withdraw its Plan and restart the process given the Inspector's conclusion that the Plan is both Unsound and has failed the Legal Compliance test specifically in relation to DtC. The consequence of this on the DtC with Tunbridge Wells is significant because Sevenoaks previous draft plan was prepared against the transitional provisions set out in Annex 1 of the Framework 2019 i.e. that plan was prepared against the policy requirements of the Framework 2012 and the corresponding PPG.

2.19 The current SoCG included in Appendix A of the DtC Statement (dated 21 May 2019) identifies an unmet need of 1,900 dwellings arising from Sevenoaks based on an Objectively Assessed Need ("OAN") of 707 dpa for the District over the period 2019-35 equating to 11,312 dwellings (the Sevenoaks Plan made provision for a supply of 9,410 dwellings over the same period)⁴.

2.20 When Sevenoaks commences work on a new Local Plan it will need to make provision for a Local Housing Need ("LHN") based on the new Standard Method as prescribed by the Framework 2019 and accompanying PPG. The consequence of this will be a LHN of 715 dpa⁵, which would increase the deficit (based on the supply identified in the Regulation 19 version of the Sevenoaks Plan) of 2,030 dwellings.

2.21 The situation is therefore materially worse in terms of unmet need arising from Sevenoaks and the Council has done nothing to consider addressing even part of this since signing the SoCG in May 2019 (2 years ago). The Council cannot therefore possibly argue that it has met the key Statutory DtC obligation of working constructively, actively and on an on-going basis with Sevenoaks.

2.22 For this reason alone the Plan has failed the Legal Compliance test and cannot proceed to submission in its current form. In fact the Council will probably need to undertake a further Regulation 19 consultation in due course when this fundamental failure has been rectified and before proceeding to the submission stage.

Tonbridge and Malling:

2.23 There is no recorded need arising from Tonbridge and Malling that the Council should consider addressing as part of the Plan. The DtC Statement and the accompanying Memorandum of Understanding ("MoU") is incredibly light on its content in relation to cross boundary discussions.

2.24 This is particularly concerning given the significant cross boundary issues associated with the Tudeley Village proposal that would be heavily dependent upon services, facilities and other key infrastructure that is situated over the administrative boundary in Tonbridge and Malling Borough.

2.25 It is perhaps telling that Tonbridge and Malling Borough intends to object to this consultation specifically in relation to Tudeley Village. Furthermore the response prepared by Tonbridge and Malling Borough Council states that a SoCG is to be returned by 04 June 2021⁶. The absence of that document from the evidence base during the current Regulation 19 consultation is yet a further example of the failure in terms of Legal Compliance.

2.26 The key considerations raised by Tonbridge and Malling Borough Council in relation to infrastructure and mitigation measures arising from Tudeley Village also go to the Soundness of the Plan as drafted. These are matters that need to be addressed in full and before the Plan proceeds to the submission stage.

2.27 As a further serious concern in relation to the DtC is the fact that the Inspectors appointed to examine the Tonbridge and Malling Local Plan have written to the Council in January 2021 (see copy attached at **Appendix 5**) to confirm their view that there is a fundamental failure of the DtC such that the Examination cannot proceed.

This is yet another example of the problems facing the Council with this Plan in relation to DtC and the serious consequences of not addressing this matter now and before the Plan proceeds to submission.

Rother District Council:

2.28 The SoCG in Appendix A5 of the DtC Statement confirms that Rother District Council is not yet able to confirm if it can meet its own need. This SoCG was signed in October 2020 and no update on that position appears to have been sought or provided by Rother District. The Council cannot therefore say with any certainty whether the issue of unmet need arising from Rother District has been fully explored.

Wider Issues in Terms of Unmet Need:

2.29 Given the interrelationship between the Borough and London, particularly in relation to rail connectivity and the consequent economic connection, which is articulated in the Economic Development Topic Paper (March 2021) and the Travel to Work Area in Appendix 1 in particular the Council appears not to have given any consideration to the potential for unmet need arising from London and whether the Plan should seek to be addressing some of that need.

2.30 In fact the DtC Statement is silent insofar as discussions with any London Boroughs is concerned.

2.31 Although not a fundamental failure this is considered to contribute to the overall failure in terms of Legal Compliance at this Regulation 19 consultation stage.

2.32 The above failures cannot be rectified retrospectively and the Council therefore needs to take action now and then rerun a fresh Regulation 19 consultation in order to avoid the situation that Sevenoaks and other authorities in the locality have found themselves in recently. Indeed Crawley Borough Council is currently undertaking a second Regulation 19 consultation, partly due to gaps in its evidence base and Legal Compliance failings identified during the first Regulation 19 consultation for its emerging Local Plan.

Footnotes:

1 Paragraph 27 of National Planning Policy Framework (February 2019)

2 Paragraph 1.2 on Page 3 of the DtC Statement (March 2021)

3 Paragraph 4.18 on Page 46 of the DtC Statement refers

4 Paragraph 2.1.4 on Page 4 of SoCG between TWBC and SDC in Appendix A of DtC Statement – March 2021

5 Applying the Standard Method with a base date to 2021 and using the affordability Ratio data published in March 2021 by ONS.

6 Draft letter of representation presented to Extraordinary Planning and Transportation Advisory Board – Monday 17 May 2021

- 7 Paragraph: 010 Reference ID: 2a-010-20201216 – Housing and Economic Needs section of PPG
- 8 Paragraph 3.18 on Page 16 of Housing Needs Assessment Topic Paper – February 2021
- 9 See Table 12 on Page 51-52 and Table 22 on Page 74 and Table 23 on Page 76 of the SA
- 10 See also Table 49 on Page 142 of the SA that identifies the Promotion Site as a reasonable alternative site within Capel Parish

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan 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.

5.0 Areas Where Changes are Required for Plan to be Legally Compliant and Sound

5.1 In order for the Plan to be found Sound and Legally Compliant there are a number of fundamental changes required:

5.1.1 **Change 1 – Legal Compliance:** The Council MUST revisit the DtC specifically (but not only) in relation to Sevenoaks and explore the opportunity for meeting at least some of the unmet need arising within the Plan. Once complete the evidence of active and ongoing engagement MUST be published alongside a fresh Regulation 19 consultation version of the Plan.

5.1.2 **Change 2 - Soundness:** There is a need to revisit the minimum housing requirement in the Plan in line with the evidence base and in particular dealing with unmet need and the worsening affordability in the Borough.

5.1.3 **Change 3 - Soundness:** The Council must revisit its housing delivery strategy and address the clear shortfall in supply across the whole Plan period and particularly within the first 5-years through the allocation of more sites that are ready and able to deliver in the early part of the Plan period.

5.1.4 **Change 4 - Soundness:** The Council must revisit its Green Belt Study and Landscape Sensitivity Assessment specifically in the context of Five Oak Green because the current approach taken in the Plan does not reflect that evidence base i.e. Rydon's Promotion Site comprises a suitable location for release from the Green Belt as part of a coordinated strategy for creating robust boundaries that will endure in the long term.

5.1.5 **Change 5 – Soundness:** The Council must revisit the Plan Strategy and its Key Evidence Base in relation to Tudeley given the lack of evidence to support the delivery rate relied upon by the Council combined with the lack of support in the current evidence base for the release of this site from the Green Belt and the fact that the immediate neighbouring authority Tonbridge and Malling Borough Council is raising objection to the unacceptable pressure the proposed development would have on infrastructure, services and, facilities located outside of the Plan area. In short terms there are significant concerns in relation to the capability of Tudeley to deliver a sustainable form of development in the timeframe required by the Council. As currently prepared the Tudeley allocation is Unsound.

5.1.6 **Change 6 – Soundness:** Rydon's Promotion Site should be allocated for approximately 140 no. dwellings capable of delivery in the first 5-years of the Plan period alongside a package of wider material planning benefits.

5.2 Unless the above changes are made the Plan will fail the Legal Compliance Test and will not be found Sound at Examination.

5.3 Rydon will take an active part in any future Examination to progress the matters raised in these Representations in the context of the issues raised by the Inspector in due course. In the meantime Rydon would welcome the opportunity to discuss its Promotion Site with the Council.

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Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

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Question 7a

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If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

The matters raised in these Representations cover a number of fundamental issues that go to the heart of the Plan's soundness and in particular its legal compliance. These matters will need to be explored in the relevant hearing sessions at the Examination in order to assist the Inspector in understanding the nature and extent of the concerns raised by Rydon Homes Limited.

In addition, there are a number of matters raised that are of a technical nature and relate to the Council's evidence base. These matters will also need to be explored in the relevant hearing sessions at the Examination.

Question 8

If you have any separate comments you wish to make on the accompanying Sustainability Appraisal, please make them here.

See attached Representation Documents

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box: Yes, I wish to be notified of future stages of the Local Plan

Supporting Information File Ref No: SI_146

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Consultee	David Neame ([REDACTED])
Email Address	[REDACTED]
Company / Organisation	Rydon Homes
Address	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Rydon Homes (David Neame [REDACTED])
Comment ID	PSLP_2092
Response Date	04/06/21 13:25
Consultation Point	Policy STR 1 The Development Strategy (View)
Status	Processed
Submission Type	Email
Version	0.8
Files	Appendix 1 - Site Location Plan - Finches Farm, Five Oak Green.pdf Neame Sutton for Rydon Homes - full representation.pdf Appx 2d Five Oak Green Technical Note 240521.pdf Appx2a Landscape Appraisal.pdf Appx2b Five Oak Green FRA Tech Note.pdf Appx 2e Land at Finches Farm Vision Document.pdf Appx 2f Flinches Farm, 5 Oak Green Archaeological.pdf Appx2c Noise Report - Issue.pdf Appendix 5 - ED81 Inspectors Letter to TMBC 2.3.21.pdf Appendix 4 - 675 Land at Finches Farm Reg19 Landscape Advisory Note 210528.pdf APPEND~3.PDF
Data inputter to enter their initials here	KJ

Question 1

Respondent's Name and/or Organisation Rydon Homes Ltd

Question 2

Agent's Name and Organisation (if applicable) Neame Sutton

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR 1 The Development Strategy

Paragraphs 4.1-4.18

[TWBC: the full representation attached has been set against PSLP (whole Plan) (PSLP_2089), Policy STR1 (PSLP_2092) and Policy STR/CA1 (PSLP_2093). Appendices listed have also been attached as supporting documents]

Question 4

Do you consider that the Local Plan:

Is legally compliant No

Is sound No

Complies with the Duty to Cooperate No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not positively prepared
- . It is not effective
- . It is not justified
- . It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

1.0 Instructions and Introduction

1.1 Neame Sutton Limited, Chartered Town Planners, is instructed by Rydon Homes Limited (“Rydon”) to prepare and submit representations in relation to the Regulation 19 consultation version of the Tunbridge Wells Borough Local Plan (“the Plan”) published in March 2021.

1.2 This document sets out Rydon’s Representations on the Plan and deals with the following specific matters:

- . Matters of Legal Compliance
- . Consideration of the correct Housing Need and Housing Requirement within the Plan in the context of the Housing Supply identified by the Council; and,
- . Site-specific representations in relation to Rydon’s promotion site at Finches Farm, Five Oak Green

1.3 The relevant sections of the Plan, including paragraph and policy references, are cited throughout these representations along with the soundness tests that it is considered the Plan fails to comply with.

1.4 These representations are supported by a series of technical reports and appraisals prepared by Rydon’s professional project team, which comprise:

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Neame Sutton

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Appendix 2

Appendix 2

Appendix 2

Appendix 2

Appendix 2

Appendix 2

3.0 Housing Need, Housing Requirement/Target and, Supply

Policy STR1, SA, Paragraphs 4.1 – 4.18

OBJECT – UNSOUND – Not positively prepared, justified, effective or consistent with national policy

3.1 The importance of significantly boosting the supply of housing nationally cannot be under estimated as a core Government objective running to the heart of the planning system. In fact the Government's recent announcements through the Queen's Speech further reinforce its commitment to the delivery of more housing to meet the needs of the country allied to achieving a swift and sustained economic recovery as the country emerges from the global pandemic.

3.2 Set within this context the delivery of the right level of new housing across the Borough within the Plan is key to its Soundness, particularly in terms of planning positively, being consistent with national policy and being effective.

Setting the Correct Housing Requirement for the Plan period:

3.3 Rydon considers that the LHN figure of 678 dpa comprises the right starting point for the Plan. This figure is however only the starting point and does not necessarily represent the housing requirement figure.

3.4 The PPG confirms that the Standard Method comprises the minimum starting point. There can be circumstances where the LHN should be set higher than that calculated via the Standard Method, which may include meeting unmet need arising from a neighbouring authority⁷.

3.5 In the case of Tunbridge Wells, Rydon considers that there are two key reasons for why the Council should be planning for a higher figure than the minimum LHN calculated via the Standard Method:

3.5.1 Reason 1 – Unmet Need: It is clear that there is an increasing level of unmet need arising from Sevenoaks, which the Council has paid insufficient regard to in terms of determining whether any of that need can be met within the Borough as part of the Plan.

3.5.2 Further work is required in the context of the changing position in Sevenoaks to determine exactly how much of the unmet need can be accommodated in the Borough through the Plan. As set out in Section 2 of these Representations it is clear the Council has failed the DtC in relation to Sevenoaks and therefore further work will be required. In Rydon's view there is sufficient supply on suitable and sustainable sites across the Borough that could accommodate further housing to help meet the need arising from Sevenoaks.

3.5.3 Reason 2 – Worsening Affordability: Tunbridge Wells is one of the least affordable places to live in the country outside of London. The most recent median work place based affordability ratios published by ONS in March 2021 confirm a ratio of 13.27 for the Borough. This compares with a national average of only 7.84, which is itself a figure that the Government considers to be too high and one that urgent action is required to address through the delivery of more housing nationally.

3.5.4 When past trends are analysed it is evident the position in Tunbridge Wells has been worsening. Over the last 10 year period the ratio has increased from 9.91 to 13.27. In the last 12 month period the position has increased from 12.49 to 13.27.

3.5.5 A worsening affordability ratio in turn leads to an exponential increase in affordable housing need, which is reflect by the Council's current stated annual need of at least 323 dpa over the Plan

period⁸. This is an unsustainable level of need that is set to increase over the Plan period unless the worsening affordability trend is addressed now.

3.6 In simple terms the only way to address the above two points is to plan for more housing at a level above the LHN calculated using the Standard Method.

3.7 The answer as to how much additional housing to plan for is one that the Council needs to explore particularly in the light of the Sevenoaks situation. However, as a starting point Rydon considers the minimum housing requirement should be set at the uncapped Standard Method figure of 749 dpa. That would deliver a further 1,278 dwellings over the Plan period, which would go some way to addressing Sevenoaks unmet need of circa 2,000 dwellings as well as making a meaningful contribution to improving affordability beyond that already provided for within the Standard Method calculation.

3.8 A modest increase of 71 dpa would also assist the Council in meeting its growing affordable housing need over the Plan period.

3.9 Rydon therefore considers the minimum housing requirement for the Plan period should be set at **749 dpa** or **13,482 dwellings** over the 18 year Plan period.

3.10 It is perhaps of no surprise that the reasonable alternatives (10 and 11) set out in Table 12 of the SA i.e. uncapped 749 dpa and uncapped plus unmet need of 853 dpa are both considered to be 'reasonable alternatives' and score considerably better in terms of meeting the core national policy objective of delivering new housing to meet identified needs.⁹

Housing Trajectory and Supply:

3.11 Neame Sutton has undertaken a separate detailed analysis of the Housing Trajectory set out for the Plan period and the consequent ability of the Plan to maintain a rolling 5-year housing land supply. The detailed analysis is attached at **Appendix 3** of these Representations.

3.12 It is evident from the attached analysis that the Council has placed too much reliance on overly optimistic estimates of supply from the two strategic development locations at Paddock Wood and Tudeley Village, which are unsupported by robust or clear evidence. Furthermore the Council's supply across the first (current) 5-year period is reliant on supply sources that fail the Annex 2 test of deliverability. Finally, the Council expects a delivery rate from windfalls that is simply unsupported by robust evidence and certainly goes nowhere near to comprising the compelling evidence required by Paragraph 70 of the Framework 2019.

3.13 As a consequence the Plan fails to deliver a sound housing delivery trajectory and cannot demonstrate a 5-year supply at any point during the Plan period.

3.14 The simple solution here is to allocate further sites that are readily deliverable during the early years of the Plan period in order to support the slower lead in time of the two strategic development locations.

3.15 As set out in the Technical Paper attached at **Appendix 3** there is a need to allocate between **1,300 – 2,400 additional dwellings** in order to deliver a rolling 5-year housing land supply and provide an adequate buffer against potential future non-delivery from the identified supply sources. This additional dwelling allocation is necessary before giving consideration to the uplift to the minimum housing requirement as set out above.

Footnotes:

1 Paragraph 27 of National Planning Policy Framework (February 2019)

2 Paragraph 1.2 on Page 3 of the DtC Statement (March 2021)

3 Paragraph 4.18 on Page 46 of the DtC Statement refers

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Company / Organisation	Rydon Homes
Address	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Rydon Homes (David Neame [REDACTED])
Comment ID	PSLP_2093
Response Date	04/06/21 13:25
Consultation Point	Policy STR/CA 1 The Strategy for Capel parish (View)
Status	Processed
Submission Type	Email
Version	0.5
Files	Appx 2d Five Oak Green Technical Note 240521.pdf Appx2c Noise Report - Issue.pdf Appendix 4 - 675 Land at Finches Farm Reg19 Landscape Advisory Note 210528.pdf Appx 2e Land at Finches Farm Vision Document.pdf Appx2b Five Oak Green FRA Tech Note.pdf Appx2a Landscape Appraisal.pdf Neame Sutton for Rydon Homes - full representation.pdf Appendix 1 - Site Location Plan - Finches Farm, Five Oak Green.pdf Appendix 5 - ED81 Inspectors Letter to TMBC 2.3.21.pdf Appx 2f Flinches Farm, 5 Oak Green Archaeological.pdf APPEND~3.PDF
Data inputter to enter their initials here	KJ

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Respondent's Name and/or Organisation Rydon Homes Ltd

Question 2

Agent's Name and Organisation (if applicable) Neame Sutton

Question 3

To which part of the Local Plan does this representation relate? Policy

Question 3a

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Is sound No

Complies with the Duty to Cooperate No

Question 4a

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Question 5

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Appendix 2

Appendix 2

Appendix 2

Appendix 2

Appendix 2

Appendix 2

4.0 Site-Specific Representations in Relation to Land at Finches Farm, Five Oak Green

Policy STR1, STR/CA 1 Paragraphs 5.260 – 2.267, Table 4, SA (particularly Appendix H), Green Belt Study and Landscape Sensitivity Assessment

OBJECT – UNSOUND – Not Positively Prepared, Justified, Effective or Consistent with National Policy

4.1 In view of the clear need for further housing allocations to be made as part of the Plan housing delivery strategy particularly to enable delivery during the early years of the Plan period, this Section of Rydon's Representations considers the merits of its Promotion Site at Finches Farm, Five Oak Green (see site location plan in **Appendix 1**).

4.2 Rydon has put the Promotion Site forward for consideration as part of the Council's Call for Sites exercise and through the previous Regulation 18 consultation process.

4.3 The Council's SHELAA dated January 2021 has considered the Promotion Site in two parts under Site References 329 and 331.

4.4 In its consideration of both parts of the Promotion Site the Council has concluded it unsuitable for housing on the basis of heritage, landscape and coalescence concerns.

4.5 These criticisms of the Promotion Site have been specifically evaluated by Rydon's professional project team and detailed appraisals in relation to the landscape context, heritage and archaeology are included in **Appendix 2** of these representations.

4.6 Rydon has however gone beyond simply looking at the specific matters cited in the SHELAA conclusion and has undertaken a full suite of technical appraisals including: access, drainage, noise and vibration and urban design (see **Appendix 2**).

4.7 The detailed appraisal of the Promotion Site confirms that it does comprise a suitable and sustainable location for accommodating housing (a conclusion the Council's SHELAA doesn't necessarily disagree with) and that the technical concerns raised by the Council can be appropriately addressed alongside a sensitive residential development.

4.8 Furthermore the technical appraisal work has determined that a number of material planning benefits can be delivered for the local community alongside a sensitive residential development, as summarised below.

4.8.1 Planning Benefit 1 – The scheme offers the opportunity to alleviate some of the pressure from surface water flooding currently experienced by existing residents in Five Oak Green by delivering a positive surface water drainage system and flood storage basin connected to the existing settlement via a dedicated surface water swale.

4.8.2 The preliminary modelling undertaken by Rydon's drainage engineer SMA indicates that an increase in the extent of alleviation within the site could lower flood levels within Five Oak Green.

4.8.3 Planning Benefit 2 – The scheme offers the opportunity to deliver a new dedicated footway within the site along the Five Oak Green Road frontage linking between the settlement and Capel

Primary School providing a safer and more attractive route for existing parents accessing the school from Five Oak Green.

4.8.4 Planning Benefit 3 – The site offers the opportunity to provide further land specifically for Capel Primary School to enable the expansion of the school facilities either through the provision of further outdoor space/facilities or the redistribution of uses within the school site to enable expansion of the built form.

4.8.5 Planning Benefit 4 - Delivery of significant onsite publicly accessible open space to serve both existing residents and those occupying the new dwellings.

4.9 The above benefits are in addition to the usual planning benefits derived from a new residential development in terms of housing and affordable housing provision, economic, social and environmental benefits that would also be delivered.

4.10 The attached detailed technical pack (see **Appendix 2**) confirms that the Promotion Site is available now, under Rydon's control and, deliverable now. The scheme of circa 140 no. dwellings could easily be delivered within the current 5-year period with the only impediment to construction being the grant of an implementable planning permission.

Noise:

4.11 The assessment undertaken by SMA (see **Appendix 2**) confirms that residential development can be accommodated on the Promotion Site without harm in relation to noise arising from the railway. The matter of noise is not a constraint to the development of the site for residential purposes.

Access:

4.12 The access strategy prepared by RPS (see **Appendix 2**) confirms that a suitable vehicular and pedestrian access can be achieved to the site from Five Oak Green Road without detriment to the local highway network. Access is not a constraint to the development of the site for residential purposes.

Drainage and Flood Risk:

4.13 In addition to the wider benefits of the Promotion Site the drainage assessment undertaken by SMA confirms that residential development can be accommodated on the Promotion Site within Flood Zone 1 and that an appropriate compensatory surface water drainage strategy can be achieved. Flood risk is not a constraint to development of the site for residential purposes.

Heritage:

4.14 The heritage assessment undertaken by Orion confirms that the setting of nearby Heritage Assets can be appropriately preserved via a sensitively designed residential scheme such that, at the application stage, meets the Statutory requirements set out in the Planning (Listed Building and Conservation Areas) Act 1990 (As Amended) along with the policy requirements set out in Paragraphs 184 – 202 of the Framework 2019. Heritage Assets are not therefore a constraint to development of the site for residential purposes.

Landscape and Green Belt:

4.15 The Council's assessment of the Promotion Site has raised concerns in relation to landscape and particularly in relation to coalescence. It would appear that the concerns in relation to coalescence stem from the relative proximity to the eastern extent of the proposed Tudeley Village allocation in the Plan.

4.16 With this in mind Rydon's Landscape Architect Allen Scott has undertaken a Landscape Appraisal and also a review of the Green Belt Assessment in relation to both Tudeley Village and the Promotion Site to determine the validity of the Council's concerns in relation to coalescence.

4.17 In relation to the Promotion Site Allen Scott concludes that the Site can play a crucial role in helping to protect the 'new' gap and providing a readily recognisable and permanent boundary for any proposed protected Green Belt gap between the two settlements.

4.18 The assessment undertaken by Allen Scott recommends that the extent of Tudeley Village and the consequent proposed release of Green Belt should be reviewed in the context of the potential allocation of housing on the Promotion Site (based on the landscape framework). Currently the Council has given no consideration to this prospect and has therefore written off the opportunity to deliver a sustainable urban extension to Five Oak Green in the manner proposed by Rydon.

4.19 The Council also needs to consider a comprehensive landscape strategy for the 'gap' between Five Oak Green and Tudeley Village (taking the opportunity presented by the Promotion Site into account).

4.20 As noted in the Allen Scott Landscape Appraisal for the Promotion Site and the Council's own Landscape Sensitivity Study (Reference: PW10) the existing edge to Five Oak Green does not necessarily provide a positive edge to the existing settlement and the Promotion Site provides an opportunity to better define the boundary.

4.21 The landscape framework for the Site demonstrates how it could create to a more positive western edge to the settlement regardless of Tudeley Village being progressed. The landscape framework demonstrates the opportunities to minimise harm to the local landscape sensitivities and generate a robust and defensible Green Belt boundary as part of a sensitive residential development.

4.22 By contrast Tudeley Village has been demonstrated to result in high overall harm to the landscape and Green Belt objectives. The Council must therefore revisit the application of its own Landscape and Green Belt study findings in relation to both the Promotion Site and Tudeley Village.

4.23 In Rydon's view when the Council undertakes this further analysis it will reach the same conclusion that the Promotion Site can be delivered alongside Tudeley in a sustainable manner that delivers new homes, alongside a range of material planning benefits, early in the Plan period.

4.24 This approach would be more in line with the findings of the Council's own evidence base, which bearing in mind the clear and present need for allocations early in the Plan period, would support the allocation of the Promotion Site for housing.

4.25 The allocation of the Promotion Site would also be entirely consistent with the Council's chosen Development Strategy as set out in the Development Strategy Topic Paper (February 2021) and Policy STR1 of the Plan10.

4.26 For all of the above reasons (as supported by the technical appraisals in **Appendix 2**) the conclusions in the SA at Appendix H are incorrect and need to be updated. Taking the above into account the Promotion Site would score much more positively against the SA criteria such that the only sensible conclusion would be for the site to be allocated for housing.

Footnotes:

1 Paragraph 27 of National Planning Policy Framework (February 2019)

2 Paragraph 1.2 on Page 3 of the DtC Statement (March 2021)

3 Paragraph 4.18 on Page 46 of the DtC Statement refers

4 Paragraph 2.1.4 on Page 4 of SoCG between TWBC and SDC in Appendix A of DtC Statement – March 2021

5 Applying the Standard Method with a base date to 2021 and using the affordability Ratio data published in March 2021 by ONS.

6 Draft letter of representation presented to Extraordinary Planning and Transportation Advisory Board – Monday 17 May 2021

7 Paragraph: 010 Reference ID: 2a-010-20201216 – Housing and Economic Needs section of PPG

8 Paragraph 3.18 on Page 16 of Housing Needs Assessment Topic Paper – February 2021

9 See Table 12 on Page 51-52 and Table 22 on Page 74 and Table 23 on Page 76 of the SA

10 See also Table 49 on Page 142 of the SA that identifies the Promotion Site as a reasonable alternative site within Capel Parish

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan 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.

5.0 Areas Where Changes are Required for Plan to be Legally Compliant and Sound

5.1 In order for the Plan to be found Sound and Legally Compliant there are a number of fundamental changes required:

5.1.1 **Change 1 – Legal Compliance:** The Council MUST revisit the DtC specifically (but not only) in relation to Sevenoaks and explore the opportunity for meeting at least some of the unmet need arising within the Plan. Once complete the evidence of active and ongoing engagement MUST be published alongside a fresh Regulation 19 consultation version of the Plan.

5.1.2 **Change 2 - Soundness:** There is a need to revisit the minimum housing requirement in the Plan in line with the evidence base and in particular dealing with unmet need and the worsening affordability in the Borough.

5.1.3 **Change 3 - Soundness:** The Council must revisit its housing delivery strategy and address the clear shortfall in supply across the whole Plan period and particularly within the first 5-years through the allocation of more sites that are ready and able to deliver in the early part of the Plan period.

5.1.4 **Change 4 - Soundness:** The Council must revisit its Green Belt Study and Landscape Sensitivity Assessment specifically in the context of Five Oak Green because the current approach taken in the Plan does not reflect that evidence base i.e. Rydon's Promotion Site comprises a suitable location for release from the Green Belt as part of a coordinated strategy for creating robust boundaries that will endure in the long term.

5.1.5 **Change 5 – Soundness:** The Council must revisit the Plan Strategy and its Key Evidence Base in relation to Tudeley given the lack of evidence to support the delivery rate relied upon by the Council combined with the lack of support in the current evidence base for the release of this site from the Green Belt and the fact that the immediate neighbouring authority Tonbridge and Malling Borough Council is raising objection to the unacceptable pressure the proposed development would have on infrastructure, services and, facilities located outside of the Plan area. In short terms there are significant concerns in relation to the capability of Tudeley to deliver a sustainable form of development in the timeframe required by the Council. As currently prepared the Tudeley allocation is Unsound.

5.1.6 **Change 6 – Soundness:** Rydon's Promotion Site should be allocated for approximately 140 no. dwellings capable of delivery in the first 5-years of the Plan period alongside a package of wider material planning benefits.

5.2 Unless the above changes are made the Plan will fail the Legal Compliance Test and will not be found Sound at Examination.

5.3 Rydon will take an active part in any future Examination to progress the matters raised in these Representations in the context of the issues raised by the Inspector in due course. In the meantime Rydon would welcome the opportunity to discuss its Promotion Site with the Council.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . Yes, I wish to participate in hearing session(s)

Question 7a

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

The matters raised in these Representations cover a number of fundamental issues that go to the heart of the Plan's soundness and in particular its legal compliance. These matters will need to be explored in the relevant hearing sessions at the Examination in order to assist the Inspector in understanding the nature and extent of the concerns raised by Rydon Homes Limited.

In addition, there are a number of matters raised that are of a technical nature and relate to the Council's evidence base. These matters will also need to be explored in the relevant hearing sessions at the Examination.

Question 8

If you have any separate comments you wish to make on the accompanying Sustainability Appraisal, please make them here.

See attached Representation Documents

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box: Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Nigel Sales ([REDACTED])
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	Nigel Sales ([REDACTED])
Comment ID	PSLP_1999
Response Date	04/06/21 15:24
Consultation Point	Policy STR/SS 1 The Strategy for Paddock Wood, including land at east Capel (View)
Status	Processed
Submission Type	Email
Version	0.3
Data inputter to enter their initials here	KH
Question 1	
Respondent's Name and/or Organisation	Nigel Sales
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR/SS 1 The Strategy for Paddock Wood, including land at east Capel

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

Could I please start by saying that there are many thousands of people in and around Paddock Wood that find representations against the local plan a very daunting prospect. My initial thoughts when I started to try to make my feelings known were to just give up and hope someone else managed to echo my thoughts. I wonder if this was something that was 'by design'. I'm now going to hopefully get my feelings across in another way.

I've been a resident of Paddock Wood for almost twenty five years and have strong family connections to the area way before that. I have seen many changes in the town including the change from a village to a town which seems a very long time ago now and at the time I saw it as a natural transition as the village grew in numbers. I didn't think the new Town status was going to be the beginning of a process that saw our new 'Town' become a small part of an ever increasing urban sprawl that would see adjacent towns just blend into one another.

As we get older and wiser we realise the changes over the last twenty years have already started to harm our local environment and so the Draft Local Plan is now filling people of my age group (I'm 57) with dread as our local area developments get larger and more numerous. The current infrastructure is often realised to be left wanting and already it seems little or no provision is being made for the incredibly unfair proportion of housing developments that are being forced upon us. The drainage and flooding issues that we have so often encountered in recent years will only be made worse by the new developments on flood plains. Loss of trees and hedgerows is another major concern and as we have seen in the Church Farm development in Paddock Wood with the destruction of ancient oak trees without prior permission. The developers have no concerns regarding these actions and it seems TWBC turn a blind eye or maybe actually have less influence on these matters than the very powerful developers. We've heard the phrase so many times but money talks!

The other ongoing development on Badsell Road in Paddock Wood which has very unfairly adopted part of the name of Foalhurst Wood, has made misleading claims that it is creating a nature reserve. This is wholly untrue. The allocated land to separate their development from Foalhurst Wood is just the minimal amount of land that could be allocated to preserve the potential profits for the developers.

Next to consider who is going to live in these thousands of new homes? Local people? Local young people? Not a chance. The prohibitive prices of the homes in these developments will rule out local buyers. The Foalhurst Green site is actively marketing these homes in China to attract wealthy buyers in buy to let opportunities which seems to be wholly unacceptable.

The 'Plan' and all its new road and cycle way networks seems to be a pie in the sky look ahead to the way things could be and no thought has been given to solving problems that we already have. New schools, more health centre provision and law and order issues have been completely overlooked considering the huge increase in Paddock Wood's population.

Our neighbouring villages who also face losing their identities in this awful merging of developments also deserve consideration. We sit close to the boundaries of three boroughs, TWBorough Tonbridge and Malling and Maidstone. These other local plans seem to be as flawed as the TWBC plan? There is surely enough Brown Field sites to use before Green Belt land is considered? I feel this again is a decision that is driven by the developers potential for profit rather than what is best for the residents of the borough?

These are my major concerns. I hope someone takes the time to read this email which I wrote as an alternative to the incredibly complex process of complaint against the draft local plan?

Could I expect a reply? Probably a bit too much to ask? We need a local plan but not this one!

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

For office use only

If responder hasn't ticked an option on this box, data inputter to tick 'not stated' box. Not Stated

Comment

Consultee	Chris Salter [REDACTED]
Email Address	[REDACTED]
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Chris Salter [REDACTED]
Comment ID	PSLP_1658
Response Date	04/06/21 14:42
Consultation Point	Policy STR/SS 3 The Strategy for Tudeley Village (View)
Status	Processed
Submission Type	Email
Version	0.4
Data inputter to enter their initials here	KH
Question 1	
Respondent's Name and/or Organisation	Mr & Mrs Chris Salter
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy STR/SS 3 The Strategy for Tudeley Village	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	No
Question 4a	

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because: . It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

We conclude that the proposed local plan is not legally compliant, not logistically sensible and is not consistent with the NPPF.

Instead it is designed to benefit TWBC by providing them with enormous amounts of additional council tax revenue with little additional provision of services and piling the burden of this development on the infrastructure of Tonbridge town center. The only other beneficiary appears to be the single Landowners, who's family have acquired, nurtured and protected the land in question for many generations only to attempt to profiteer from it in the current one.

Tunbridge Wells town center is dying from under development and overcharging of rates to local business. There are many brown field sites available within the town center that could easily be developed for affordable housing, most notably the old cinema site which is located within easy walking distance of the railway station and the local shops. This would boost the town, reversing the alarming closure of the retail outlets, restaurants and bars.

TWBC has instead focused nearly all its efforts to meet house building targets on a single piece of Green Belt land, on a floodplain, in a rural setting with no suitable transport links, on the edge of the High Weald AONB, a few hundred meters from the Tonbridge border, either side of the mainline railway that links Kent with London.

This is quite frankly nonsense and they should be ashamed.

Many of our neighbours and friends have provided the suitable legal arguments as to why the proposed Local Plan is inadequate but this should come down to plain logical thinking from all concerned. We would be happy to debate the minutiae of the details, the affect on the local communities ,infrastructure, air polution ,damage to habitat etc.etc.

But, at the end of the day, it should be obvious to all, this is a really bad idea and should be rejected.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

For office use only

If responder hasn't ticked an option on this box, data inputter to tick 'not stated' box. Not Stated

Comment

Consultee	Julie Sanders [REDACTED]
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	Julie Sanders [REDACTED]
Comment ID	PSLP_705
Response Date	31/05/21 21:36
Consultation Point	Policy STR/SS 3 The Strategy for Tudeley Village (View)
Status	Processed
Submission Type	Web
Version	0.3
Question 1	
Respondent's Name and/or Organisation	Julie Sanders
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
STR/SS 3	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Don't know
Is sound	No
Complies with the Duty to Cooperate	Don't know
Question 4a	

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not effective
- . It is not justified
- . It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

I have been a resident of Capel Parish for 4 years with 3 children attending local schools. I work in the Maidstone and Tunbridge Wells NHS Trust.

During my time as a resident of Five Oak Green. I have already seen issues with flooding in the village, in February 2020. The area has a history of flooding even with the current approximately 900 homes in the parish. The proposed site of the Tudeley Garden Village with approximately 2500 homes on the flood plain of the River Medway could only worsen the risk of flooding for current properties in the parish, the proposed houses and properties further along the Medway. In February 2020, the area proposed for the development was under water and Hartlake Road impassable.

The proposed development of 'Tudely Garden Village' is green belt land and I consider to be an area consider to be an area of outstanding natural beauty. It is a rural area, teeming with wildlife and also contains valuable and productive farmland. I am extremely concerned that the building of such a large number of houses in one area would cause irreversible damage to the environment and destruction of the area's biodiversity. I feel that this would result in an urban sprawl stretching from Tonbridge to Paddock Wood

In human terms, the traffic along the B2017 and into Tonbridge is already heavy. A development of this size- over two and a half times the current housing in the parish at present would overwhelm the roads and cause a huge increase in pollution. Pressure on Tonbridge Station and other transport links from such a large development would be overwhelming and not sustainable

I feel that Tunbridge Wells Borough Council have completely ignored the valid arguments put forward in Regulation 18, from local residents, on the unsuitability and unsustainability of the Local Plan. It seems that the entire housing quota for TWBC has been dumped in an unsuitable site in one corner of the borough, away from the main centre in Tunbridge Wells, without considered thought. Other Brownfield sites and more suitable sites, such as the 'Castle Hill' development appear to have been ignored and dismissed.

I am not against building affordable housing, but object to the huge size of the development planned and unsuitability of the site due to environmental and logistical concerns.

Question 6

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Consideration of other more suitable Brownfield sites or closer to good transport links, such as the 'Castle Hill' Development

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Claire Sandford [REDACTED]
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	Claire Sandford [REDACTED]
Comment ID	PSLP_1250
Response Date	04/06/21 12:30
Consultation Point	Policy AL/BM 2 Land at Maidstone Road (View)
Status	Processed
Submission Type	Web
Version	0.3

Question 1

Respondent's Name and/or Organisation Ms Claire Sandford & Mr Andrew Peaple

Question 3

To which part of the Local Plan does this representation relate? Policy

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy AL/BM2 - Land at Maidstone Road. As shown on Map 56 Site Layout Plan.

Question 4

Do you consider that the Local Plan:

Is legally compliant	No
Is sound	Don't know
Complies with the Duty to Cooperate	Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

Policy AL/BM2 does not comply with existing covenants over the land as set out in titles and covenants filed with HM Land Registry with regard to title K805433, as per Deed containing covenants dated 20 July 1998 with regard to covenants held by Matfield Court, The Green, Matfield.

In summary, the covenants (paragraph 6c) require the transferor 'not to construct any buildings other than equestrian or domestic shelters on the land hatched purple and the land coloured yellow on the Plan [the Plan is filed with this Deed]'. On map 56 site layout plan for the Land at Maidstone Road, this paragraph of the covenant pertains to both the land coloured purple (commercial use) behind the village hall, and the north west half of the land coloured yellow (ie circa 50% of the land coloured yellow and marked for residential use).

In addition, the 20 July 1998 covenants include a covenant (paragraph 7) 'not to construct on the land coloured orange or the land coloured green on the Plan any buildings for social, low cost housing or local dwellings for agricultural use and in any event only to construct dwelling houses with garages and the usual outbuildings for owner occupation on the land coloured orange and the land coloured green on the Plan'. The land coloured green as referenced in the covenant is the remaining south eastern section of the land coloured yellow (residential use) in the Site Map 56.

Therefore, covenants exist over the full Site Map 56 which restrict development of this site. The current site map indicates a breach of these covenants.

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan 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.

Our recommendation, in order to comply with the covenants, is that

1) owner occupied private dwellinghouses are only constructed on the south eastern half of the area marked in yellow (residential use) on Site Map 56, ie that part of the Site which is not constrained by the covenants as noted above.

- 2) No buildings are erected on the north west half of the section marked in yellow and the full section marked in purple on the Site Map 56.
- 3) No social or low cost housing is built on the site.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . Yes, I wish to participate in hearing session(s)

Question 7a

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

As owners of Matfield Court and the adjoining field covered by the covenants in the Deed 20 July 1998, we would participate to ensure the existing covenants are adhered to.

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box: Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Richard Sankey [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] Tonbridge [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Richard Sankey [REDACTED]
Comment ID	PSLP_2017
Response Date	04/06/21 14:28
Consultation Point	Policy STR/SS 1 The Strategy for Paddock Wood, including land at east Capel (View)
Status	Processed
Submission Type	Email
Version	0.4
Data inputter to enter their initials here	KJ
Question 1	
Respondent's Name and/or Organisation	Richard Sankey
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR/SS 1 The Strategy for Paddock Wood, including land at east Capel and
Policy STR/SS 3 The Strategy for Tudeley Village
Paragraph Nos. 5.260-5.267 and Map 27

Question 4

Do you consider that the Local Plan:

Is legally compliant	Don't know
Is sound	No
Complies with the Duty to Cooperate	No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not justified
- . It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

I believe that this document is unnecessarily technical and is designed to make it difficult for ordinary citizens with strong views own this policy to express their views, tilting the balance in favour of those who can afford the best technical advice i.e. the developers, landowners and the council.

I am not a resident of TWBC but I live very close by in Tonbridge and Malling and regularly visit or pass through the area affected by this proposal. I object in the strongest terms possible to the proposal to build such a large number of new homes on a Greenfield site in and around Tudeley/Capel. Quite apart from the loss of an outstanding area of beauty from an amenity point of view, on what is in any case land prone to flooding, it will place an intolerable extra burden on surrounding roads and rail services. Pre-pandemic I commuted to London and expect to again from later this year. I know exactly how bad congestion on both roads and rail services are, particularly in term time given the large number of schools in the area.

I am all to aware that this is an easy solution for TWBC to meet their housing targets while dealing with just the one landowner who will add to his already significant wealth. It shows a complete lack of imagination on the part of the council who show little regard for the residents of Capel parish; their views and opposition to they scheme were clearly shown in the results of recent local elections.

I ask TWBC to go back to the drawing board and come up with more a far more sympathetic solution to their housing needs, in particular making far batter use of brownfield and urban locations which are slowly emptying of their retail occupants. I believe that this could account for much of the housing needed. It would be a dreadful shame to see much of the area lost to such a scheme which would have a dreadful effect on local residents and place such a burden on existing infrastructure.

Question 6

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5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan 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.

No further comments.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Question 8

If you have any separate comments you wish to make on the accompanying Sustainability Appraisal, please make them here.

No further comments.

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Richard Sankey ([REDACTED])
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] Tonbridge TN10 [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Richard Sankey ([REDACTED])
Comment ID	PSLP_2018
Response Date	04/06/21 14:28
Consultation Point	Policy STR/SS 3 The Strategy for Tudeley Village (View)
Status	Processed
Submission Type	Email
Version	0.3
Data inputter to enter their initials here	KJ
Question 1	
Respondent's Name and/or Organisation	Richard Sankey
Question 3	
To which part of the Local Plan does this representation relate?	Policy

Question 3a

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Policy STR/SS 1 The Strategy for Paddock Wood, including land at east Capel and

Policy STR/SS 3 The Strategy for Tudeley Village

Paragraph Nos. 5.260-5.267 and Map 27

Question 4

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Is legally compliant	Don't know
Is sound	No
Complies with the Duty to Cooperate	No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

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No further comments.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

☐ No, I do not wish to participate in examination hearing session(s)

Question 8

If you have any separate comments you wish to make on the accompanying Sustainability Appraisal, please make them here.

No further comments.

Future Notifications

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☐ Yes, I wish to be notified of future stages of the Local Plan

Supporting Information File Ref No: SI_9

Comment

Consultee	Mr Ian Sarjeant [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] Tunbridge Wells [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Mr Ian Sarjeant [REDACTED]
Comment ID	PSLP_179
Response Date	15/05/21 09:00
Consultation Point	Policy AL/RTW 5 Land to the south of Speldhurst Road and west of Reynolds Lane at Caenwood Farm, Speldhurst Road (View)
Status	Processed
Submission Type	Other
Version	0.11
Files	Ian Sarjeant Sec 5 RTW Policy AL-RTW5_photos_SI_Redacted.pdf
Data inputter to enter their initials here	KH
Question 1	
Respondent's Name and/or Organisation	Mr Ian Sarjeant
Question 3	
To which part of the Local Plan does this representation relate?	Policy

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Paragraphs 5.47 to 5.51

Policy AL/RTW 5 Land to the south of Speldhurst Road and west of Reynolds Lane at Caenwood Farm, Speldhurst Road

Question 4

Do you consider that the Local Plan:

Is legally compliant Don't know

Is sound Don't know

Complies with the Duty to Cooperate Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because: . It is not justified

Question 7

***Please note** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.*

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . No, I do not wish to participate in examination hearing session(s)

For office use only

If responder hasn't ticked an option on this box, data inputter to tick 'not stated' box. Not Stated

Question 8

If you have any separate comments you wish to make on the accompanying Sustainability Appraisal, please make them here.

Sustainability Appraisal of the Pre Submission local Plan dated February 2021, we would like to raise the following objections to the development of Site Ref: 100 (AL/RTW5), land to the south of Speldhurst Road, adjacent to Whitegate Close, referred to as 'the Dandara land' and the unallocated sites - Site Ref: 30, land at Caenwood Farm and Whitegates Farm, referred as 'Caenwood farm', (and two further sites that are mentioned on Appendix 5 within the Site Ref:30. these are: Site Ref: 199 and Site Ref; 205.) The objections are as follows:

How and with what consultation, has this land had its Green Belt status removed? We challenge that the exceptional and special circumstances for its release will outweigh the harm in its release will cause. When the following statement has been made in the above document " ...a parcel of Green Belt that would constitute very high harm if released for development."

Please see Appendix 5-Royal Tunbridge Wells Scores for Reasonable Sites in Royal Tunbridge Wells. Copy attached. Under Ref 30, Land at Caenwood Farm and Whitegates Farm, Reynolds Lane, RTW (including sites 100, 199 and 205). You will see that the majority of the Sustainability Objectives score are between 0 to ---, which is very negative, with only five scoring +. The commentary reads: "This is a large site that would make a significant contribution to the housing objective. However, the substantial use of private vehicles in this location causes the noise and air objectives to score very negatively. The site also has sensitive biodiversity, heritage and landscape features, and is in a parcel of Green Belt that would constitute very high harm If released for development. This causes the land use objective to be given a highly negative score."

Also in the Tunbridge Wells Green Belt Study Stage Two dated July 2017, under Ref Nos TW1 and TW2, pockets of land off Speldhurst Road, states "Relationship between settlement and countryside, role in preventing sprawl of large built-up area and role in separation between Tunbridge Wells and Southborough (parcel is safeguarded Rural Fringe land). There have been no changes to the statement, so why has the 'safeguarding' been removed? Another statement in the document "22% of Green Belt

in TWB area, the key purpose of this Green Belt land is to prevent encroachment". If this development goes ahead it will erode the separation.

In November 2017 the Draft Local Plan Regulation 18, no mention of allocating the land at Caenwood Farm for residential purposes was made.

TWBC have been asked what had changed between these dates to persuade them to remove the Green Belt status from the site. They have not given a satisfactory answer, nor given any exceptional circumstances or said what the appropriate mitigating measures would be, to release part of the land.

This would give the impression of the Authority acting in a covert and underhand way, with a conclusion that they had been influenced by the developers, and not in the best interest of the general public. In the July 2019 SHELAA, the Council considered the site unsuitable for development. Again what happened in those intervening months?

In The Sustainability document, there are commentaries about how the development could impact on for eg protection of habitat, trees, woodland, hedges, landscape, water objectives, air quality, etc The statements include:

" ... will benefit and enhance biodiversity, climate change, health, landscape and water objectives";

" ... will benefit many environmental objectives";

" ... beneficial to the air, biodiversity, climate change, noise and travel objectives".

"In summary, the preferred Air, Water, Noise and Land Policies are notably positive in relation to air, climate change, health, water and, to a lesser extent, biodiversity objectives, with no identified adverse impacts." We would challenge this.

There does not seem to be any apparent method of executing these benefits, when the development will be taking away green fields, hedgerows, trees, adding to the already documented water stress in the area and Increasing the amount of traffic (in an already heavily congested area). The air pollution in the TWB is the 8th worst district in Kent. Air pollution along parts of the A26, from Holden Park to Grosvenor Road is an issue. Poor air quality is shortening people's lives in the district. "Development in this region must not contribute to poor air quality or put sensitive receptors at risk". This will not be the case. Speldhurst Road is effectively a "single" track road, because of the parking on both sides of the road. North side of the road is "fully parked" from Taylor Street to Lady's Gift Road and on the South side the parking runs West from Charles Street. These cars are not all from the residents of Speldhurst Road, they are overflow parking from Charles, Taylor and Edward Streets and cars parked by commuters using public transport. It can take up to 15 minutes to travel the 450 metres from our residence to the St John's Road A26 Junction, due to the volume of traffic and the inability to pass the cars parked on both sides of the road. Parking at The New Life Church events, baby classes, ballet, etc, and the schools drop offs, all add to the chaos. The A26 is no better, with traffic very often being stationary from the region of Southborough Common, right the way along St John's Road, and on to Tunbridge Wells. "Defra Important Areas for road noise within TWBC-A21, A267, A228, A26, B2162. Development adjacent to these sections of road should be avoided, particularly residential developments." Is this just being ignored? This development would be increasing the traffic by a substantial amount, thus adding to the already polluted and heavily congested roads. Also the constant mis-directions on to inappropriate roads for HGVs and cars alike by modern day SAT Navs, and the development of 'The Allotments' will only add to the Speldhurst Road 'gridlocked nightmare' and noise and air pollution. The European NO2 targets are not being met, and the addition of a further 100 houses in this area is only going to add to the pollution problem. Pictures of the parking issues are attached.

To suggest widening Speldhurst Road at the proposed site would mean a loss of a substantial hedgerow and established trees (which have TPOs). In addition to that loss, the loss of the hedgerows within the fields and the actual fields within the development area, would be detrimental to the local wildlife and would have no benefit for biodiversity or climate change. These environments sustain a wide range of birds and animals, including a pair of buzzards which can often be seen perching in the local trees, small birds, including woodpeckers, bullfinch, long tailed tits, thrush, etc and deer (including an albino one, photo attached), badger, foxes and squirrels, not to mention all manner of insects, bees and butterflies. Where are the benefits from this proposed development? There are none, so this loss would not be acceptable at a time when we should be doing everything possible to protect our countryside with all its benefits for both animals and humans alike.

Rain water from Speldhurst Road water drains through culverts onto the land in question where would this water be diverted to, and how? A Spring runs through land on the boundary of this land, how will it be protected from pollution and contamination? "TWBC is already an area of serious water stress", so where will the extra water be supplied from?

Please see attached a copy of a letter printed in the local newspaper from the chair of CPRE Kent Tunbridge Wells District Committee. The letter makes sound comments such as "When sold, the family

silver is gone forever", meaning that once built on our countryside will be lost for ever.
We have been associated with our property for over 50 years and resided here for the last 33 years.
Our property's kitchen window looks directly onto Speldhurst Road, so we have uninterrupted views of the daily traffic backlog from the St John's Road A26 junction (as the photos show). At the worst times of day the cars are stationary and idling for some time, which increases noise, air pollution - putting damaging gases into the atmosphere which are detrimental to people's health and Climate Change.
To develop the proposed site would only add to this problem.
For the reasons stated above we strongly object to this new proposed development.

If you would like to attach a file in support of your comments, please upload it here. [Ian Sarjeant Sec 5 RTW Policy AL-RTW5 photos SI Redacted.pdf](#)

Comment

Consultee	Ashley Saunders [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] Tonbridge [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Ashley Saunders [REDACTED]
Comment ID	PSLP_1253
Response Date	04/06/21 14:07
Consultation Point	Pre-Submission Local Plan (View)
Status	Processed
Submission Type	Web
Version	0.3
Question 1	

Respondent's Name and/or Organisation	Ashley Saunders
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Question 3

To which part of the Local Plan does this representation relate?	Policy
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Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

All

Question 4

Do you consider that the Local Plan:

Is legally compliant	Don't know
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Is sound	Don't know
----------	------------

Complies with the Duty to Cooperate	Don't know
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Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not positively prepared
- . It is not effective
- . It is not justified

Question 5

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I believe the plan is poorly prepared and seeks an easy way out by promoting large development using land offered en-mass rather than using up land which lends itself suitably to development all across the borough. There are many brown field sites mentioned within the report but are ignored in favor of huge developments in which only a few land owners stand to profit. This also does nothing to solve the overcrowding and congestion already faced in the western part of the borough.

Question 6

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This can be overcome by looking at the many brownfield sites all across the borough and also look at the eastern parts of the borough where space is not so much of a premium and there is not so much overcrowding and congestion in the area as a whole.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

- . No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Ashley Saunders [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] Tonbridge [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Ashley Saunders [REDACTED]
Comment ID	PSLP_1278
Response Date	04/06/21 13:56
Consultation Point	Table 6 Green Belt Sites (View)
Status	Processed
Submission Type	Web
Version	0.1

Question 1

Respondent's Name and/or Organisation	Ashley Saunders
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Question 3

To which part of the Local Plan does this representation relate?	Policy
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Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

4.123 to 4.131 Green belt

Question 4

Do you consider that the Local Plan:

Is legally compliant	No
Is sound	No
Complies with the Duty to Cooperate	Don't know

Question 4a

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Do you consider that the Local Plan is not sound because:	<ul style="list-style-type: none">. It is not positively prepared. It is not justified. It is not consistent with national policy
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There is a huge proposal to remove the green belt protection to large areas that are currently protected by green belt. If councils can remove green belt as they see fit then one has to ask what is the point of green belt. Tunbridge Wells BC have not shown that this is unavoidable as there are many areas outside of the green belt that could be used. Green belt was set up to protect rural areas from the urban spread but this is clearly not protecting the green belt in Capel.

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This can be changed to use up areas which are not protected by Green belt of which there are many in the eastern areas of the Tunbridge Wells Borough.

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Comment

Consultee	Ashley Saunders [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] Tonbridge [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Ashley Saunders [REDACTED]
Comment ID	PSLP_1281
Response Date	04/06/21 13:53
Consultation Point	Strategic Sites: Tudeley Village and Paddock Wood, including land at east Capel (View)
Status	Processed
Submission Type	Web
Version	0.1
Question 1	
Respondent's Name and/or Organisation	Ashley Saunders
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
All	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Don't know
Is sound	Don't know
Complies with the Duty to Cooperate	Don't know

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Question 5

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There is also too much proposed in such a small space. The town of Paddock Wood is getting difficult to get into and out of at the peak times of the day and many people travel to Tonbridge and or Tunbridge wells which both are heavily congested for much of the day with it being difficult to get to or from. This development would make this area of west kent over congested which will affect the road network, transport links and could slow down emergency services responding. It would also have an adverse effect on wildlife by squeezing them out of areas in the west of the borough in which they currently thrive.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

There is much room in the eastern parts of the borough and Kent that can be looked at to help spread the load across the borough instead of bunching everyone into one corner. This would help people to travel around and also help the emergency services. It would also help wildlife too by keeping larger areas green.

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

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Comment

Consultee	Ashley Saunders [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] Tonbridge [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Ashley Saunders [REDACTED]
Comment ID	PSLP_1288
Response Date	04/06/21 13:50
Consultation Point	Policy STR/SS 3 The Strategy for Tudeley Village (View)
Status	Processed
Submission Type	Web
Version	0.3
Question 1	
Respondent's Name and/or Organisation	Ashley Saunders
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
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All	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	No
Is sound	No
Complies with the Duty to Cooperate	Don't know

Question 4a

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- . It is not positively prepared
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Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

As per my previous comment to save duplication

[TWBC: see PSLP_1284]

Question 6

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As per my previous comments to save duplication

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

- . No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

- Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Ashley Saunders [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] Tonbridge [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Ashley Saunders [REDACTED]
Comment ID	PSLP_1270
Response Date	04/06/21 13:58
Consultation Point	Policy STR/SS 3 The Strategy for Tudeley Village (View)
Status	Processed
Submission Type	Web
Version	0.3
Question 1	
Respondent's Name and/or Organisation	Ashley Saunders
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Tudeley Village Capel	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	No
Is sound	Don't know
Complies with the Duty to Cooperate	No

If you consider that the Local Plan is not sound, please answer this question.

Question 5

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

The development at Tudeley is being called Tudeley Village. A development of this size and with many areas of employment and shops etc... is not a village but a town. I believe this can confuse some people into thinking its something that its not.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Simple modification is to call it a Town which it is proposed to be and not a village.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? No, I do not wish to participate in examination hearing session(s)

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Comment

Consultee	Ashley Saunders [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] Tonbridge [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Ashley Saunders [REDACTED]
Comment ID	PSLP_1284
Response Date	04/06/21 13:51
Consultation Point	Map 32 Tudeley Village Plan (View)
Status	Processed
Submission Type	Web
Version	0.1

Question 1

Respondent's Name and/or Organisation	Ashley Saunders
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Question 3

To which part of the Local Plan does this representation relate?	Policy
--	--------

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

All

Question 4

Do you consider that the Local Plan:

Is legally compliant	Don't know
Is sound	Don't know
Complies with the Duty to Cooperate	Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not positively prepared
- . It is not effective
- . It is not justified

Question 5

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Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

In addition to what has already been mentioned is that this development includes schools. Many pupils attend schools by public transport and while the public transport network in Tonbridge cannot cope with any more school traffic for safety reasons Tudeley is not the place either. The area is served poorly by busses with the only route via Tonbridge and Paddock wood there would be no viable places to add to new bus routes thus making it difficult for school children to use public transport unless from Tonbridge or Paddock wood which will rule out many travelling by public transport. This will mean a huge increase in car to and from the area for school drop off and pick up.

Question 6

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Schools need to be built in areas served well by public transport which includes bus and train. The schools in Tonbridge show what can be achieved but even Tonbridge is now getting over congested and sometimes dangerous with the high levels of school pupils. Schools need to be spaced out better and with good transport links. This could be better achieved if the eastern part of the borough was developed instead of cramming people into the western corner.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

- . No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Ashley Saunders [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] Tonbridge [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Ashley Saunders [REDACTED]
Comment ID	PSLP_1261
Response Date	04/06/21 14:00
Consultation Point	Policy STR/PW 1 The Strategy for Paddock Wood (View)
Status	Processed
Submission Type	Web
Version	0.3
Question 1	
Respondent's Name and/or Organisation	Ashley Saunders
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
STR/PW1 AL/PW1 and STR/CA1 Also ALL.	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	No
Is sound	No

Complies with the Duty to Cooperate

No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not justified
- . It is not consistent with national policy

Question 5

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Much of the development is proposed on green belt land and green belt protection was set up to prevent this type of development. If this goes ahead then there is no purpose of green belt protection status. The west of the borough is highly densely populated with major towns of Tonbridge, Tunbridge Wells, Paddock Wood also the close proximity of Sevenoaks and Maidstone which is already causing congestion and strain on roads and public transport as well as shops and services such as schools, hospitals and leisure facilities. The east of the borough is very lightly populated so would benefit with more housing to spread the load. Flooding is also a major factor and I would be concerned that while Tudeley might not flood at present the fields currently hold much water which prevents the water running off to the Medway too quickly. If built on then the surface run off would be much quicker and places down river such as East Peckham, Yalding and Maidstone are likely to flood to a worse degree and quicker than at present. Many sites at Paddock Wood where development is proposed are very low lying and are often flooded in the winter months. With these areas built on I do not believe that any flood prevention can prevent the areas being under water in times of heavy rainfall due to the streams and ditches being at almost ground level and if the ground did drain quicker then places down river on the Medway are likely to suffer more extreme flooding.

Question 6

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I believe that my spreading the housing allocation to the eastern part of the borough would ease the congestion that is already occurring in the west of the borough and it would also not interfere with the green belt. This would also help to keep the flooding of areas along the river Medway to a minimum.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box: Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Ashley Saunders [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] Tonbridge [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Ashley Saunders [REDACTED]
Comment ID	PSLP_1291
Response Date	04/06/21 13:48
Consultation Point	Capel (View)
Status	Processed
Submission Type	Web
Version	0.4

Question 1

Respondent's Name and/or Organisation	Ashley Saunders
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Question 3

To which part of the Local Plan does this representation relate?	Policy
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Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

All

Question 4

Do you consider that the Local Plan:

Is legally compliant	No
Is sound	No
Complies with the Duty to Cooperate	Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not positively prepared
- . It is not effective
- . It is not justified

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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As per previous comments to save duplication.

[TWBC: see PSLP_1284]

In addition the Five Oak Green bypass is yet another obstical to rip through the green belt and the countryside which will also destroy what little would remain if all the development in Capel and Tudeley goes ahead. While it might benefit the road through Five Oak Green there would still be the congestion and high level of traffic once you reach the end of the new road as the existing road network will be the same and over crowded.

Question 6

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To spread the deleopment across the borough such as the eastern areas would help to spread the traffic around to ease congestion in the western areas of the borough.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

- . No, I do not wish to participate in examination hearing session(s)

Future Notifications

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Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Matt Savage [REDACTED]
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	Matt Savage [REDACTED]
Comment ID	PSLP_1262
Response Date	04/06/21 14:55
Consultation Point	Policy STR/SS 1 The Strategy for Paddock Wood, including land at east Capel (View)
Status	Processed
Submission Type	Web
Version	0.3
Question 1	
Respondent's Name and/or Organisation	Matt Savage
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
STR/SS 1	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Don't know
Is sound	No
Complies with the Duty to Cooperate	No
Question 4a	

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not effective
- . It is not justified
- . It is not consistent with national policy

Question 5

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I am a local resident of many years. I was born in Pembury, grew up & educated in Tunbridge Wells, fortunate to have worked & travelled extensively around the world and have been living in Paddock Wood for the last 6 years. We chose Paddock Wood to live, like many residents did, because we do not want to live in a housing estate or large town and enjoy the village-like community atmosphere, along with being in a semi-rural location and the opportunity to experience the great countryside around the small town.

Currently, there are 3 developments in progress around Paddock Wood at Mascalls Grange, Badsell Road and Church Farm. Collectively, these developments are intended to deliver an additional 1,126 homes of various sizes, which is a considerable increase for the Paddock Wood area. It is estimated the number of residents will increase from 8,500 to 11,500 as a direct result of these current developments, an increase for the town of over 35%. To put that into context, it would be the equivalent of over 21,000 additional residents in Tunbridge Wells, with no additional town infrastructure being implemented.

In the 3 current development schemes, apart from a 'plan' to build a new school, I can find no supporting infrastructure plans for the town. For example, allowing for a conservative estimate of 1.5 cars per household, this equates to approx. 1,700 additional cars in the immediate town vicinity. However, I can find no plans in the information relating to these current developments to provide additional parking anywhere in the town itself, or improvements to the existing road infrastructure to support the considerable increase in traffic from these developments. It is also worth noting, no work has started on building the 'planned' new school to support the current developments, despite the residential properties being in construction, with many already sold and occupied. To quote the local MP, Greg Clarke, it must be "I before E" meaning Infrastructure before Expansion, but this is just not happening and the current town is expected to cope with a >35% population increase, which is not a sustainable approach to development in any way.

Much has been made of the "excellent transport links" in Paddock Wood, of which there are 2, roads & rail. However, there has been no development of infrastructure in these areas to support the current developments to meet the demands a >35% increase in residents.

Therefore, I have no confidence in TWBC (Tunbridge Wells Borough Council) delivering the required infrastructure to support such a dramatically large increase in population proposed in the Draft Local Plan, as TWBC have failed to achieve this with the existing developments taking place. The existing developments are not improving the town for existing or future residents and the approach taken by TWBC does not support any sustainability requirements, so it is very unlikely this will be different for developments proposed in the Draft Local Plan.

Rail

Prior to the Covid pandemic the official station car parks were full on most days of the week, with no spaces available. Much of the Draft Local Plan proposed developments are not in realistic walking distances of the station, especially in poor weather, so will result in more commuters in cars looking

for parking. The inevitable growth in commuter numbers will place an unacceptable burden of all day parking in nearby residential locations, as no additional parking is being made available to support this growth.

In addition, trains at peak times were at capacity, with less & less seating being available from and to Paddock Wood, with the inevitable growth in commuters to & from Paddock Wood station, what have TWBC done to ensure suitable availability of train seating given the substantial cost of a rail ticket to London at peak times? A TWBC Councillor involved in the Draft Local Plan has stated the Council 'hoped' rail operators would provide improved services. Delivering a Local Plan based on hope is not professional or sustainable in any way.

The TWBC Draft Local Plan would more than double the population of Paddock Wood to approximately 24,000 from the current population of approximately 8,500. There are no details in the Local Plan to account for how the rail service will accommodate the resultant huge increase in passenger numbers, or the realistic proposition of recognising there will be a corresponding & significant increase in traffic and demand for parking in relation to the train service. The Draft Local Plan seems to assume all new residents will either walk, cycle or use public transport to get to the station. This is just not realistic and a quick look around the current development at Mascalls Grange, where new residents have started to move in, will show the average new household has at least 2 cars.

Roads

Anyone who has travelled in and out of Paddock Wood on the existing road network at peak hours can attest to the traffic jams at all the main road connections. In addition, the significant traffic issues currently experienced trying to enter Tunbridge Wells from the Paddock Wood direction at peak times, with long & dangerous delays on Pembury Road, the A21 junctions and through the North Farm industrial estate will only get worse. The current 3 developments are already putting more load onto the existing overloaded road network, resulting in increased traffic on local rural routes around the town with people trying to avoid the traffic, putting local residents at risk of injury or death by increasing the likelihood of accidents and injuries as the 'short cut' mentality rises.

With the additional 12,000 residents proposed by the Local Plan and allowing for approximately 1 car per household, at least another 6,000 cars will be expecting to use the road systems around the town. Increasing traffic issues, raising the accident rates and damaging the environment & air quality for existing and new residents very likely leading to health issues. The current transport plans documented in the Draft Local Plan are wholly inadequate to be useful in addressing the real issues resulting from the disproportionately large developments proposed.

Given TWBC track record in not delivering any additional transport infrastructure to support the current developments in progress, I have no confidence any additional effective transport infrastructure will be built to support the substantial residential and commercial developments proposed in the Draft Local Plan, given that it will result in more than doubling the population of the town.

There is also a proposal to close the B2160 Maidstone Road railway bridge to private vehicles, effectively cutting off the north part of the town from the south. The knock-on effect on other roads and rural lanes as vehicles seek alternative routes will be disastrous, leading to an increased danger of injuries & putting lives at risk due to road collisions and compounding issues of congestion at the already busy junctions at both ends of Badsell Road and the surrounding roads.

Shopping

Paddock Wood currently has one small supermarket, which regularly has a crowded car park at peak times. The current developments taking place will only make this worse leading to dangerous traffic jams and blockages in the immediate vicinity.

The Draft Local Plan makes no consideration of where the large number of new residents will go to get their weekly groceries. However, it is very likely they will use cars to either drive in to the village or drive further afield to Tunbridge Wells, Tonbridge or Maidstone for larger stores. This will directly lead to more traffic in and around the village and air pollution.

Impact on residents

The current 3 developments are having significant impact on the town and local residents through greatly increased noise pollution and disruption, multiple road closures, along with significantly negative impacts on the environment & air quality. During wet weather, mud is regularly deposited on the surrounding roads and in dry weather the dust covers everything for many hundreds of metres from

the development sites. It would appear TWBC has absolutely no consideration for compounded impacts multiple developments across the town will have for many months, if not years.

The Draft Local Plan makes no mention of the impact large construction sites will have on the existing residents. Given the scale of development proposed in the Draft Local Plan, Paddock Wood will be surrounded by large construction sites for many years to come. It should be totally unacceptable for local residents to endure such disruption, pollution and severe detrimental impact to their way of life, very likely leading to health problems for many with dust and pollution from large construction for a prolonged period in such close proximity to existing homes.

Paddock Wood has become the 'soft target' for TWBC housing requirements when multiple alternative options are clearly more sustainable, less intrusive and certainly more equitable to all Borough residents. The Draft Local Plan places the overwhelming majority of the Boroughs new housing in one location, surrounding Paddock Wood, rather than the fair and equitable approach of 'sharing the load' across the Borough with multiple smaller developments spread around the Borough, reducing impacts on all fronts from disruption, pollution, air quality, the environment and flood risks.

The Draft Local Plan will result in surrounding Paddock Wood by developments for many years to come resulting in an imprisoned existing community in the middle of a housing estate. Many local residents, such as myself, chose Paddock Wood because we do not want to live in a housing estate and enjoy the village-like community atmosphere of the town, which will completely disappear under the TWBC Draft Local Plan. Given the proposed scale of development in the Draft Local Plan, Paddock Wood will become just an outlying suburb of Tunbridge Wells and completely lose its identity and local community atmosphere.

It is also worth noting Paddock Wood residents pay the highest amount of Council Tax of any Parish in the Borough. However, TWBC chooses to ignore the residents and Paddock Wood Town Council who have rejected the Draft Local Plan. Perhaps TWBC see a revenue opportunity in building as many properties as possible in Paddock Wood so they can charge the highest Council Tax to new residents as well.

Environment

As the Draft Local Plan recognises, Paddock Wood is within a flood plain area of low-lying land. It has experienced local flooding on many occasions over the last 6 years and more flooding can be expected in the future.

Advice from the Environment Agency is clear, Sir James Bevan its Chief Executive stated in a speech in February 2020 *"the clue is in the name: flood plain. So we can and should insist that development only happens there if there is no real alternative, that any such development doesn't increase other people's flood risk"*.

There are real alternatives available across the Borough to building in the low-lying flood plain area of Paddock Wood, therefore the Draft Local Plan as it currently stands goes against Environment Agency policy.

In addition, the UK Governments own website shows much of Paddock Wood currently resides in a medium flood risk area (<https://flood-warning-information.service.gov.uk/>).

With the increasing extreme weather which the vast majority of the scientific community advises will only get worse due to the climate crisis, the flooding risk for Paddock Wood and the surrounding flood plain area will continue to increase.

Sustainability

The following are taken from the Local Plan Sustainability Proposal in relation to the proposed development of Paddock Wood. For context, Option 4 is being proposed in the Draft Local Plan:

Air: "All options pose a high risk to deterioration of local air quality, with impacts worsening as the scale of the development option increases. Traffic would increase substantially"

Land Use: "Loss of greenfield land with Best and Most Versatile soils causes all options to be scored negatively for land use. However, options 2 and 4 are slightly worse as also include the release of Green Belt land with overall harm rating of High"

Landscape: "Landscape scores follow a similar pattern to heritage reflecting encroachment into the High Weald Character Area in the south. 2020 AONB setting report reinforces the more negative

scores for Options 3 and 4 which have potential to adversely affect the AONB by extended development further south"

Duty to Cooperate

There has been a negative reaction to the TWBC Local Plan in relation to the proposed significant developments around Paddock Wood from both the local Paddock Wood Town Council and neighbouring Borough councils. In addition, TWBC continues to ignore the feedback from local residents, with even the previous leader of the Council telling a member of a local residents' campaign group opposed to the current Draft Local Plan "you will never win". This clearly suggests TWBC has failed in regard to its Duty to Cooperate and intends to continue with the Draft Local Plan, irrespective of local residents, Town Councils and neighbouring Borough councils.

Question 6

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The Draft Local Plan needs to be modified substantially to ensure a fair and equitable approach of 'sharing the load' across the Borough, with multiple smaller developments spread around the Borough, reducing impacts on all fronts from disruption, pollution, air quality, the environment and flood risks.

Following the advice of Sir James Bevan, Chief Executive, Environment Agency:

"the clue is in the name: flood plain. So we can and should insist that development only happens there if there is no real alternative, that any such development doesn't increase other people's flood risk".

The Draft Local Plan needs to propose the real alternatives available across the Borough to building in the low-lying flood plain area of Paddock Wood.

Moving to an approach of multiple, smaller developments across the Borough combined with the prioritisation of brownfield sites, of which there are many, will greatly reduce the current proposal to utilise greenfield locations and reduce the overall environmental impact of developments overall, at the same time greatly reducing the flood risk for existing and future residents.

Clearly multiple small developments are less attractive from a commercial perspective for developers, as building large developments in single locations is more cost-effective. However, maximising profit for developers should not be of concern to the Draft Local Plan and it must focus on what is in the best interests of the residents. Mass developments on flood plains are not in the interests of anyone.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Supporting Information File Ref No: SI_131a-c

Comment

Agent	Mr Simon Bell ([REDACTED])
Email Address	[REDACTED]
Company / Organisation	Knights Solicitors
Address	Regency House 25 High Street Tunbridge Wells TN1 1UT
Consultee	Save Capel ([REDACTED])
Email Address	[REDACTED]
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Save Capel ([REDACTED])
Comment ID	PSLP_1964
Response Date	03/06/21 18:51
Consultation Point	Pre-Submission Local Plan (View)
Status	Processed
Submission Type	Email
Version	0.12
Files	PSLP_1964 & 1973-1987 Knights Solicitors for Save Capel SI-2 Representation.pdf PSLP_1964 & 1973-1987 Knights Solicitors for Save Capel SI-1 Cover Letter.pdf PSLP_1964 & 1973-1987 Knights Solicitors for Save Capel SI-3 Appendices.pdf
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Save Capel
Question 2	
Agent's Name and Organisation (if applicable)	Knights Solicitors

Question 3

To which part of the Local Plan does this representation relate? Policy

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy No(s) STR1, STR2, STR3, STR4, STR7, STR8, STR9, STR/SS1, STR/SS2, STR/SS3, EN4, EN5, EN8, EN18, STR/CA 1

[TWBC: for comments related to each of these specific policies, please see Comment Numbers PSLP_1973-1987]

Question 4

Do you consider that the Local Plan:

Is legally compliant No

Is sound No

Complies with the Duty to Cooperate No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not positively prepared
- . It is not effective
- . It is not justified
- . It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

Please see attached: "Representation by Save Capel under Regulation 19", dated 3rd June 2021, and Appendices

[TWBC: the following extracts are from "Representation by Save Capel under Regulation 19" - for the full representation and appendices, please see supporting documents]

1. Executive Summary

1.1. This representation is made by the Save Capel Executive on behalf of members and supporters. In preparing this representation, the Save Capel Executive has been assisted and advised by the members and supporters of Save Capel, specialist transport and environmental consultants as well as specialist planning Counsel and solicitors.

1.2. We are seeking modifications to the Plan, and through this Save Capel confirms its willingness to participate in the subsequent stages of the local plan's review and wishes to make formal representations in the oral parts of the examination at the Inspector's request.

1.3. We submit that the PSLP and its supporting evidence base fails on both **legal compliance** and tests of **soundness**:

(1) TWBC has not met its **Duty to Cooperate** with adjacent authorities, because of the lack of constructive and ongoing dialogue concerning housing need and cross border issues affecting the location of housing and provision of the necessary infrastructure.

(2) The consultation in respect of this pre-submission draft has not been undertaken in compliance with the **Statement of Community Involvement** and appears to have failed to have due regard to its duty under s.149 of the Equality Act 2010.

(3) There has not been an adequate assessment of alternatives and the **Sustainability Assessment** is seriously flawed.

(4) The Plan fails the test of **soundness** on a significant number of counts:

i. It is not positively prepared, being based on an unsustainable spatial strategy, which places the largest amount of development in the north west corner of the Borough (at Tudeley and East Capel), where local housing need has not determined the overall target.

ii. It is not justified, as it is not the most appropriate strategy, where reasonable alternatives have not been adequately assessed, and the evidence base contains inconsistencies and conflicts internal to the Plan. The strategy does not bring benefits that outweigh costs to the community (the balanced test of sustainability has not been properly applied).

iii. It is not effective, posing substantial risks by relying heavily on two strategic sites in unsustainable locations. The Infrastructure plan is inadequate and does not meet the substantial needs and is based on inconsistent evidence. It is not deliverable.

iv. It is not consistent with the National Planning Policy Framework (NPPF), taking only selective evidence to demonstrate compliance, in particular with respect to the largest strategic site (Tudeley). The evidence base is lacking in many areas and 'Exceptional Circumstances' to release vast areas of Green Belt for housing are not justified.

1.4. This representation explains these general points, and many others, in more detail and is structured to assist the review process. Arguments are presented policy by policy with detailed supporting evidence also provided as appendices which form part of this submission.

1.5. Save Capel recognises the need for a local plan but requests that TWBC reconsiders the development strategy and prepares a modified (and sustainable) plan which delivers an appropriate level of housing and addresses the issues identified in this representation.

1.6. Whilst it is for TWBC to determine its local plan, it should meet the needs and have the support of the community. Save Capel has identified a number of alternative strategies which are summarised in Section 8.

2. Legal Compliance

Co-operation with neighbouring authorities

2.1. We are not satisfied that TWBC has fully met (if met at all) the duty to co-operate with the authorities and groups set out in TWBC's March 2021 "Duty to Co-operate Statement for Pre-Submission Local Plan" ("DCSPS") in the way in which paragraphs 24-27 of the NPPF envisage TWBC to engage in and maintain effective cooperation.

2.2. We are particularly concerned that the Duty to Co-operate has not been met with Maidstone Borough Council. The recently signed Statement of Common Ground ("SoCG") (March 2021) appears to be nothing other than a "tick box" exercise in which Maidstone Borough Council's refusal to consider meeting any of TWBC's need was accepted without proper scrutiny by TWBC. It states on page 8 that "An initial response was issued by MBC in December 2020. *This stated that MBC could not accommodate any of TWBC's need, as it was proving very challenging to accommodate the extra homes needed until 2037, necessitating growth to be focused on two 'garden communities'... TWBC accepts this position and has progressed to include allocations across the borough, including within*

the AONB and Green Belt, in order to meet its own local housing needs. MBC welcomes the fact that TWBC is meeting its housing need in full, and similarly expects to meet its housing need in full."

2.3. The Duty to Co-operate involves more than a mere "tick box exercise". It requires positive and active engagement with neighbouring authorities (and other groups). It is difficult to understand why, when a Housing Market Area is shared with another Borough, that Borough cannot meet at least some of the need from the adjoining Authority's area. The DCSPS appears to do nothing more than rehearse and repeat in essence the refusal of other authorities to meet some of TWBC's housing need. It does not explain why it did not do more to challenge and scrutinise those refusals.

2.4. It will, of course, be for TWBC to satisfy the Planning Inspectorate that the Duty to Co-Operate has been met when we have seen little evidence of a pro-active approach to the Duty to Co-operate being followed – particularly in respect of the potential impacts that Policies STR/SS 1 and STR/SS 3 will have on the neighbouring authority (Tonbridge and Malling Borough Council) in terms of increases in pollution (and other environmental impacts), traffic, congestion and a need for sufficient infrastructure to be provided to support (and ensure the sustainability of) the developments proposed in STR/SS 1 and STR/SS 3 if the draft local plan is submitted for examination, but we have seen very little to date to demonstrate this to have been the case.

2.5. We await, with interest, how the authorities and groups identified in the DCSPS will respond to this consultation and how they consider TWBC has engaged with them in respect of the Duty of Co-Operation – noting the above. In that regard, the Save Capel Executive reserves the right to provide a further short submission or to raise this issue during the examination if appropriate to do so.

Community engagement

Information on, and the form of, the Consultation

2.6. Since the Reg.18 consultation, the preparation of this pre-submission draft of the Local Plan has been mainly undertaken during a time when much of the UK has been operating under unprecedented restrictions on contact outside of the home. At the time of drafting this representation, the country is still operating under restrictions, with these not being "fully" lifted until 21st June 2021. Whilst the UK Government has encouraged LPAs to continue plan making activities during the pandemic, this poses difficulties in being able to demonstrate effective community engagement in respect of this Reg.19 consultation.

2.7. At the Reg.18 stage, TWBC undertook the Reg 18 consultation by providing information on that version of the local plan and the consultation process through postal correspondence, posters within the town centre, summary leaflets and articles within local magazines, physical borough wide exhibitions, local media and electronic consultation. Due to the COVID-19 pandemic it has not been possible to undertake as thorough an exercise as that carried out at the Reg.18 stage. This is recognised in the Statement of Community Engagement (dated October 2020) at Section 3.0: Consultation Techniques for Local Planning Documents. This move away from the more traditional means of engaging with the Community due to the COVID-19 pandemic towards an almost entirely internet-based consultation undoubtedly means that a proportion of the Community (including those who are considered to have protected characteristics under the Equality Act 2010) will either be unable to, or feel unable to, engage fully with this consultation or the documents now being consulted on. This is an issue that could and should have been avoided.

2.8. On 22nd February 2021, the UK Government published the "Roadmap out of Lockdown"¹. This made it clear that it was anticipated that by 17th May 2021, the restrictions on social contact would be eased, outdoor spaces would reopen, together with non-essential retail and public buildings. This would have allowed TWBC the opportunity to run an information campaign more akin to that which it ran for Regulation 18 from the dates at which restrictions started to be lifted. The Roadmap also makes it clear that the target date of 21st June 2021 has been set to remove all further limits on social contact.

2.9. This consultation started on 26th March 2021 and runs until 4th June 2021. A better, fairer approach that would undoubtedly ensure wider community engagement would have been to have delayed the start of the consultation and use the easing of restrictions to build up towards a more traditional consultation process. It is noted that TWBC has run the consultation for 10 weeks, but with a more inclusive approach to consultation, a shorter consultation running slightly beyond 21st June 2021 would have shown more of a concern for Community Engagement. It is clear (from the October 2020 Statement of Community Involvement) that TWBC set the approach it intended to follow towards the end of 2020 and did not pause to consider the Roadmap set out in February 2021 and adjust its approach to

consultation accordingly. This is clearly not an example of a Local Authority keeping an eye on its duty under s.149 Equality Act 2010 as the circumstances under which a consultation such as this could be conducted changed significantly.

2.10. Further, it should be noted that a number of “technical” issues have arisen in respect of the consultation – potentially to the detriment of those attempting to negotiate the material and make a submission. Those involved in drafting this submission are aware of, and indeed raised with TWBC, the fact that hyperlinks within the documents were not working (notably the SHELAA and Sustainability Appraisal) and maps had been published online in a low, and poor, resolution. This further undermines the accessibility and effectiveness of this form of consultation.

Engagement with Save Capel and Capel Parish Council

2.11. Given Capel Parish Council and Save Capel have been raising concerns about the proposals now set out in STR/SS 1, STR/SS 2, STR/SS 3 and STR/CA 1 TWBC's proactive engagement with both groups has been woefully inadequate. Minutes of TWBC's Planning Policy Working Group were kept confidential, information when it was provided publicly was often quickly discovered to be inaccurate, misleading or incomplete, requests for release of information under the Freedom of Information Act 2000 and the Environmental Information Regulations were repeatedly refused.

2.12. Further it is notable that both CPC and later Save Capel (which was formed in June 2019), were more often than not the driving force in arranging engagement with the Parish and the Local Community. Often it was felt that those who attended the meeting from the Local Community, representatives of the Parish Council and Save Capel were able to articulate clear and constructive issues with what was being proposed and suggest solutions and alternative. It was only after these points had been made that it was clear that those who attended on behalf of TWBC or those looking to bring forward proposed development had no intention of seriously considering the points raised, addressing them or engaging meaningfully with the Local Community.

2.13. Further, what little effort was made by TWBC or those looking to bring forward development to set up what few engagement exhibitions and workshops they could run towards the end of 2020 were again so meaningless in the terms of the level of information provided, the number of people who could attend, or the ease with which they could attend to render them almost pointless.

2.14. Further, when it became apparent that the Consultation was to run during the pre-election period of sensitivity and in the period after the Local Elections during which a Parish Council is not formally constituted, Capel Parish Council raised concerns (through its appointed solicitors) directly with TWBC that (potentially) limited time that would be available for the incoming Parish Council to respond meaningfully to this consultation. This clearly a very serious issue in respect of community engagement with a Parish Council, was simply rebuffed on an unintelligible basis.

Conclusion on the Consultation Carried Out

2.15. The approach to consultation in respect of this pre-submission draft has not been undertaken in compliance with the Statement of Community Involvement – the above demonstrates notable breaches of TWBC's “values for community involvement” at paragraphs 1.9 – 1.12 and Section 2.

2.16. Further, by insisting on maintaining an approach to consultation last reviewed in October 2020 and failing to adjust that approach in light of the changing circumstances in the UK from February 2021 onwards, TWBC appears to have failed to have due regard to its duty under s.149 of the Equality Act 2010 and followed a process that potentially “locks out” a proportion of the local community who were unable to engage fully in an online consultation, but may have been able to have done had a consultation exercise been run in a similar (or more similar) way to that which was carried out at Regulation 18.

2.17. Our topic paper which provides full detail on Community Engagement is included as Appendix 7.

Appendices

The following appendices are to be read in conjunction with this main representation. The documents are submitted separately due to file sizing and integrity.

All these documents will be available on our website www.savecapel.com

Independent reports from planning consultants -

(1) Transport & Infrastructure Review prepared by **Motion Consultants Ltd**

- (2) Motion sub-appendix A - B2017 Swept Path Analysis
 - (3) Motion sub-appendix B - Road Collision Locations
 - (4) Motion sub-appendix C - Public Transport Accessibility
 - (5) Motion sub-appendix D - Walk Catchment
 - (6) Landscape and Visual Analysis Report (East Capel) prepared by **JFA Environmental Planning**
 - Save Capel topic papers -**
 - (7) Community Engagement with Capel
 - (8) Alternative Sites
 - (9) Housing Need
 - (10) Pollution
 - (11) Heritage
 - (12) Biodiversity
 - (13) Flood risk, water supply, & sewerage (Regulation 18)
- [TWBC: for appendices, please see supporting documents]*

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan 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.

Please see attached: "Representation by Save Capel under Regulation 19", dated 3rd June 2021, and Appendices

[TWBC: the following extract is from "Representation by Save Capel under Regulation 19" - for the full representation and appendices, please see supporting documents]

8. How the Local Plan can be improved

8.1. TWBC should make significant changes to the current draft of its Plan; both from the top-down perspective to review its housing target (OAN) for constraints, and bottom-up in eliminating its reliance on two unsustainable strategic sites as the main vehicle for delivery (Policy STR 1).

Specifically, therefore, Save Capel's two **primary recommendations** are;

(1) The housing target within the Plan should be modified by;

- a. Updating the SHELAA and recalculating the OAN using latest government statistics. Please refer to our topic paper on 'housing need' Appendix 9.
- b. Assessing the proportion of AONB, Green Belt and land subject to flood risk to determine and justify a lower and sustainable housing need.
- c. Re-assessing the level of windfall sites in the Plan based on the changes in office and commercial need post-covid over the Plan period. Recent changes in legislation have promoted the change of use of urban sites to residential.

(2) The Spatial Strategy should be revised to remove the two Strategic Sites in Capel parish (Policies STR/SS 1 at East Capel and STR/SS 3 Tudeley Village) and to;

- a. Conduct a comprehensive review of brownfield site availability, particularly taking account of the increasing empty office and retail space available as well as open plan car parks. Save Capel's assessment of Brownfield sites is included in Appendix 8.
 - b. Adjust the housing allocation to sites that are spread around the Borough more proportionately and equitably (in terms of true local need); for example, by utilising smaller brownfield sites for housing rather than reserving them for industrial use that is surplus to the requirements identified in the Plan.
 - c. Review other small sites for housing rejected by the SHELAA for possible inclusion in the Plan with a view to achieving (b) above, and prioritising sites that are accessible to railway lines and trunk roads.
 - d. Re-consider the location of larger development as set out in Save Capel's topic paper 'Alternative Sites' - appendix 8 which identifies a number of sustainable alternatives.
 - e. Develop a more fully researched, funded, and programmed Infrastructure Delivery Plan that assesses the cumulative impact with the developments in the local plans of neighbouring LPAs. This may mean that the OAN would need to be reviewed further to ensure the delivery of a sustainable Plan.
- 8.2. In summary, there are a number of sustainable alternative strategies that would meet a truly 'objectively assessed' housing need and avoid the need to destroy over 600 acres of largely productive Green Belt land in Capel parish. This historic landscape does not need to be ruined forever.
- 8.3. We urge Tunbridge Wells Borough Council to pause the progression of this local plan and take the time needed to prepare a modified (and sustainable) plan which delivers an appropriate level of housing and addresses the issues identified in this representation.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . Yes, I wish to participate in hearing session(s)

Question 7a

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Save Capel has sought to be actively involved in engaging with the Council throughout this review of the Local Plan. As a group we have developed particular expertise and have undertaken significant and extensive research in respect of the effects of the policies to which we have made representations. We consider that we will be able to assist the Inspector(s) examining the final submission significantly.

Question 8

If you have any separate comments you wish to make on the accompanying Sustainability Appraisal, please make them here.

Sustainability Appraisal

2.18. There has not been an adequate assessment of alternatives.

2.19. The issue of "reasonable" alternatives is best considered at two levels: first, in respect of how the growth strategy was selected, and second, in how the particular locations for growth were identified (i.e., the strategic site locations).

Selection of the growth strategy

2.20. The original Issues & Options SA identified 6 growth strategies ("GS"), none of which mentioned

Tudeley/Capel specifically as a site for a potential garden town. GS5 was described as “New freestanding garden settlement. There is no location identified with this option. A new settlement could be located anywhere within the borough.”

2.21. The Reg 18 SA identified two further strategies (see Table 12) on page 36. It concluded that: “The Final Interim SA showed that there were merits in in all strategy options, although Option 5 New Settlement Growth had the highest number of positive scores and lowest number of negative scores. This option, which has been taken to embrace an enlarged town or village based on garden settlement principles as well as a new freestanding garden settlement, is therefore proposed to be integral to the preferred development strategy for the borough.” (page 40).

2.22. The Reg 18 SA then went on to consider 13 alternative sites for the garden settlement and urban extension (on page 37). However, all but 2 sites (Paddock Wood and Tudeley) were ruled out and were not subject to any further sustainability appraisal, on the grounds primarily of landscape and impact on the AONB.

2.23. The draft Reg 19 SA now identifies and sets out how “13 growth strategy options were considered in the SA.”. Option 3 is the one that now appears in the Reg 19 Local Plan and states that it “includes a large PW extension and new garden village at Tudeley”.

2.24. Therefore, between Reg 18 and Reg 19, TWBC developed 13 different growth strategies (i.e. the original 6 growth strategies were expanded to 13). The preferred strategy was identified as GS3 (see page 48) i.e. the large PW extension and garden village at Tudeley.

2.25. Each of those 13 growth strategies were assessed - the table 26 at page 84 sets out the comparative scores/grading system.

2.26. The Reg 19 SA concludes that “it is clear from this exercise that the Pre-Submission Local Plan is preferable to the alternatives identified) at para. 6.2.18 (page 85).

2.27. The first point to note here is that it does not seem as clear as the SA suggests. There are five unknowns in relation to GS3, and it is not immediately apparent looking at Table 26 why for example GS4 (Main Towns) has not been preferred.

2.28. The SA of GS3 (i.e. what now forms the Reg 19 Local Plan) is entirely unclear as to why for example noise and travel gets a “highly mixed score”: see the critical assessment on page 58. It repeats the wording “negative impacts in rural settlements and positive impacts in urban areas”. At least on the face of it, the reasons for that score are unclear, which means in turn that reasons for the selection of GS3 as the preferred option are unclear.

2.29. This gives rise to grounds to credibly argue that the SA is inadequate as the outline reasons for selection of GS3 are unclear.

Strategic site locations

2.30. The table at page 89 – 90 (Table 27) is the critical table as this sets out why the only locations considered suitable for a garden extension and urban extension were considered to be Capel (Site 2) and Paddock Wood (Site 12). In essence, all other sites were ruled out as “reasonable alternatives” and not subjected to SA, mainly on the grounds of location within the AONB and unacceptable landscape impacts.

2.31. It was unreasonable to do so and not consider these sites as reasonable alternatives.

2.32. The first criticism relates to the “filtering” stage that was carried out. It is evident in Table 27 that it was unreasonable for certain sites were dismissed as “non-starters” and at the very least some of the sites should have been taken forward and actually subjected to sustainability appraisal.

For example, and in particular:

a. it is not clear why Frittenden was ruled out on sustainability grounds without actually having been tested via a sustainability appraisal.

b. Nor is it clear why Horsmonden was viewed as a “non-starter”.

2.33. Neither of these sites were ruled out on AONB grounds but rather on inadequate transport accessibility links (Horsmonden) and lack of direct transport links (Frittenden). Whilst these may be the case, it is not immediately apparent (at least on the face of the SA) whilst those made these particular sites “non-starters”.

2.34. The second point is that the AONB designation has been used “carte blanche” to rule out several other options, without even taking them through to full sustainability appraisal.

2.35. However, the fundamental purpose of an SA is not to apply national policy requirements but instead to consider the environmental effects of a plan. Therefore, at the very least a more granular assessment of the landscape impacts should have been carried out within the SA notwithstanding the AONB designation rather than apply a carte blanche “severe” rating to all the proposals within the AONB. They must for example necessarily have had different landscape impacts within the AONB (Castle Hill being a case in point for example).

Sustainability Appraisal for Tudeley Village & Paddock Wood / East Capel

2.36. The Sustainability Appraisal of each site is based on 19 sustainability objectives (“SO”). Each objective is supported by 2-5 detailed and specific decision-aiding questions. In total there are 62 sub-questions based on a mix of subjective and objective criteria.

2.37. Working through these granular 62 sub-questions should result in a reasonably objective and transparent Sustainability Appraisal for each site.

2.38. There are two separate Sustainability Appraisals published for Tudeley Village and Paddock Wood / East Capel. Both are high-level assessments at the 19 strategic objective level – there is no link to nor any evidence of an assessment at the 62 sub-question level for either site!

2.39. Validating the Sustainability Appraisals for Tudeley Village and Paddock Wood / East Capel and considering the 62 sub-questions yields a fundamentally different outcome to TWBC’s proposal in both cases: TWBC results appear to be entirely unreasonable and unsound.

[TWBC: for table, please see full representation attached as a supporting document]

2.40. For Tudeley Village - in summary at the 19 SO level (also see table above):

TWBC proposes 10 positive, 3 neutral and 6 negative scores

A bottom-up assessment reveals 4 positive, 1 neutral and 14 negative scores

2.41. For Paddock Wood / East Capel - in summary at the 19 SO level (also see table above):

TWBC proposes 10 positive, 3 neutral and 6 negative scores

A bottom-up assessment reveals 3 positive, 3 neutral and 13 negative scores (for East Capel only)

2.42. We respectfully submit that TWBC’s assessment of both sites is flawed, illogical and not defensible when assessing the underlying criteria.

2.43. On a side note: It is curious that in TWBC’s assessment both sites are rated with near identical scores across all criteria. While this is possible in theory, it is - given the differences between both sites - statistically-speaking highly unlikely. We cannot prove and only speculate on whether this is indicative of a pre-determined answer being approved due to its convenience. However, we can unequivocally state that TWBC’s assessment of both sites is superficial and simply wrong.

2.44. For a more detailed comparison and an evidence-based rationale for each score at the 62 sub-question level please refer to the ‘Alternative Sites Report’ in Appendix 8.

Sustainability Appraisal for Alternative Selected Sites

2.45. As mentioned under 2.22, TWBC considered several other strategic sites that – in our view mistakenly – were ruled out earlier in the plan-making process.

2.46. As a result, TWBC did not conduct a sustainability appraisal for any of these sites. There are no published sustainability results, neither at the 19 SO nor at the 62 sub-questions level for any site.

2.47. Given the flawed assessment and poor sustainability scores for Tudeley Village and East Capel, Save Capel decided to reinvestigate these sites as potential alternatives.

2.48. Given Save Capel’s limited resources we decided to focus on 2 specific sites – Castle Hill (also located in Capel Parish) and Blantyre House.

2.49. In summary at the 19 SO level (see table below):

A bottom-up assessment for Castle Hill reveals 7 positive, 7 neutral and 5 negative scores

A bottom-up assessment for Blantyre House reveals 8 positive, 6 neutral and 5 negative scores

2.50. A comparison to Tudeley Village and East Capel reveals that both alternative sites are far more sustainable and preferable. Castle Hill in particular feels like a – more sustainable – direct replacement for Tudeley Village.

2.51. We also strongly suspect that some of the other strategic sites such as Horsmonden would also turn out to be more sustainable than Tudeley Village and / or East Capel if subjected to a detailed, objective review. Unfortunately, this was not conducted by TWBC and Save Capel does not have the resources to replicate the analysis for all sites in time for Regulation 19.

2.52. For the assessment and an evidence-based rationale for each score at the 62 sub-question level for Castle Hill and Blantyre House please refer to the ‘Alternative Sites’ report in Appendix 8.

[TWBC: for table, please see full representation attached as a supporting document]

2.53. Key findings from Save Capel’s ‘Alternative Sites’ report are:

The Sustainability Appraisals for Tudeley Village and East Capel are unreasonable based on TWBC’s own criteria and any objective assessment

The Sustainability Appraisals for Tudeley Village and East Capel are inconsistent with the assessments of other SHELAA/strategic sites

Both Castle Hill and Blantyre House are more sustainable sites offering a similar housing potential as Tudeley Village / East Capel

Of the 437 unique sites submitted for inclusion in the SHELAA process, 323 sites were rejected by TWBC.

Based on a review of 90 rejected sites in 3 representative parishes, we recommend to re-consider 43 'rejected' sites for inclusion in the Plan INSTEAD of Tudeley Village / East Capel.

These 43 sites provide a total incremental housing potential of ca. 2,270 units (based on a conservative 30 dph). All are more sustainable than Tudeley Village / East Capel.

An analysis of 7 selected high potential sites reveals a potential housing yield of up to 10,000 dwellings through the use of alternative housing solutions.

If you would like to attach a file in support of your comments, please upload it here. [PSLP 1964 & 1973-1987 Knights Solicitors for Save Capel SI-1 Cover Letter.pdf](#)

If you would like to attach a file in support of your comments, please upload it here. [PSLP 1964 & 1973-1987 Knights Solicitors for Save Capel SI-2 Representation.pdf](#)

If you would like to attach a file in support of your comments, please upload it here. [PSLP 1964 & 1973-1987 Knights Solicitors for Save Capel SI-3 Appendices.pdf](#)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box: Yes, I wish to be notified of future stages of the Local Plan

Supporting Information File Ref No: SI_131a-c

Comment

Agent	Mr Simon Bell ([REDACTED])
Email Address	[REDACTED]
Company / Organisation	Knights Solicitors
Address	Regency House 25 High Street Tunbridge Wells TN1 1UT
Consultee	Save Capel ([REDACTED])
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Event Name	Pre-Submission Local Plan
Comment by	Save Capel ([REDACTED])
Comment ID	PSLP_1973
Response Date	03/06/21 18:51
Consultation Point	Policy STR 1 The Development Strategy (View)
Status	Processed
Submission Type	Email
Version	0.9
Files	PSLP_1964 & 1973-1987_Knights Solicitors for Save Capel_SI-3_Appendices.pdf PSLP_1964 & 1973-1987_Knights Solicitors for Save Capel_SI-1_Cover Letter.pdf PSLP_1964 & 1973-1987_Knights Solicitors for Save Capel_SI-2_Representation.pdf
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Question 3

To which part of the Local Plan does this representation relate? Policy

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR 1 The Development Strategy

Paragraph No(s) 4.1-4.87

[TWBC: for further comments by Save Capel, please see Comment Numbers PSLP_1964 and PSLP_1973-1987]

Question 4

Do you consider that the Local Plan:

Is legally compliant No

Is sound No

Complies with the Duty to Cooperate No

Question 4a

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Please see attached: "Representation by Save Capel under Regulation 19", dated 3rd June 2021, and Appendices

[TWBC: the following extract is from "Representation by Save Capel under Regulation 19" - for the full representation and appendices, please see supporting documents]

3. The Development Strategy and Strategic Policies

STR1 The Development Strategy

Housing needs

3.1. The NPPF (at Section 5) prescribes a standard method of how to calculate the number of houses required throughout the plan period. However, it is the responsibility of the Council to determine the actual housing requirement using the latest information on local demographic and migratory trends.

3.2. Recent studies of housing need consistently demonstrate that the expected population growth 2020-2038 in the borough is slowing significantly – projections have decreased from 18,830 (2015 SHMA) to 13,859 (2017 SHMA) to only 6,155 (2018 ONS).

3.3. Despite this clear local trend, TWBC has interpreted the Standard Method as a target, with no regard to market or demographic indicators or the constraints of the Borough and propose to build around 12,200 houses for the (predicted) 6,155 residents.

3.4. Despite all the evidence to the contrary, TWBC has not entertained the very real possibility that “exceptional circumstances” exist which would have enabled them to propose an alternative and more realistic ‘objectively assessed’ housing need. Given that this Regulation 19 submission comes during a transitional period from the old Standard Method and the newly proposed methodology, it seems entirely reasonable to incorporate additional, supportive data to localise the output from the baseline calculation, rather than simply accepting it as a target.

3.5. We recognise that the Government confirmed that updated household projections should not be used as a reason for justifying lower housing need. However, they did not indicate that this data should not be considered to support planning forecasts if TWBC chose to propose an alternative calculation based on ‘exceptional circumstances’.

3.6. Tunbridge Wells borough includes 22% green belt land and has 70% AONB. In addition, the spatial strategy is proposing to deliver the majority of its housing in or adjacent to the borough’s largest area subject to flood risk (EA flood zone 3).

3.7. The threshold for claiming ‘exceptional circumstances’ must surely have been reached when the Council proposes to use Green Belt designated land for the vast majority of development in the Local Plan!

3.8. The Local Plan should serve the requirements of both current and future residents of the borough. Analysis of all demographic and market trends leads us to believe that the proposed Garden Village Growth Strategy does little to support the current or future needs of the increasingly elderly population of the borough.

3.9. On the contrary, the Plan seems designed to provide significantly more houses than residents or their families will require in an attempt to depress local house prices in order to encourage net migration from parts of the country with even higher affordability ratios (e.g. the London boroughs).

3.10. As such, the Plan is unsound as it is not “positively prepared” in assessing its ‘objectively assessed need’ and does not deliver against the most fundamental objective of serving the best interests of the residents of the borough. This policy also fails the test of soundness as it is “not consistent with the NPPF” and TWBC is wrong to have determined that ‘exceptional circumstances’ do not exist in the Borough which would allow a departure from the ‘standard method’.

3.11. On a side note: On the one hand, TWBC claims ‘exceptional circumstances’ to justify releasing and concreting over 100s of acres of Green Belt. On the other and despite clear evidence to the contrary, TWBC refuses to claim ‘exceptional circumstances’ to propose alternative calculations of housing need. This seems wholly inconsistent.

3.12. For further details, please refer to Save Capel’s topic paper on Housing Need – Appendix 9.

Sources of supply

3.13. Given the challenges faced by TWBC to meet housing needs, it is very surprising that other less constrained LPAs were not asked to meet some of the housing need themselves, e.g. Maidstone and Ashford.

3.14. There are several weaknesses in the development strategy followed by TWBC in establishing its spatial strategy:

- The plan has included an allowance for ‘windfall’ (i.e. non-allocated) sites which is understated and has not reflected the recent changes in legislation that promotes the change of use of urban sites to residential.

- . There is a significant opportunity from the amount of vacant commercial space (offices, shops, etc.) which has become apparent with the changing environment following the pandemic. This has not been reflected in the calculation of overall need for strategic allocations.
 - . TWBC has identified the need for a review of town centre regeneration (scheduled for around 2025) but this should be reflected in the strategy now. Young people need affordable housing close to employment and social amenities. The development of our towns into mixed retail/residential could provide the vibrancy that is so often lacking.
 - . The strategy ignored sites with less than 10 units which should have been considered for allocation. These would cumulatively make a notable contribution.
 - . With a focus on a growing older generation in the projected housing need, surely it is better to develop the fringes of existing settlements with access to local amenities rather than destroy the countryside in a remote location such as Tudeley.
- 3.15. TWBC has failed to adequately consider all these alternative options ahead of creating a garden settlement on Capel's beautiful, productive green belt, and extensive development on the floodplain.
- 3.16. In addition, the NPPF requires local plans to maximise density of housing in its allocations and this does not appear to have been the case.
- 3.17. Save Capel therefore submits that this Policy is not 'justified' and has not been prepared in accordance with the NPPF.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . Yes, I wish to participate in hearing session(s)

Question 7a

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Question 8

If you have any separate comments you wish to make on the accompanying Sustainability Appraisal, please make them here.

Sustainability

3.18. The National Planning Policy Framework states (Feb 2019) that "Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives)". These three objectives comprise an economic, a social and an environmental objective.

3.19. In their Non-Technical Note (SA p.5), TWBC explain that they conducted SA assessments for individual sites which were then grouped to allow a cumulative impact assessment at parish level and ultimately for the borough. It goes on to state that the "the key findings of this process were that significant beneficial effects were expected for most economic and social sustainability objectives. The

environmental objectives were found to produce either highly mixed, neutral or negative scores essentially reflecting the increased pressures that employment sites and a significant number of new dwellings would put upon sensitive environmental features such as landscape and heritage.”

3.20. This seems to indicate that even by their own assessment, the TWBC Local Plan falls short of the NPPF’s sustainability objectives.

3.21. As Tudeley Village and East Capel are such a critical part of the overall Local Plan – contributing over half of total housing need – any SA assessment for these two sites must be heavily weighted and strongly impact the sustainability of the overall Local Plan.

3.22. Given the flawed and unsustainable scoring for Tudeley Village and East Capel, this implies that TWBC are NOT following the NPPF requirement for a balance between economic, social and environmental aspects. please refer to our comments on the Sustainability Appraisal in Section 2 and the ‘Alternative Sites Report’ in Appendix 8.

3.23. This development strategy is therefore NOT SUSTAINABLE

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Supporting Information File Ref No: SI_131a-c

Comment

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Consultee	Save Capel ([REDACTED])
Email Address	[REDACTED]
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Save Capel ([REDACTED])
Comment ID	PSLP_1974
Response Date	03/06/21 18:51
Consultation Point	Policy STR 2 Place Shaping and Design (View)
Status	Processed
Submission Type	Email
Version	0.6
Files	PSLP_1964 & 1973-1987_Knights Solicitors for Save Capel_SI-2_Representation.pdf PSLP_1964 & 1973-1987_Knights Solicitors for Save Capel_SI-3_Appendices.pdf PSLP_1964 & 1973-1987_Knights Solicitors for Save Capel_SI-1_Cover Letter.pdf
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Question 3

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Question 3a

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Policy STR 2 Place Shaping and Design

[TWBC: for further comments by Save Capel, please see Comment Numbers PSLP_1964 and PSLP_1973-1987]

Question 4

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Is legally compliant No

Is sound No

Complies with the Duty to Cooperate No

Question 4a

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- . It is not effective
- . It is not justified
- . It is not consistent with national policy

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STR 2 Place Shaping and Design

3.24. This policy is not consistent with Policy STR 1 in that the development at Tudeley and East Capel will not respond positively to the local character and preserve and enhance the quality of the existing community and its environs.

3.25. The TWBC's Local Plan seeks low levels of car use, yet Tudeley Village is an isolated location, which relies on the private car.

3.26. The Tudeley Village Proposals do not demonstrate how the scheme has been informed by landscape character and context. An early understanding of character and context is a basic requirement of good design as set out in the Kent Design Guide (Kent County Council 2000) and the more recent MHCLG 2019 policies and guidance relating to AONB and its setting.

3.27. The design principles that have been presented do not follow established best practice 'placemaking principles. Features such as straight roads, extensive use of rear parking courtyards; and limited opportunities to integrate green infrastructure do not reflect best practice principles, such as those set out in the National and County Design Guide, 'Manual for Streets and Parking what works where'. Overall, the vignette appears to lack cohesion and clear strategy for public realm streets and open space.

3.28. The policy states that "all new development must respond positively to local character and context to preserve and enhance the quality of existing communities..." The existing community in Capel is characteristically rural, centred around an agricultural landscape. How does creating an urban residential development complete with all associated infrastructure enhance the quality of this community?

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Event Name	Pre-Submission Local Plan
Comment by	Save Capel ([REDACTED])
Comment ID	PSLP_1975
Response Date	03/06/21 18:51
Consultation Point	Policy STR 3 Brownfield Land (View)
Status	Processed
Submission Type	Email
Version	0.6
Files	PSLP_1964 & 1973-1987_Knights Solicitors for Save Capel_SI-2_Representation.pdf PSLP_1964 & 1973-1987_Knights Solicitors for Save Capel_SI-3_Appendices.pdf PSLP_1964 & 1973-1987_Knights Solicitors for Save Capel_SI-1_Cover Letter.pdf
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Policy STR 3 Brownfield Land

[TWBC: for further comments by Save Capel, please see Comment Numbers PSLP_1964 and PSLP_1973-1987]

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STR 3 Brownfield Land

3.29. TWBC has not exhaustively analysed the availability of Brownfield sites (BFS) in the borough and has ignored potential sites for strategic development in those areas outside GB and AONB.

3.30. The register was reviewed in 2020 but we believe there are more sites that could be utilised. TWBC passively "requested" new BFS but did not proactively seek new BFS, in order to state that its register is up to date – to meet the legal not more than 1 year old basis. No new sites came forward

but Save Capel has sought potential BFS and found the potential for a great deal of housing on sites not on the TWBC BFS register.

3.31. TWBC's latest Brownfield Register contains 38 sites with a total of 805 proposed dwellings.

3.32. Of these, 30 sites have been permissioned. This would yield a total of only 500 housing units from brownfield sites – failing to make a meaningful contribution to the Plan.

3.33. While the brownfield potential in the borough is constrained, the existing Register is far from complete and there is a MUCH larger brownfield potential that needs to be identified and evaluated as a priority BEFORE resorting to building on Green Belt / AONB land.

3.34. TWBC has not proactively undertaken this effort to date.

3.35. Through our own efforts we have identified c. 50 brownfield sites with an incremental housing potential of c. 1,800 dwellings (at 30 dph). This is incremental to the Alternative Sites numbers.

3.36. Increasing housing density from 30 dph to 50 dph which we believe should be the norm – especially for brownfield sites would increase the housing yield for these new brownfield sites from 1,800 to 2,900 dwellings (in addition to the existing 500 dwellings on the register).

3.37. Save Capel's assessment of Brownfield potential is included in 'Alternative sites' - Appendix 8.

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Event Name	Pre-Submission Local Plan
Comment by	Save Capel ([REDACTED])
Comment ID	PSLP_1976
Response Date	03/06/21 18:51
Consultation Point	Policy STR 4 Ensuring Comprehensive Development (View)
Status	Processed
Submission Type	Email
Version	0.6
Files	PSLP_1964 & 1973-1987_Knights Solicitors for Save Capel_SI-3_Appendices.pdf PSLP_1964 & 1973-1987_Knights Solicitors for Save Capel_SI-1_Cover Letter.pdf PSLP_1964 & 1973-1987_Knights Solicitors for Save Capel_SI-2_Representation.pdf
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Policy STR 4 Ensuring Comprehensive Development

[TWBC: for further comments by Save Capel, please see Comment Numbers PSLP_1964 and PSLP_1973-1987]

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STR 4 Ensuring Comprehensive Development

3.38. The garden settlement at Tudeley can never be one settlement as it is divided by a railway line that has very narrow, weak crossings. Putting in larger crossings at frequent points across the railway may be possible but it will not tie the two halves of the settlement together enough to make it one settlement, so it will not satisfy garden settlement principles.

3.39. A key strategic item underpinning the comprehensive development and therefore sustainability of the development is the proposed station at Tudeley, however this has been dismissed by Network Rail as unviable both financially and operationally.

3.40. Tudeley garden settlement constitutes a very large portion of the apparent housing need and the delivery of this undertaking is an extremely complex development transforming a rural farming area with no real infrastructure, into an urban settlement. TWBC are entrusting control and development of this pivotal part of their Local Plan to the inexperienced landowner to deliver who is relying on a collective of experts with no common goal to deliver this vanity project. For the landowner to claim alignment and parity with The Prince's Trust housing developments at locations such as Poundbury in Dorset (still not completed after some 28 years) is arrogant in the extreme.

3.41. Masterplanning of Tudeley is lacking in any detail and what is shown only relates to the proposed settlement and does not dovetail with the overall Capel scheme, with disconnected masterplanning by David Lock Associates ("DLA").

3.42. Sites need to make economic sense for housing developers to consider optioning. For any major housing developer who is capable of delivering Tudeley as proposed, the sheer amount of cost that will be consumed by the infrastructure requirements means they will struggle to breakeven or make a profit on what is, for them, a relatively small number of overall units. Securing developers who are willing to risk this maybe a challenge in itself.

3.43. TWBC has not considered the cumulative impact with the local plans of neighbouring LPAs, where development is proposed at Laddingford, adjacent to East Capel (MBC) and the effect of cumulative development in the Tonbridge area (TMBC). This has huge implications on transport & infrastructure, in particular, and demonstrates that this plan is not "positively prepared".

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Question 3a

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Policy STR 7 Climate Change

Paragraph No(s) 4.109-4.122

[TWBC: for further comments by Save Capel, please see Comment Numbers PSLP_1964 and PSLP_1973-1987]

Question 4

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Question 4a

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STR 7 Climate Change

3.44. This policy is unsound because it is not deliverable. TWBC declared a Climate Emergency in July 2019 and, whilst it has set a commitment to become carbon neutral by 2030, the PSLP represents the worst of two evils.

3.45. The destruction of 600 acres of prime fertile farmland, orchards, berry growing fields, ancient woodlands, hedges and open grassland, will reduce the natural carbon absorption process.

3.46. The huge developments within Capel can only contribute to the inevitable heat island effect, and the emissions from such a vast growth in transport, especially during 20 years of construction, will increase air pollution in the borough, Tonbridge and the wider area.

3.47. Policy EN3 uses Energy Calculations as the Indicator for achieving its Climate Change target. However, energy calculations alone do not take account of the additional CO2 burden contributed by the construction of all the houses, roads and parking spaces in the proposed developments, commercial buildings, sports hub, schools, clinics etc.

3.48. There is little evidence of any partner engagement, particularly with respect to the community, to fully analyse the impact of a very large and disproportionate development at Tudeley, which will be an isolated settlement poorly connected to any transport infrastructure other than proposed footpaths and cycle ways. This will mean more use of private cars, which even if electric, still cause pollution with tyre and brake dust amongst other hydrocarbon pollutants such as oil etc.

3.49. The Tudeley Village Masterplan does not state the carbon-based fuels are prohibited from use in the dwellings. If not prohibited, the CO2 burden could increase still further.

3.50. To give some perspective, TWBC claims that its carbon emissions have been reduced from 6,046 tonne equivalents of CO2 in 2013/14 to 3,473 tonne equivalents in 2018/19. However, construction of 4,900 houses generating 17,000 metric tonnes of CO2 vastly outweighs the current claimed amount of CO2 emissions. This is explained in our topic paper on pollution – Appendix 10.

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Question 7a

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Supporting Information File Ref No: SI_131a-c

Comment

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Consultee	Save Capel ([REDACTED])
Email Address	[REDACTED]
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Save Capel ([REDACTED])
Comment ID	PSLP_1978
Response Date	03/06/21 18:51
Consultation Point	Policy STR 8 Conserving and Enhancing the Natural, Built, and Historic Environment (View)
Status	Processed
Submission Type	Email
Version	0.6
Files	PSLP_1964 & 1973-1987_Knights Solicitors for Save Capel_SI-3_Appendices.pdf PSLP_1964 & 1973-1987_Knights Solicitors for Save Capel_SI-1_Cover Letter.pdf PSLP_1964 & 1973-1987_Knights Solicitors for Save Capel_SI-2_Representation.pdf
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Question 3

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Policy STR 8 Conserving and Enhancing the Natural, Built, and Historic Environment

[TWBC: for further comments by Save Capel, please see Comment Numbers PSLP_1964 and PSLP_1973-1987]

Question 4

Do you consider that the Local Plan:

Is legally compliant No

Is sound No

Complies with the Duty to Cooperate No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not positively prepared
- . It is not effective
- . It is not justified
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STR 8 Conserving and Enhancing the Natural, Built, and Historic Environment

- 1 Development proposals must be informed by a clear understanding of the landscape context (on- and off-site) and demonstrate how it has incorporated and enhanced site characteristics and landscape features, avoiding and minimising harm wherever possible. Landscape mitigation,

where required, should be identified at the outset of the scheme design process to ensure that proposals are truly landscape-led and should be used to reinforce and restore landscape character.

3.51. An SER and EVI will be undertaken at planning application stage should the Inspector approve the plan. The SER scope is contained within the LP Sustainability Appraisal but there is no in-depth assessment of individual heritage assets as supporting documentation nor mitigation identified at the outset. No evidence is offered as to how the three key areas will be conserved and enhanced. The Policy is contradictory – if mitigation of harm is required neither conserving nor enhancing is possible.

3.52. Landscape mitigation is stated as being required “at the outset of the scheme design process”. It is therefore assumed that this basic scheme mitigation design has been completed at the Pre-Submission Plan stage yet no basic details of how this is envisaged to be achieved in Tudeley and East Capel have been provided.

3.53. There is no detail of how, as stated in paras 6 & 7, biodiversity, green corridors, green infrastructure, historic field patterns, listed buildings and their setting are going to be enhanced in Tudeley and East Capel with a planned nearly 5000 houses being dumped in current rural setting.

3.54. Many promises are made regarding the preservation and enhancement of biodiversity, heritage, landscape, sites of geological interest etc. but very little if any detail on how this will be achieved both physically and financially in the evidence documentation.

3.55. TWBC is one of only four councils who have adopted Bio- Net gain policies ahead of mandatory national adoption. The assessment by the Durrell Institute into these councils’ performance during 2020 indicates that in reality net gains translate into considerable loss of habitat and an expectation of non-urban habitat decreasing by 21%.

3.56. The PSLP does not indicate any effective robust measures to counter this and thus is not positively prepared, is inconsistent with Government strategy and the plan unsound.

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Status	Processed
Submission Type	Email
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Policy STR 9 Green Belt

[TWBC: for further comments by Save Capel, please see Comment Numbers PSLP_1964 and PSLP_1973-1987]

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STR 9 Green Belt

3.57. This policy is **unsound** as it does not meet the 'exceptional circumstance' test (NPPF para 136) where the proposed removal of Green Belt in Capel is not fully evidenced and justified.

3.58. TWBC has failed to consider the Conservative 2019 manifesto which promised to protect the Green Belt. Recent statements by ministers have reinforced this position:

- . On 3rd March PM Johnson said “we will protect our green belt, our vital green belt, and which constitutes, I think, 12.4% of our land, but we can build our homes, as my Right Honourable friend rightly suggests, 300,000 of them on brownfield sites across the country”
 - . On 29th April HCLG Minister Pincher said “This Government is committed to protecting and enhancing the Green Belt and there are strong protections for Green Belt land provided in the National Planning Policy Framework. A local authority can alter the boundary of Green Belt land only in exceptional circumstances and where it can demonstrate that it has fully examined all other reasonable options for meeting its development need. This means that the authority should show that it has used as much brownfield land as possible, optimised development densities, and discussed with neighbouring authorities whether they could accommodate some of the development needed. The Framework also makes clear that most new building is inappropriate in the Green Belt and should be refused planning permission unless there are very special circumstances”.
- 3.59. TWBC has not exhaustively analysed the availability of Brownfield sites in the Borough and have ignored potential sites for strategic development in those areas outside GB and AONB.
- 3.60. In addition to the effect these Strategic Sites will have on the contribution of this part of the Green belt, there is a strong adverse impact of the proposed Tudeley Village on the landscape of the whole Medway Valley. TWBC should consider the fact that the Tudeley site (STR/SS 3) lies on the North slope of the Medway Valley, and is visible from all points along the North slope, from up to twelve miles away, and appears against the backdrop of the High Weald AONB.
- 3.61. Before TWBC can release these two sites they not only have to show that the benefits outweigh the adverse impacts, but that these are truly Exceptional Circumstances. Many LPAs have used the combination of a failure to otherwise meet housing need and the relatively poor performance of parcels of green belt land to release the poor performing parcels. But these allocations perform strongly against the purposes of the Green Belt, even by TWBC’s much diluted assessment.
- 3.62. Compensatory re-designation has not been included in the PSLP and the ‘very special circumstances’ referred to above are not demonstrated and justified.
- 3.63. The opportunities for mitigation appear to be very limited and the Policy is unclear as to what and how adequate measures will be provided.

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Comment ID	PSLP_1980
Response Date	03/06/21 18:51
Consultation Point	Policy STR/SS 1 The Strategy for Paddock Wood, including land at east Capel (View)
Status	Processed
Submission Type	Email
Version	0.8
Files	PSLP 1964 & 1973-1987 Knights Solicitors for Save Capel SI-3 Appendices.pdf PSLP 1964 & 1973-1987 Knights Solicitors for Save Capel SI-1 Cover Letter.pdf PSLP 1964 & 1973-1987 Knights Solicitors for Save Capel SI-2 Representation.pdf
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Policy STR/SS 1 The Strategy for Paddock Wood, including land at east Capel

Paragrah No(s) 5.153-5.229

Policies Map (Inset Map No(s)) 26, 27, 28, 29

[TWBC: for further comments by Save Capel, please see Comment Numbers PSLP_1964 and PSLP_1973-1987]

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STR/SS 1 The Strategy for Paddock Wood, including land at east Capel

4.1. Save Capel submits that this Policy, and the substantial contribution of this allocation to the overall Growth Strategy, is **unsound in its present form** for the following reasons;

It is **not positively prepared** because;

- . Its OAN has been based on out-of-date statistical data and has failed to reflect the Borough's constraints of green belt and flood zones in establishing its planned need.
- . Exceptional circumstances exist in the Borough which would allow a departure from the 'standard method'.
- . TWBC did not fully engage with other LPAs, including those outside the HMA with less constraints, to establish whether they could take any 'unmet need'.
- . It has not considered truly local needs and is not 'objectively assessed'.
- . The consultation process was inadequate and deeply flawed.
- . It has disregarded local public opinion expressed in responses at Regulation 18 and the 'Vision for Capel' questionnaire in the preparation of the Capel Neighbourhood Plan, which has direct bearing on the siting of new housing.
- . The Plan has not considered the cumulative impact with the local plans of neighbouring LPAs, particularly on transport & infrastructure.

It is **not justified** because;

- . A revised OAN target using the latest government statistics would result in a lower OAN and thus, less pressure on the Plan to consider development on constrained areas.
- . 'Windfall sites' are understated which has not reflected the recent changes in legislation that promotes the change of use of urban sites to residential. The strategy ignored sites with less than 10 units which should have been considered for allocation.
- . It has failed to rigorously identify all other brownfield opportunities, including those resulting from the changing need for office/retail space. In particular, post-covid.
- . The review of town centre regeneration (scheduled for around 2025) should be reflected in the growth strategy needs now.
- . It is not demonstrated that development at East Capel is the most appropriate strategy and reasonable alternatives have not been considered fully before developing this green belt.
- . The Sustainability Appraisal for East Capel is flawed and has not been evidenced by an assessment at the 62 sub-question level.
- . It fails to acknowledge the cumulative effect of increased transport from housing and adjacent quarry development in a balanced way. It ignores key evidence of traffic safety impacts associated with HGVs using inadequate local roads, most of which are narrow country lanes, and fails to acknowledge the issue of pollution associated with increased vehicular traffic including HGVs.

It is **not effective** because;

- . It is not evidenced by a statement of common ground with neighbouring TMBC.
- . It is relying heavily on two strategic sites (including this allocation) in unsustainable locations for delivery of its housing target which represents an unacceptable risk for the borough.
- . This allocation is proposed to deliver 300 units per annum by 2025/2026 which is optimistic and affects the 5-year supply requirement.
- . It relies entirely on the deliverability of substantial infrastructure where the evidence base documents are inconsistent, contradictory and unrealistically optimistic.
- . The evidence does not support the extent of infrastructure interventions required to deliver sustainable development and the Infrastructure Plan does not effectively mitigate the impacts of the STR/SS 1 development and/or is commercially unviable.
- . There is no demonstrated commitment to "I" Before "E" with key community and transport infrastructure being 'medium or long-term' and a reliance on s106 funding.

It is **not consistent with the NPPF**, specifically in respect of the nature of the East Capel site and its planned development;

- . Exceptional circumstances exist in the Borough which would allow a departure from the 'standard method'. This could avoid development on this green belt.
- . The evidence presented does not support the conclusion that the site 'on balance' meets Sustainability criteria (i.e., on social, environmental and economic grounds).
- . There are "severe" traffic impacts, which have not been adequately mitigated, and the impacts of which will be social (access to services), environmental (such as road safety and air pollution), and economic (congestion will cause delays, with economic cost). The Plan does not meet the tests set out in the NPPF (para 109) and is undeliverable.

- . It has not been prepared following the guiding principle in NPPF that ‘... local people ... can produce their own [local] plans which reflects the needs and priorities of their communities.’
- . Green Belt boundaries should only be altered in ‘*exceptional circumstances*’ which are ‘*fully evidenced*’ (NPPF para 136). These proposals do not meet these requirements.
- . The allocated development will have considerable and harmful cumulative effects, including the setting of adjacent AONB, and is inappropriate in scale and extent.
- . The Plan has failed to adequately assess the impact on heritage assets and their setting.
- . It does not demonstrate that the development will any way manage, conserve nor enhance biodiversity.
- . The plan does not demonstrate that the proposed development will provide wider sustainable benefits that outweigh flood risk, nor that it will be “safe for its lifetime”.
- . TWBC has not demonstrated how the proposed flood mitigation measures will ensure that the development will not cause flooding to existing properties.

4.2. Whilst the level of detailed evidence required to support an allocation in the local plan is not the same as for the subsequent SPDs and a planning application, Save Capel submits that compliance with all regulations (including the NPPF) and all evidence should be tested at the Inspection stage. We strongly argue that the failure to meet any of the above would inevitably result in sufficient harm which would mean that any subsequent planning application for the site would necessarily be refused.

4.3. These arguments are explained further under the following topic areas.

Consistency with other policies

4.4. This representation acknowledges the objectives of TWBC and supports many of the policies set out in the PSLP. However, the allocation at East Capel (STR/SS 1) directly contradicts several other policies and is inconsistent with much of the evidence base.

Policy EN4 - Historic Environment

4.5. This Policy uses terms such as “have regard, where possible, consideration” words that do not convey any surety that the Policy will safeguard our unique historic environment despite acknowledging that it is an irreplaceable asset. The sheer scale of the change of setting from rural to urban in Capel with 4000+ houses does not show “sensitivity”.

Policy EN5 - Heritage Assets

4.6. It is to be hoped that TWBC abide by this policy and recognise the significant harm that the LP as it stands will cause. Housing need alone cannot be used as any justification. Given the scale of the proposals the setting of many assets will be significantly harmed.

Policy EN8 - Outdoor Lighting and Dark Skies

4.7. Light pollution is one of the most rapidly increasing types of environmental degradation. Light pollution maps enable the tracking of changes in light pollution across the country. Lights can account for between 15-30% of a council’s carbon emissions.

4.8. With few exceptions, everything we build is lit at night, including homes, streets and roads, bridges, commercial buildings, parking lots, etc. Sky glow, glare and light spillage can disrupt the behaviour of flora and fauna. Year on year, artificial lighting is increasing by about 6%.

4.9. This increase will exacerbate known and possible unknown effects of light pollution on human health, environment and on the visual perception of the Universe by humans due to the location, intensity, and wavelength of the emitted light at night.

4.10. TWBC’s strategy EN8 is to “maintain current level of lighting in rural areas.” The target is “no deterioration in dark skies mapping outside allocated areas.” The implication of this is that lighting levels will not be reduced with the new development, so the density of lighting could remain the same per area of construction, but as the area grows, it could spread the light pollution more widely.

4.11. Light pollution will be an insurmountable issue which will affect not only residents of the development but wildlife and biodiversity assets currently thriving. If this is proposed to be mitigated by reducing lighting density throughout the settlement, this would no doubt lead to more crime as has been the case in other “Garden Settlements”.

Policy EN18 - Rural Landscape

4.12. Several “roads” within Capel are included in the “Rural Lanes” Supplementary Planning Document.

4.13. It is unclear and no evidence produced how this Policy relates or supports in any way the Strategic Sites Policies. The plans WILL result in unsympathetic change to important rural lanes. A new by-pass will undoubtedly include street lighting as will settlements themselves. As such the evidence base to support the two sites and accompanying new road infrastructure is unsound.

Landscape

4.14. Save Capel has commissioned JFA Environmental Planning ("JFA") to prepare a 'Landscape Visual Assessment' of the proposed allocation site at East Capel. This appraisal considers the current visual and baseline context of Paddock Wood and East of Capel (STR/SS 1) and then assesses the potential impact of its removal from Metropolitan Green Belt designation on the existing landscape character area. The PSLP and supporting evidence base has been reviewed and the report, which informs this submission, is included as Appendix 6.

4.15. The review of the allocation proposal concentrates on the principle of development in this location which is presently Green Belt, the landscape's capacity to accept development, and the potential effects of the proposals on landscape character and viewpoints from the High Weald AONB.

4.16. This area in general is described in the TWBC 'Landscape Sensitivity' report as providing an *'important role in preserving separation from Five Oak Green and linear development extending out eastward from it'* (page 61).

4.17. As TWBC's Landscape Character Assessment has also stated, this is a *'sensitive location for development'*. Any large-scale development is likely to have considerable consequences for viewpoints to and from the High Weald AONB.

4.18. The scale of the present proposal seen in context with other potential and consented development will have harmful effects on the landscape character and openness within the setting of the High Weald AONB and Metropolitan Green Belt, which will be hard to mitigate. There are currently three consented smaller residential sites located on the southern and eastern built settlement edges of Paddock Wood (up to 1,126 homes), and another Garden Village proposal at Tudeley (2,800 homes).

4.19. These sites will have considerable and harmful cumulative effects on what is at present open countryside within the Metropolitan Green Belt.

4.20. This level of proposed development is inappropriate for this location even if the area is removed from Green Belt and will have the following consequences:

- *Encroach extensively into open countryside*

The proposed allocation site is situated in an area currently designated as Green Belt, a functional designation to prevent coalescence and maintain openness between settlements. Even if this area is removed from the Green Belt, the effects on the surrounding extant Green Belt will be detrimental, with a reduction in perceived openness and a perceived sprawl of development within the Low Weald landscape from Tonbridge to Paddock Wood;

- *Reduce the gap between settlements establishing coalescence*

Whetsted and Paddock Wood will appear to coalesce and the gap between Five Oak Green and Paddock Wood will be more than halved from approximately 1km to 400m. This reduced size of gap will be barely discernible at a distance and the full extent of cumulative development (consented and proposed) will be visually intrusive in views from adjacent higher ground;

- *Greenfield Development*

There are limited public transport facilities, and this is not a sustainable location;

- *Have a visual impact on views in and out from the historic settlements of Capel and Tudeley*

Both Tudeley and Capel are typical Low Weald hamlets recognised as retaining vernacular character and local distinctiveness. The proposal will impact on this character and visually impact on the setting of these historic settlements;

- *Impact on the setting of many Listed Buildings*

The hamlets of Tudeley and Capel which have grown up around Grade I churches, and the cluster of listed features and buildings associated with Badsell Manor Farm (less than 50m from development) will see visual impact and a degradation in their setting; and

- *High level of development into the immediate setting of the AONB*

The allocation site will have visual prominence in panoramic views from the High Weald AONB to the south. The urban/rural fringe boundary at Paddock Wood is already degraded by expansive and

inappropriately large-scale sprawling development on the south and western side, which is highly visible from certain viewpoints.

4.21. In paragraph 136 of the NPPF it says Green Belt boundaries should only be altered in 'exceptional circumstances' which are 'fully evidenced'. These proposals do not meet these requirements.

4.22. In conclusion, the scale of the present allocation site proposal at East Capel is inappropriate in scale and extent.

Heritage

4.23. *5.154 Whilst there are no listed buildings within the allocated sites, there are clusters of listed buildings adjacent to the site boundaries at Badsell Manor Farm, Whetsted, Mascalls Court, and south of Church Farm. The settings of these buildings form an important part of the heritage of the town. They are predominantly related to the agricultural and productive land history of the town, featuring some examples of oast houses (for drying of hops) and traditional farmsteads.*

4.24. The strategy itself makes no mention of heritage protection or enhancement. The above refers twice to "the town". Capel is not part of Paddock Wood Town.

4.25. The masterplan heritage section is lacking any detail. 9 small paragraphs to cover the whole subject.

"Site context"

4.108 *High concentration of oast houses around Paddock Wood*

4.109 *Except for a single building within the town centre allocation, no listed buildings lie within the draft allocations*

4.110 *There are clusters of listed buildings adjacent to the site boundaries at:*

- . *Badsell Manor Farm*
- . *Whetsted village*
- . *Mascalls Court*
- . *S of Church Farm*

4.111 *The settings of these buildings form an important part of the heritage of the town".*

4.26. No in-depth research has been undertaken regarding heritage assets, for instance Tudeley Brook Farm on the boundary of the site, although not listed is within the HER as an historic farmstead. Without a clear understanding of the area of the proposal the masterplanning has not been positively prepared.

4.27. Badsell Manor itself as previously noted has 13C origins and is of great local significance as a moated manor house in a lovely rural setting and is somewhat more than just "on the boundary" – DLA do not mention this fact but do refer to a site to the east of Paddock with the remains of a former moat which would suggest a downplaying of a valuable asset.

4.28. *4.114 "The setting of the listed heritage properties needs to be considered carefully with opportunities to create views towards these historic sites"*

Whilst views towards the manor for residents of the new town might be pleasant, views from the manor and its setting do not warrant a mention!

4.30. "A revision of ancient Woodland" TWBC 2007. Map 5 shows an area of ancient of woodland south of Lydd Farm and appears to be in the path of the proposed new FOG By-Pass. "Access and Movement" by Stantec shows the indicative path but not only omits showing ancient woodland but any trees.

4.31. No mention has been made of how the IAs (Important Areas) for noise identified by DEFRA on the A228 will be addressed. One IA is Dampiers roundabout which will be significantly exacerbated by the increase in vehicles and affect the setting of the cluster of HA's located at Badsell Manor, the other the IA which runs close to Whetsted again identified above as a cluster of HA's. Again, the masterplanning appears cursory with no clear understanding of the strategic sites and cannot be considered as positively prepared.

4.32. Our Heritage team has produced a comprehensive report (appendix 11).

Transport & Infrastructure

4.33. TWBC has engaged David Lock Associates (“DLA”) to prepare the masterplanning of Transport & Infrastructure for the Strategic Sites in the PSLP. This includes an assessment of the necessary infrastructure for three scenarios: (1) Paddock Wood and East Capel, and Tudeley Village both going forward; (2) Paddock Wood and East Capel only (this Policy); (3) Tudeley Village only (STR/SS 3).

4.34. DLA has recommended scenario (1) and this has been included in the PSLP. This would require substantial new infrastructure to mitigate the impact of planned development which is set out in DLA’s Infrastructure Framework (section 6 of its Main Report).

4.35. Due to multiple developers/promoters, there are huge risks associated with the delivery of STR/SS 1 which DLA acknowledge (para 5.70) *“is dependent on forms of cooperation, collaboration or equalisation between site promoters to ensure shared facilities and infrastructure are funded and provided in a timely manner. Additional work will be required to achieve this”*.

4.36. In addition, further strategic risks would arise in the deliverability of the PSLP as the development of STR/SS 1 is dependent on the funding of much of the essential infrastructure being shared with the delivery of Tudeley Village (STR/SS 3).

4.37. Given the scale of the proposed developments and new infrastructure required, Save Capel has engaged Motion Consultants Ltd (“Motion”) to provide an independent expert review. Motion’s report is an important part of this representation and can be found as Appendix 1.

4.38. Whilst the site in East Capel (STR/SS 1) is located near existing infrastructure (e.g. A228), the PSLP has failed to assess the cumulative impacts with the local plans of neighbouring LPAs, where development is proposed at Laddingford, adjacent to East Capel (MBC) and the effect of cumulative development in the Tonbridge borough on the local road network.

4.39. Centre to centre, Tudeley Village and East Capel / Paddock Wood are only 5km apart and they share the same transport environment with regards to highways, bus and rail. It is therefore extremely difficult to understand how many of the infrastructure interventions identified as necessary for Tudeley Village are not also necessary for East Capel / Paddock Wood, e.g. improvements to the B2017 on the approach to Tonbridge is required to support the Paddock Wood allocation, inter alia, to enable the safe passing of enhanced bus services.

4.40. Yet in the absence of Tudeley Village being developed in the same timeframe as East Capel / Paddock Wood, by implication the Infrastructure Plan does not require buses to be able to safely pass on the B2017 because it identifies no requirement for improvements on this section of the B2017.

The proposed Five Oak Green by-pass is not included if Tudeley is not delivered, and Table 13 of the DLA Main Report also excludes any mitigation measures in the village (proposed for Tudeley as item 25). With the proposed level of housing growth in Paddock Wood/East Capel this means that a *“safe and suitable access to the site can be achieved for all users”* (NPPF para 108) cannot be demonstrated and the Policy is **not consistent with the NPPF** and unsound.

4.42. The TWBC transport evidence base has significant inconsistencies between reports which claim to be assessing the same matters (see Motion report paragraphs 8.7 to 8.10). The consequence of this is that the total change in road traffic arising from the 3 Allocations (in Paddock Wood, East Capel and Tudeley Village) is not clear.

4.43. Motion considers that the true impact of road traffic arising from the 3 Allocations is under-estimated because the mode shift assumptions are inconsistent and either selectively or incorrectly applied.

4.44. Therefore, the proposed significant infrastructure interventions which are fundamental to the delivery of the 3 Allocations either do not effectively mitigate the impacts of the 3 Allocations and / or are commercially unviable.

4.45. The differences in the timing and allocation of infrastructure between the Masterplanning Report, the Stantec Study and the Sweco Study and the Viability Assessment are so great as to render the Viability Assessment otiose.

4.46. The proposed phasing and delivery of these allocations is not “effective” in soundness terms because the funding of “Infrastructure” before “Expansion” is not justified in the Plan. Several pre-occupation mitigations are considered necessary by Motion, which have not been appropriately phased in the Infrastructure Plan:

- . The FOG Bypass would be required. This is because the B2017 is unsuitable to safely accommodate increases in road traffic especially heavy vehicles such as pantechnicons;
- . The FOG Bypass is reliant on delivery of the A228 Colts Hill Bypass which would therefore need to be delivered in parallel with the FOG Bypass. The A228 Colts Hill Bypass would be required any way because the road in its current format cannot safely accommodate increases in road traffic;
- . The complete network of pedestrian and cycle routes and improvements will be required. This is because pedestrian and cycle infrastructure currently does not exist connecting the 3 Allocations to adjacent settlements; and
- . A comprehensive network of bus routes will be required. This is because the current bus provision fails to cater for the demands arising from strategic development.

4.47. In order to deliver this necessary infrastructure in a timely manner, Motion considers that it will need to be advance funded by the public purse. There is no mechanism identified in the evidence base to explain how this will be achieved. Nor is there a commitment by TWBC that the public purse will be made available to cover the shortfall in infrastructure funding early in the Plan period.

4.48. Motion concludes that as proposed, the proposed residential allocations at Tudeley Village, East Capel and Paddock Wood, either in isolation or cumulatively, will result in:

- . Cumulative residual impacts on the road network which are severe; and
- . Unacceptable impacts on highway safety.

4.49. These are the tests set out in paragraph 109 of the NPPF for refusing planning permission for a development. As a consequence, there is no prospect of planning permission being granted for development at Tudeley Village, East Capel and / or Paddock Wood.

4.50. The proposed allocation at East Capel should therefore be removed from the Local Plan as it is not effective in terms of soundness and **undeliverable**.

Biodiversity

4.51. TWBC accept there will be 'perceived' coalescence between Paddock Wood (PW) at East Capel and Five Oak Green (FOG).

4.52. Whetsted Wood is vital to wildlife, but housing to the north and flood mitigation to the south, mean habitat and movement will be severely restricted.

4.53. The flood mitigation area to the south is also described as a 'Wetlands Park'. This will border the A228, which could become a danger to drivers and wildlife should retention fail in this flood-prone area.

4.54. Other DLA claim is there will be '...ecological and landscape enhancements as part of the exceptional circumstances case for the release of this Green Belt land...' Without description this is merely aspirational.

4.55. The loss of habitat and encirclement of East Capel by housing and road networks makes biodiversity gain seem impossible; it is therefore not surprising there is no clear indication as to how it will be achieved. Wetlands are no alternative to field and woodland fauna and flora.

Fauna & flora

4.56. Endangered species are present within the Capel sites, including EU protected species (Great Crested Newts, Dormice, Bats and Badgers).

4.57. Habitat loss: the proposals can only exacerbate the decline through removal of suitable habitat for field and ground-nesting birds, which will be squeezed in all directions by the developments and gravel excavations.

4.58. Four species of owl also occur in the area (Tawny, Little, Barn, Long-eared), an unusually diverse number and any loss is a serious conservation concern.

4.59. All these species should be taken into consideration by a public body performing its functions with a view to conserving biodiversity. However, there is little in the Local Plan to confirm mitigation measures beyond a 'wetlands park' in East Capel and HE's vague promises.

4.60. Rare plants include the Greater Butterfly Orchid and the True Fox Sedge (both are on the Vascular Plant Red Data List for Great Britain).

Domestic pets

4.61. Ownership: pre-pandemic 26% of the population owned a cat, 24% a dog; this has increased by 11%. (4,800 homes = 1,500 cats/1,400 dogs).

4.62. Off-lead dogs disturb ground-nesting birds and dog faeces over-enrich soil, encouraging plants like nettles, which outgrow specialist fauna.

4.63. The Mammal Society estimates UK cats catch 275 million prey a year; 27 million are birds but wild mammals, reptiles and amphibians are also killed in large numbers.

4.64. A cat can roam between 100m to 3km. This brings the RSPB reserve at Tudeley Woods and the rich Medway flood zone into the feline hunting zone. The impact on wildlife of cats will be devastating.

Summary

4.65. Policy EN9 recognises that important habitats and protected and notable species are not confined to designated sites but can be found on any site (Page 356 PSLP). The evidence gathered above supports and endorses this fact. However, the plan does not demonstrate that the strategic sites will in any way manage, conserve nor enhance biodiversity. At best the proposals are aspirational at worst destructive.

4.66. Our research team has prepared a comprehensive report on biodiversity (appendix 12).

Flood risk, water supply, & sewerage

4.67. Save Capel submitted a comprehensive flood risk, water supply, & sewerage report prepared by our research team at Regulation 18 (see appendix 13) which identified several issues with the site allocation at East Capel (then identified as PW1). These remain relevant and can be summarised as :

- . The plan does not demonstrate that the proposed development will provide wider sustainable benefits that outweigh flood risk, nor that it will be “safe for its lifetime”. The sustainability of any residential development should be considered over a minimum of 100 years. Therefore, the plan does not justify that this site, in such a location that requires measures to mitigate its flooding risk on a floodplain, will not flood in its lifetime, especially with the climate change uncertainties that must be considered.
- . TWBC has not demonstrated how the proposed mitigation measures will ensure that the development will not cause flooding in the vicinity or further down river. The loss of flood water storage in the agricultural terrain and run-off/drainage from the buildings and hard surfaces will certainly increase the flood risk to all surrounding areas.
- . The proposed development on the floodplain is in direct contrast with the policy of using the Sequential approach of locating development away from watercourses. The opportunity to restore floodplain in previously developed areas is extremely limited. Even re-wilding the flood plain would not protect the areas from surface water, drainage, and groundwater flooding together with the risks of sewage system failures and reservoir breaches.
- . The proposed development of housing, commercial, and associated infrastructure in T&M Borough will already lead to considerable additional water flows to the Medway and the floodplain. The cumulative effect on flooding has not been assessed.
- . The SFRA assesses the proposed flood defence as increasing the flood risk notably, within the now proposed major residential part, given the increase in flows across the railway line onto the north of the parcel. Flood risk also increases to the existing west Paddock Wood properties. It is difficult to see how any effective further flood defences could be formed given that most of the flooding is simply caused by rain falling on the site faster than it is able to be absorbed due to the nature of the soil. Some water may flow onto the site from adjacent areas but to block this would result in unacceptable problems for those areas.
- . The raising of occupied floors of buildings (FFLs) above ground level so that a relatively unobstructed flow route under buildings may substantially reduce flood depths. The SFRA states “*This measure was not implemented as it was agreed with the council that it would be unlikely to be deliverable given the scale and type of development being proposed*”. There have been several relevant developments recently in Capel where the EA has insisted on raised floor levels and containment (tanks, swales, etc.) with restricted discharge.
- . The raised levels facilitate the construction of containment tanks and other SuDS initiatives that should be included in the masterplanning. The proposed approach is unsound and comprehensive SuDS are required to mitigate the flood risk of the development on this fully functional floodplain and to ensure pre-treatment of contamination risk prior to infiltration.

4.68. The masterplanning for Paddock Wood (STR/ SS 1) has acknowledged some of these issues and a technical note has been included from JBA which updates its SFRA.

4.69. The notable changes in the PSLP version include the installation of conveyance channels north of the railway and, significantly, the removal of the potential strategic storage parcels to the south of the masterplan site at East Capel.

4.70. This storage would have greatly reduced the flows down Tudeley Brook and mitigate the frequent flooding events that cause so much disruption along the B2017 from the roundabout with the A228. This area is hugely significant to the increasing traffic flows from existing developments and those now proposed. The mitigation proposed within the site will have no effect.

4.71. FFLs should be set to the higher of a minimum of 600mm above the 1 in 100-year (1% AEP) plus climate change peak flood level, or 300mm above the general ground level of the site. The proposals still exclude this specification, and the Policy is therefore not deliverable. The additional build costs together with SuDS requirements will affect the viability and it is unclear how these costs have been assessed in the justification of the allocation.

4.72. JBA have assessed two options, Option 1 with development in Flood zone 2 being chosen in the PSLP. Their mapping shows that, even with the conveyance channels, increased flows will result outside the masterplan area and therefore run-off rates 'better than greenfield rates' is not demonstrated.

4.73. With the floods that have occurred in many parts of the country, and the publicity they have received, potential customers may well avoid purchasing in low lying areas where such flood risk exists. Insurance cover for flooding is likely to be difficult, expensive or even impossible to obtain, and houses built after 2009 cannot benefit from the Flood Re. Scheme.

4.74. Save Capel submits that this allocation Policy is not effective nor consistent with national policy and is therefore unsound.

Water supply

4.75. At present the water supplying the Capel/Paddock Wood area (WRZ7) is taken from Trottiscliffe and the surrounding areas (from groundwater) where it is treated. This supply is then transported via strategic mains to a storage reservoir at Bour Beech (Seven Mile Lane), then onto the Paddock Wood Service reservoir (Geddes Hill) and then out to supply the local areas. Occasionally the water is also taken from Bewl Water (a surface reservoir) and transferred to the area via trunk mains and a storage reservoir.

4.76. South East Water (SEW) has stated that the same sources will be used in the future and forecasts for WRZ7 show there would be a deficit in the amount of water available to supply the growing demand by 2030.

4.77. Whilst SEW has stated that there is sufficient capacity in the existing network to supply the planned developments in East and Central Paddock Wood, there will also be large strategic mains installed to take surplus water from a new source of water at Aylesford towards Beech reservoir by 2023.

4.78. This will allow more water to be transported in and around the WRZ7 area via the large strategic mains and to support the expected growth in consumption at East Capel. For the new source at Aylesford some of the existing network between Beech and Paddock Wood will need to be reinforced.

4.79. The Water Act enables SEW to charge developers for contributions towards any reinforcement and new mains required as a result of new development to ensure it maintains levels of service for both new and existing customers. The cost of contribution is based upon the cost of both on-site and off-site mains less all the revenue SEW receives over the first 12 years for the new properties.

Sewerage

4.80. There is a single treatment plant that serves Capel, Paddock Wood, and surrounding areas which is located at Rhoden, Paddock Wood. The total catchment area is approximately 3,600ha, with an elevation range of 7mAOD to 149mAOD and the sewerage system is primarily separate.

4.81. The Paddock Wood foul drainage system is split into two distinct areas by Tudeley Brook. The western area comprises of the village of Five Oak Green and several hamlets and farms to the south, connected to the network by a terminal SPS. In Paddock Wood piped flows drain north east to two terminal SPS discharging to the treatment works.

4.82. Sewerage from Five Oak Green is pumped to the treatment plant at Paddock Wood by a pumping station situated between Oak Road and Larkfield. There is a catchment tank which can hold enough to give time to bring tankers if the station fails. Failure occurs on a regular basis due to plant age, pipe failure both upstream and downstream, or power supply failure.

4.83. Sewer flooding is already a regular problem within Paddock Wood/Five Oak Green and, due to lack of investment over many years, the current system is already at capacity. Recent developments have been delayed/suspended as Southern Water (SW) is working with developers on additional storage capacity solutions as any further connectivity to the current infrastructure will seriously compromise existing users.

4.84. Existing sewers have already become overloaded as new developments add to the discharge to their catchment, due to incremental increases in roofed and paved surfaces at the individual property scale and sewer flooding is already a major problem. New homes are being built and connected to a sewerage system that is already so inadequate that it results in sewage flowing through the streets and the flooding of existing properties. The overload of the current network has unacceptable, unhealthy and frankly disgusting consequences for residents.

4.85. SW note that treatment capacity is currently limited at Paddock Wood, and the levels of development proposed exceed the current catchment forecast. The level of growth outlined at this stage for Paddock Wood will more than double the size of the catchment, triggering the need for investment in network and treatment capacity solutions.

4.86. Whilst land around the existing plant has been safeguarded for necessary expansion, SW do not currently have an allocated budget for any extension and have not provided any guidance on its expected delivery.

4.87. Developer contributions for local sewerage infrastructure will be secured through the New Infrastructure Charge. Additional investment in wastewater treatment works is funded by SW through the water industry's price review process as agreed by Ofwat.

4.88. It is essential that the upgraded water and sewerage infrastructure is provided in a timely manner and the Infrastructure Plan is lacking convincing detail to justify this.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? Yes, I wish to participate in hearing session(s)

Question 7a

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If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Save Capel has sought to be actively involved in engaging with the Council throughout this review of the Local Plan. As a group we have developed particular expertise and have undertaken significant and extensive research in respect of the effects of the policies to which we have made representations. We consider that we will be able to assist the Inspector(s) examining the final submission significantly.

Question 8

If you have any separate comments you wish to make on the accompanying Sustainability Appraisal, please make them here.

Sustainability Appraisal for Tudeley Village & Paddock Wood / East Capel

2.36. The Sustainability Appraisal of each site is based on 19 sustainability objectives ("SO"). Each objective is supported by 2-5 detailed and specific decision-aiding questions. In total there are 62 sub-questions based on a mix of subjective and objective criteria.

2.37. Working through these granular 62 sub-questions should result in a reasonably objective and transparent Sustainability Appraisal for each site.

2.38. There are two separate Sustainability Appraisals published for Tudeley Village and Paddock Wood / East Capel. Both are high-level assessments at the 19 strategic objective level – there is no link to nor any evidence of an assessment at the 62 sub-question level for either site!

2.39. Validating the Sustainability Appraisals for Tudeley Village and Paddock Wood / East Capel and considering the 62 sub-questions yields a fundamentally different outcome to TWBC's proposal in both cases: TWBC results appear to be entirely unreasonable and unsound.

[TWBC: for table, please see full representation attached as a supporting document]

2.40. For Tudeley Village - in summary at the 19 SO level (also see table above):

TWBC proposes 10 positive, 3 neutral and 6 negative scores

A bottom-up assessment reveals 4 positive, 1 neutral and 14 negative scores

2.41. For Paddock Wood / East Capel - in summary at the 19 SO level (also see table above):

TWBC proposes 10 positive, 3 neutral and 6 negative scores

A bottom-up assessment reveals 3 positive, 3 neutral and 13 negative scores (for East Capel only)

2.42. We respectfully submit that TWBC's assessment of both sites is flawed, illogical and not defensible when assessing the underlying criteria.

2.43. On a side note: It is curious that in TWBC's assessment both sites are rated with near identical scores across all criteria. While this is possible in theory, it is - given the differences between both sites - statistically-speaking highly unlikely. We cannot prove and only speculate on whether this is indicative of a pre-determined answer being approved due to its convenience. However, we can unequivocally state that TWBC's assessment of both sites is superficial and simply wrong.

2.44. For a more detailed comparison and an evidence-based rationale for each score at the 62 sub-question level please refer to the 'Alternative Sites Report' in Appendix 8.

Sustainability Appraisal for Alternative Selected Sites

2.45. As mentioned under 2.22, TWBC considered several other strategic sites that – in our view mistakenly – were ruled out earlier in the plan-making process.

2.46. As a result, TWBC did not conduct a sustainability appraisal for any of these sites. There are no published sustainability results, neither at the 19 SO nor at the 62 sub-questions level for any site.

2.47. Given the flawed assessment and poor sustainability scores for Tudeley Village and East Capel, Save Capel decided to reinvestigate these sites as potential alternatives.

2.48. Given Save Capel's limited resources we decided to focus on 2 specific sites – Castle Hill (also located in Capel Parish) and Blantyre House.

2.49. In summary at the 19 SO level (see table below):

A bottom-up assessment for Castle Hill reveals 7 positive, 7 neutral and 5 negative scores

A bottom-up assessment for Blantyre House reveals 8 positive, 6 neutral and 5 negative scores

2.50. A comparison to Tudeley Village and East Capel reveals that both alternative sites are far more sustainable and preferable. Castle Hill in particular feels like a – more sustainable – direct replacement for Tudeley Village.

2.51. We also strongly suspect that some of the other strategic sites such as Horsmonden would also turn out to be more sustainable than Tudeley Village and / or East Capel if subjected to a detailed, objective review. Unfortunately, this was not conducted by TWBC and Save Capel does not have the resources to replicate the analysis for all sites in time for Regulation 19.

2.52. For the assessment and an evidence-based rationale for each score at the 62 sub-question level for Castle Hill and Blantyre House please refer to the 'Alternative Sites' report in Appendix 8.

[TWBC: for table, please see full representation attached as a supporting document]

2.53. Key findings from Save Capel's 'Alternative Sites' report are:

The Sustainability Appraisals for Tudeley Village and East Capel are unreasonable based on TWBC's own criteria and any objective assessment

The Sustainability Appraisals for Tudeley Village and East Capel are inconsistent with the assessments of other SHELAA/strategic sites

Both Castle Hill and Blantyre House are more sustainable sites offering a similar housing potential as Tudeley Village / East Capel

Of the 437 unique sites submitted for inclusion in the SHELAA process, 323 sites were rejected by TWBC.

Based on a review of 90 rejected sites in 3 representative parishes, we recommend to re-consider 43 'rejected' sites for inclusion in the Plan INSTEAD of Tudeley Village / East Capel.

These 43 sites provide a total incremental housing potential of ca. 2,270 units (based on a conservative 30 dph). All are more sustainable than Tudeley Village / East Capel.

An analysis of 7 selected high potential sites reveals a potential housing yield of up to 10,000 dwellings through the use of alternative housing solutions.

If you would like to attach a file in support of your comments, please upload it here.	<u>PSLP 1964 & 1973-1987 Knights Solicitors for Save Capel SI-1 Cover Letter.pdf</u>
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If you would like to attach a file in support of your comments, please upload it here.	<u>PSLP 1964 & 1973-1987 Knights Solicitors for Save Capel SI-2 Representation.pdf</u>
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Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:	Yes, I wish to be notified of future stages of the Local Plan
--	---

Supporting Information File Ref No: SI_131a-c

Comment

Agent	Mr Simon Bell ([REDACTED])
Email Address	[REDACTED]
Company / Organisation	Knights Solicitors
Address	Regency House 25 High Street Tunbridge Wells TN1 1UT
Consultee	Save Capel ([REDACTED])
Email Address	[REDACTED]
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Save Capel ([REDACTED])
Comment ID	PSLP_1981
Response Date	03/06/21 18:51
Consultation Point	Policy STR/SS 2 The Strategy for Paddock Wood Town Centre (View)
Status	Processed
Submission Type	Email
Version	0.6
Files	PSLP_1964 & 1973-1987_Knights Solicitors for Save Capel_SI-3_Appendices.pdf PSLP_1964 & 1973-1987_Knights Solicitors for Save Capel_SI-1_Cover Letter.pdf PSLP_1964 & 1973-1987_Knights Solicitors for Save Capel_SI-2_Representation.pdf
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Save Capel
Question 2	

Agent's Name and Organisation (if applicable) Knights Solicitors

Question 3

To which part of the Local Plan does this representation relate? Policy

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR/SS 2 The Strategy for Paddock Wood Town Centre

Paragraph No(s) 5.153-5.229

Policies Map (Inset Map No(s)) 30

[TWBC: for further comments by Save Capel, please see Comment Numbers PSLP_1964 and PSLP_1973-1987]

Question 4

Do you consider that the Local Plan:

Is legally compliant No

Is sound No

Complies with the Duty to Cooperate No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not positively prepared
- . It is not effective
- . It is not justified
- . It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

Please see attached: "Representation by Save Capel under Regulation 19", dated 3rd June 2021, and Appendices

[TWBC: the following extract is from "Representation by Save Capel under Regulation 19" - for the full representation and appendices, please see supporting documents]

1 **STR/SS 2 The Strategy for Paddock Wood Town Centre**

5.1. Masterplanning for this allocation policy is NOT in the public domain although considerable work has been undertaken on it. It will only be available as an SPD at a later stage.

5.2. It is therefore not justified that this policy is consistent with STR/SS 1.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . Yes, I wish to participate in hearing session(s)

Question 7a

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If you would like to attach a file in support of your comments, please upload it here. [PSLP 1964 & 1973-1987 Knights Solicitors for Save Capel SI-3 Appendices.pdf](#)

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Comment

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Comment ID	PSLP_1982
Response Date	03/06/21 18:51
Consultation Point	Policy STR/SS 3 The Strategy for Tudeley Village (View)
Status	Processed
Submission Type	Email
Version	0.8
Files	PSLP_1964 & 1973-1987_Knights Solicitors for Save Capel_SI-1_Cover Letter.pdf PSLP_1964 & 1973-1987_Knights Solicitors for Save Capel_SI-3_Appendices.pdf PSLP_1964 & 1973-1987_Knights Solicitors for Save Capel_SI-2_Representation.pdf
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Save Capel
Question 2	

Agent's Name and Organisation (if applicable) Knights Solicitors

Question 3

To which part of the Local Plan does this representation relate? Policy

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR/SS 3 The Strategy for Tudeley Village

Paragraph No(s) 5.153-5.229

Policies Map (Inset Map No(s)) 31, 32, 33, 34

[TWBC: for further comments by Save Capel, please see Comment Numbers PSLP_1964 and PSLP_1973-1987]

Question 4

Do you consider that the Local Plan:

Is legally compliant No

Is sound No

Complies with the Duty to Cooperate No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not positively prepared
- . It is not effective
- . It is not justified
- . It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

Please see attached: "Representation by Save Capel under Regulation 19", dated 3rd June 2021, and Appendices

[TWBC: the following extract is from "Representation by Save Capel under Regulation 19" - for the full representation and appendices, please see supporting documents]

6. STR/SS 3 The Strategy for Tudeley Village

6.1. Save Capel submits that this Policy, and the substantial contribution of this allocation to the overall Growth Strategy, is **unsound in its present form** for the following reasons;

It is **not positively prepared** because;

- . Its OAN has been based on out-of-date statistical data and has failed to reflect the Borough's constraints of green belt and flood zones in establishing its planned need.
- . Exceptional circumstances exist in the Borough which would allow a departure from the 'standard method'.
- . TWBC did not approach other LPAs, including those outside the HMA with less constraints, to establish whether they could take any 'unmet need'.
- . It has not considered truly local needs and is not 'objectively assessed'.
- . It has disregarded local public opinion expressed in responses at Regulation 18 and the 'Vision for Capel' questionnaire in the preparation of the Capel Neighbourhood Plan, which has direct bearing on the siting of new housing.
- . The Plan has not considered the cumulative impact with the local plans of neighbouring LPAs, particularly on transport & infrastructure.
- . TWBC has failed to get the support of Tonbridge & Malling who will be most affected by the increased traffic and demand for services.

It is **not justified** because;

- . A revised OAN target using the latest government statistics would result in a lower OAN and thus, less pressure on the Plan to consider development on constrained areas.
- . 'Windfall sites' are understated which has not reflected the recent changes in legislation that promotes the change of use of urban sites to residential. The strategy ignored sites with less than 10 units which should have been considered for allocation.
- . It has failed to rigorously identify all other brownfield opportunities, including those resulting from the changing need for office/retail space. In particular, post-covid changes.
- . The review of town centre regeneration (scheduled for around 2025) should be reflected in the growth strategy needs now.
- . It is not demonstrated that a garden settlement at Tudeley is the most appropriate strategy and reasonable alternatives have not been considered fully before developing this green belt.
- . The Sustainability Appraisal for Tudeley is flawed and has not been evidenced by an assessment at the 62 sub-question level.
- . The division of the settlement by the railway does not meet 'garden settlement principles'.
- . It fails to acknowledge the cumulative effect of increased transport from housing and adjacent quarry development in a balanced way. It ignores key evidence of traffic safety impacts associated with HGVs using inadequate local roads, most of which are narrow country lanes, and fails to acknowledge the issue of pollution associated with increased vehicular traffic including HGVs.

It is **not effective** because;

- . It is not evidenced by a statement of common ground with neighbouring TMBC.
- . It is relying heavily on two strategic sites (including this allocation) in unsustainable locations for delivery of its housing target which represents an unacceptable risk for the borough.
- . This allocation is proposed to deliver 150 units by 2025/2026 which is optimistic and affects the 5-year supply requirement.
- . It relies entirely on the deliverability of substantial infrastructure where the evidence base documents are inconsistent, contradictory and unrealistically optimistic.
- . The evidence does not support the extent of infrastructure interventions required to deliver sustainable development and the Infrastructure Plan does not effectively mitigate the impacts of the STR/SS 1 development and/or is commercially unviable.
- . There is no demonstrated commitment to "I" Before "E" with key community and transport infrastructure being 'medium or long-term' and a reliance on s106 funding.
- . The necessary flood mitigation and potential new sewerage treatment plant is likely to affect the developable area and the deliverability of 2,800 homes.

It is **not consistent with the NPPF**, specifically in respect of the nature of the Tudeley garden settlement and its planned development;

- . Exceptional circumstances exist in the Borough which would allow a departure from the 'standard method'. This could avoid development on this green belt.
- . The evidence presented does not support the conclusion that the site 'on balance' meets Sustainability criteria (i.e., on social, environmental and economic grounds).

- . There are “severe” traffic impacts, which have not been adequately mitigated, and the impacts of which will be social (access to services), environmental (such as road safety and air pollution), and economic (congestion will cause delays, with economic cost). The Plan does not meet the tests set out in the NPPF (para 109) and is undeliverable.
- . It has not been prepared following the guiding principle in NPPF that ‘... local people ... can produce their own [local] plans which reflects the needs and priorities of their communities.’
- . Green Belt boundaries should only be altered in ‘*exceptional circumstances*’ which are ‘*fully evidenced*’ (NPPF para 136). These proposals do not meet these requirements.
- . TWBC has not conducted a LVIA for the site nor any adequate landscape sensitivity analysis. The site should be considered as a ‘valued landscape’ within NPPF terms and of VERY HIGH value in landscape assessment terms.
- . The Plan has failed to adequately assess the impact on heritage assets and their setting, including All Saints Church with its world-renowned unique ‘Chagall windows’.
- . It does not demonstrate that the development will any way manage, conserve nor enhance biodiversity.
- . The ‘betterment’ of flood mitigation to existing properties in Five Oak Green is not substantiated and the justification for green belt removal unsound.

6.2. This Policy and its supporting evidence base have been reviewed, together with the Tudeley Delivery Strategy prepared by Hadow Estates. TWBC has confirmed that *“it is their work which is relevant to the PSLP but not produced for TWBC as an evidence base document”* but *“it is material to the allocation”*. In addition, the Strategic Sites topic paper states that this report *“has evolved through a process of engagement with TWBC”* and *“provides a clear and robust approach”*.

6.3. Whilst the level of detailed evidence required to support an allocation in the local plan is not the same as for the subsequent SPDs and a planning application, Save Capel submits that compliance with all regulations (including the NPPF) and all evidence should be tested at the Inspection stage. We strongly argue that the failure to meet any of the above would inevitably result in sufficient harm which would mean that any subsequent planning application for the site would necessarily be refused.

6.4. These arguments are explained further under the following topic areas.

Consistency with other policies

6.5. This representation acknowledges the objectives of TWBC and supports many of the policies set out in the PSLP. However, the allocation at Tudeley (STR/SS 3) directly contradicts several other policies and is inconsistent with much of the evidence base.

Policy EN4 - Historic Environment

6.6. This Policy uses terms such as “have regard, where possible, consideration” words that do not convey any surety that the Policy will safeguard our unique historic environment despite acknowledging that it is an irreplaceable asset. The sheer scale of the change of setting from rural to urban in Capel with 4000+ houses does not show “sensitivity”.

Policy EN5 - Heritage Assets

6.7. It is to be expected that TWBC abide by this policy and recognise the significant harm that the LP as it stands will cause. Housing need alone cannot be used as any justification. Given the scale of the proposals the setting of many assets will be significantly harmed.

Policy EN8 - Outdoor Lighting and Dark Skies

6.8. Light pollution is one of the most rapidly increasing types of environmental degradation. Light pollution maps enable the tracking of changes in light pollution across the country. Lights can account for between 15-30% of a council's carbon emissions.

6.9. With few exceptions, everything we build is lit at night, including homes, streets and roads, bridges, commercial buildings, parking lots, etc. Sky glow, glare and light spillage can disrupt the behaviour of flora and fauna. Year on year, artificial lighting is increasing by about 6%.

6.10. This increase will exacerbate known and possible unknown effects of light pollution on human health, environment and on the visual perception of the Universe by humans due to the location, intensity, and wavelength of the emitted light at night.

6.11. TWBC's strategy EN8 is to “maintain current level of lighting in rural areas.” The target is “no deterioration in dark skies mapping outside allocated areas.” The implication of this is that lighting

levels will not be reduced with the new development, so the density of lighting could remain the same per area of construction, but as the area grows, it could spread the light pollution more widely. Due to the openness and sloping nature of the Tudeley site, this policy is not achievable.

6.12. Light pollution will be an insurmountable issue which will affect not only residents of the development but wildlife and biodiversity assets currently thriving. If this is proposed to be mitigated by reducing lighting density throughout the settlement, this would no doubt lead to more crime as has been the case in other "Garden Settlements".

Policy EN18 - Rural Landscape

6.13. Several "roads" within Capel are included in the "Rural Lanes" Supplementary Planning Document. The proposed Five Oak Green by-pass is very significant.

6.14. Sherenden Road (No 125) will become the main road through what would be the new town of TGV and Hartlake Road (no 124) is the western boundary to this strategic site. Both are amongst the most highly scoring lanes in the borough. Hartlake Road is in the top 5% for historic value (Appendix NN 4) whilst both Sherenden and Hartlake in the top 10% for high landscape and amenity value (Appendix NN 3) 5 SPD "Rural Lanes"

6.15. Sychem Lane (no. 127), Church Lane (No 128) and Alders Road (no 126) will be adversely affected by the proposed FOG by-pass and fall within the top 10% or 20-30% historic, amenity or landscape value.

6.16. It is unclear and no evidence produced how this Policy relates or supports in any way the Strategic Sites Policies. The plans WILL result in unsympathetic change to important rural lanes. A new by-pass will undoubtedly include street lighting as will settlements themselves. As such the evidence base to support the two sites and accompanying new road infrastructure is unsound.

Landscape

6.17. The development of the proposed Tudeley Village allocation (STR/SS 3) would result in substantial harm to the landscape, harm to the High Weald AONB and its setting, and harm to the Green Belt. None of these harms have been adequately assessed by the Council.

6.18. The extent of visibility of the site from the surrounding area including the immediately adjacent AONB has not been adequately considered, but it will have a considerable effect given the wide, open, and prominent nature of the local landscape.

6.19. The policy and supporting evidence base do not justify that the allocation would meet the test of soundness. Appropriate and proportionate evidence on landscape, heritage, and other environmental implications has not been provided.

6.20. TWBC has not conducted a LVIA for the site, unlike other sites in this Plan, which is particularly damning given it is the largest allocation in the local plan. This is inconsistent with the approach taken by other LPAs in their local plans, e.g. neighbouring Tonbridge & Malling who has conducted a number of LVIA's for smaller strategic sites often with fewer 'sensitivity' issues.

6.21. TWBC has not carried out any adequate landscape sensitivity analysis which is a serious omission. Neither landscape nor ecological significance have been addressed by TWBC in any meaningful way and the proposed masterplan includes features that TWBC's own AONB setting report [14a] has identified as being particularly harmful.

6.22. Save Capel strongly argues that this site should be considered as a 'valued landscape' within NPPF terms and of VERY HIGH value in landscape assessment terms.

6.23. Save Capel also considers the susceptibility and sensitivity of the landscape of the Tudeley site to both be VERY HIGH. The tranquillity of the site and the open surrounding area including the adjacent parts of the AONB would be seriously and adversely affected by the proposed development. The AONB, its setting and the rural character of the B2017 which forms its boundary would be harmed and the overall level of harm to the Green Belt would be VERY HIGH.

6.24. Save Capel submits that the allocation at Tudeley does not accord with the NPPF, in that it fails to protect valued landscapes as required by paragraph 170 and would result in inappropriate development that would be harmful to the Green Belt, contrary to paragraphs 143 and 144.

Heritage

6.25. 7. *Require a high-quality layout and design. In particular:*

a. consideration should be given to the key landscape characteristics, views, and the setting of the High Weald Area of Outstanding Natural Beauty;

b. particular respect should be given to the setting of heritage assets, especially All Saints Church;

6.26. This strategy gives no detail as to how any impact on heritage assets and their unique settings might be mitigated. ‘Consideration’ and ‘respect’ are as meaningless as the promoter’s intention to create “*a dialogue between All Saints Church and the proposed new school opposite it*”. No evidence offered as to support “respect” or context.

6.27. All Saints Church is of particular importance. Unique HA as the only church in the world to have ALL its windows designed by Marc Chagall. Impact on the setting is significant. Significant concerns regarding the impact of crime & damage from vandalism. Measures to protect the windows (bars or mesh) would detract from their artistic integrity. Unique tranquil setting lost for ever and noise pollution from both traffic and a new population of several thousand. Paraphernalia associated with suburbia. Light pollution from a new town and damage caused by construction of town to the fabric of the building, sub surface vibration from HGVs.

6.28. **Hadlow Estates Masterplan**

“Existing buildings and Heritage Constraints

The are several existing buildings on site. Some are owned by HE. These include a collection of buildings in the centre of the site at Bank Farm. Where the estate owns the buildings, they have been included in the red line of plan of the site. Other existing buildings are in private ownership.....they will exist within or on the edge of the TV dev, and the masterplan has been designed to ensure a good interrelation between these buildings and the new development. An example of these buildings include The Old Schoolhouse (now privately owned) ...a large oasthouse on the sw boundary....” “some of these buildings are heritage assets that have been assessed as part of a wider study. The heritage constraints and opportunities across the site are well understood, and the masterplan has been developed to protect, respect and where appropriate celebrate these assets”. Page 306 Tudeley Village Delivery Plan

6.29. The words “listed building’ are missing from the delivery plan & it is not mentioned above that Bank Farm is a listed building.

6.30. Lilley Farmhouse and barn (both at the centre of the new town) Tudeley Hall and Crockhurst Farm to name a few do not warrant a mention. Where is the mentioned assessment of heritage assets “as part of a wider study”? Why is this not attached to the evidence base?

6.31. The Constraints Map on page 35 of the section entitled Masterplan has included 5 purple dots in the key to indicate listed buildings. These are owned by the Hadlow Estates. Sherenden Farmhouse and Lilley Barn are absent. On the boundary but surrounded by new housing on all three sides are Tudeley Hall and of course the G1 “All Saints Church”. To not address or even acknowledge the impact of a new town is highly questionable. (NB Lilley Barn is not individually mentioned as being listed by Historic England but TWBC states it falls under the Lilley Farmhouse listing as within its curtilage & setting.14/504358/FULL).

6.32. An assessment of the impact of a new town on the Chagall windows, as the greatest asset in the borough, should have been commissioned. As it stands the plan does not robustly demonstrate that the windows will be conserved and enhanced in any meaningful way let alone not be damaged.

6.33. Our Heritage team has produced a comprehensive report (appendix 11).

Transport & Infrastructure

6.34. TWBC has engaged David Lock Associates (“DLA”) to prepare the masterplanning of Transport & Infrastructure for the Strategic Sites in the PSLP. This includes an assessment of the necessary infrastructure for three scenarios: (1) Paddock Wood and East Capel, and Tudeley Village both going forward; (2) Paddock Wood and East Capel only (STR/SS 1); (3) Tudeley Village only (this Policy).

6.35. DLA has recommended scenario (1) and this has been included in the PSLP. This would require substantial new infrastructure to mitigate the impact of planned development which is set out in DLA’s Infrastructure Framework (section 6 of its Main Report).

6.36. Strategic risks would arise in the deliverability of the PSLP as the development of Tudeley village is dependent on the funding of much of the essential infrastructure being shared with the delivery of Paddock Wood and East Capel (STR/SS 1). This is unusual and, when viewed as a planning application, would likely be considered as not “effective” and not “viable”.

6.37. Given the scale of the proposed developments and new infrastructure required, Save Capel has engaged Motion Consultants Ltd (“Motion”) to provide an independent expert review. Motion’s report is an important part of this representation and can be found as Appendix 1.

Road Infrastructure

6.38. The site is isolated and the B2017 is the only highway access to and from Tudeley Village. It is also the main vehicular connection between East Capel / Paddock Wood and Tonbridge. The route is currently signed as unsuitable for HGV traffic and is inadequate to accommodate two-way bus movements due to its rural nature. The approach to the A26 junction is already approaching the absolute capacity of a road of this nature. During peak periods, extensive queueing can already be observed on its approaches and also at the Hartlake Road / B2017 approach.

6.39. This is in part acknowledged by DLA in the Plan and items are included for:

- . Highway improvements to the A26/B2017 roundabout (£1.5M);
- . Widening of B2017 – SE corner of Tudeley Village to A26 (£3.1M); and
- . Five Oak Green (FOG) Bypass (£8.86M).

6.40. Motion has determined that these mitigations are totally inadequate and fail to provide the necessary width and alignment improvements. In order to maintain the current performance of junctions on the B2017 and, in particular, the B2017 / A26 roundabout, the available carriageway space will need to be doubled. This would mean providing 2 traffic lanes in each direction on the B2017 and potentially the same on the A26.

6.41. Furthermore, the B2017 is unsuitable for use by commercial construction vehicles and Hartlake Road has a 7.5tonne weight restriction. Therefore, some width and alignment improvements will be required prior to commencing any work on site in order to provide a safe and suitable route for construction traffic to access Tudeley Village.

6.42. The FOG by-pass would meet the B2017 at a major new roundabout junction immediately adjacent to Capel Primary School. No preliminary assessment is presented setting out the potential adverse health impacts affecting primary age children as a consequence of increased traffic volumes (including air quality, noise and road safety).

6.43. It crosses ancient woodland and the Alder Stream, where the land either side is identified as being in Flood Zone 3. No preliminary flood risk assessment has been presented to understand the extent of works required to satisfactorily achieve this or that there is an acceptable and deliverable solution in principle. It is also wholly reliant on the A228 Colts Hill Bypass being delivered.

6.44. Motion considers that the physical and environmental constraints associated with delivering a FOG bypass on the alignment suggested are so great, that the road has little prospect of being delivered and no prospect of it being delivered in the absence of the A228 Colts Hill Bypass being delivered.

6.45. The proposed severance of Hartlake Road would result in even more traffic travelling along the B2017 corridor and on the A228 and A26. No assessment has been made of the acceptability nor mitigation identified to address this increase in traffic volumes on the B2017, A228 or A26.

6.46. Motion’s conclusion regarding proposed mitigation for Hartlake Road is that it has no prospect of being delivered. Even in the unlikely event that the scheme is delivered, it would simply push the impacts to other locations in the road network where no infrastructure interventions have been identified to mitigate it.

Sustainable transport

6.47. In seeking to meet the sustainability requirements of garden settlement principles (and the NPPF) the Tudeley proposal relies heavily on cycle routes to Tonbridge (route D in the ‘PJA Study’) and to Paddock Wood (route E). Route D is almost entirely not overlooked which has an adverse impact on the perception of personal safety especially during darker months of the year. Route E is predominantly on narrow, rural lanes sections (up to 60mph speed limits) of which are too narrow for two-way vehicle movements. The safety of cyclists would be entirely reliant on vehicle drivers seeing them and taking

appropriate action and the assessment has taken no account of the potential significant increase in traffic volumes on these roads arising from the Strategic Sites.

6.48. The PJA study has specified that lighting to highway standards will be provided along the routes, when such a planning application in rural lanes and open countryside has no prospect of being approved.

6.49. Motion considers that the proposed cycle mitigations fail to deliver safe and suitable routes that would be attractive for functional journeys. Very few, if any, functional journeys can therefore be expected to be made on foot or by cycle.

6.50. The bus public transport strategy formulated to support the allocation is hopelessly inadequate because it either does not exist or else would cater for only a fraction of the forecast demand.

6.51. There is no prospect of a railway station at Tudeley Village and neither Tonbridge railway station nor Paddock Wood railway station is within reasonable walking distance. For the reasons set out above, the majority of connecting journeys to / from Tudeley Village from / to the railway stations can therefore be expected to be made by private car either as driver or as passenger. Both railway stations are located centrally which is inconvenient for connecting journeys by car. Both have limited car parking availability and both charge for car parking.

6.52. As a consequence, travel by rail would be an unattractive mode choice for people travelling to or from Tudeley Village and therefore few journeys to be made by rail as the main mode. Moreover, even if rail is chosen as main mode for a journey, it is likely to require a connecting journey by car adding to the significant increase in road traffic on the B2017.

Summary

6.53. The TWBC transport evidence base has significant inconsistencies between reports which claim to be assessing the same matters (see Motion report paragraphs 8.7 to 8.10). The consequence of this is that the total change in road traffic arising from the 3 Allocations (in Paddock Wood, East Capel and Tudeley Village) is not clear.

6.54. Motion considers that the true impact of road traffic arising from the 3 Allocations is significantly under-estimated because the mode shift assumptions are inconsistent and either selectively or incorrectly applied.

6.55. Therefore, the proposed significant infrastructure interventions which are fundamental to the delivery of the 3 Allocations either do not effectively mitigate the impacts of the 3 Allocations and / or are commercially unviable.

6.56. The differences in the timing and allocation of infrastructure between the Masterplanning Report, the Stantec Study and the Sweco Study and the Viability Assessment are so great as to render the Viability Assessment otiose.

6.57. The proposed phasing and delivery of these allocations is not “effective” in soundness terms because the funding of “Infrastructure” before “Expansion” is not justified in the Plan. Several pre-occupation mitigations are considered necessary by Motion, which have not been appropriately phased in the Infrastructure Plan:

- . The B2017 would require significant width and alignment improvements prior to the commencement of work on site in order to provide a safe and suitable route for construction traffic to access Tudeley Village.
- . The FOG Bypass would be required. This is because the B2017 is unsuitable to safely accommodate increases in road traffic especially heavy vehicles such as pantechnicons;
- . The FOG Bypass is reliant on delivery of the A228 Colts Hill Bypass which would therefore need to be delivered in parallel with the FOG Bypass. The A228 Colts Hill Bypass would be required any way because the road in its current format cannot safely accommodate increases in road traffic;
- . The complete network of pedestrian and cycle routes and improvements will be required. This is because pedestrian and cycle infrastructure currently does not exist connecting the 3 Allocations to adjacent settlements; and
- . A comprehensive network of bus routes will be required. This is because the current bus provision fails to cater for the demands arising from strategic development.

6.58. In order to deliver this necessary infrastructure in a timely manner, Motion considers that it will need to be advance funded by the public purse. There is no mechanism identified in the evidence

base to explain how this will be achieved. Nor is there a commitment by TWBC that the public purse will be made available to cover the shortfall in infrastructure funding early in the Plan period.

6.59. Motion concludes that as proposed, the proposed residential allocations at Tudeley Village, East Capel and Paddock Wood, either in isolation or cumulatively, will result in:

- . Cumulative residual impacts on the road network which are severe; and
- . Unacceptable impacts on highway safety.

6.60. These are the tests set out in paragraph 109 of the NPPF for refusing planning permission for a development. As a consequence, there is no prospect of planning permission being granted for development at Tudeley Village, East Capel and / or Paddock Wood.

6.61. The proposed development of Tudeley village should therefore be removed from the Local Plan as it is not effective in terms of soundness and is **undeliverable**.

Biodiversity

Fauna & flora

6.62. Endangered species are present within the Capel sites, including EU protected species (Great Crested Newts, Dormice, Bats and Badgers).

6.63. Kent Ornithological Society Records confirm 70 species of birds rely upon the Tudeley site alone; 12 Species of Principal Importance and 10 on the Red List of Conservation Concern, which have suffered significant population decline as a result of habitat loss.

6.64. Habitat loss: the proposals can only exacerbate the decline through removal of suitable habitat for field and ground-nesting birds, which will be squeezed in all directions by the developments and gravel excavations.

6.65. Four species of owl also occur in the area (Tawny, Little, Barn, Long-eared), an unusually diverse number and any loss is a serious conservation concern.

6.66. Two White Stork in Tudeley are likely to originate from a reintroduction project at the Knepp Estate, West Sussex. Care needs to be taken to ensure they are not disturbed by hasty development practices.

6.67. All of these species should be taken into consideration by a public body performing its functions with a view to conserving biodiversity. However, there is little in the Local Plan to confirm mitigation measures beyond a 'wetlands park' in East Capel and HE's vague promises.

6.68. Hedgerows are roadways and homes for wildlife, including Dormice, but the creation of large housing estates will see a decrease; the Tudeley proposals remove hedgerows or segment them, making them redundant as effective corridors and breeding stations.

6.69. Rare plants include the Greater Butterfly Orchid and the True Fox Sedge (both are on the Vascular Plant Red Data List for Great Britain).

Domestic pets

6.70. Ownership: pre-pandemic 26% of the population owned a cat, 24% a dog; this has increased by 11%. (4,800 homes = 1,500 cats/1,400 dogs).

6.71. Off-lead dogs disturb ground-nesting birds and dog faeces over-enrich soil, encouraging plants like nettles, which outgrow specialist fauna.

6.72. The Mammal Society estimates UK cats catch 275 million prey a year; 27 million are birds but wild mammals, reptiles and amphibians are also killed in large numbers.

6.73. A cat roams a distance of between 100m to 3km. This brings the RSPB reserve at Tudeley Woods and the rich Medway flood zone into the feline hunting zone. The impact on wildlife of cats will be devastating.

TUDELEY – Hadlow Estate (HE) Masterplan / Delivery Strategy

6.74. HE focusses on the site in isolation, with no clarity on how green corridors and wildlife movement link beyond the site or how the site interacts in the wider context. This is true for Heritage, Landscape and Visual settings.

6.75. Green corridors within the site will be segmented – this cannot benefit wildlife. Nor can the removal of orchards and paddocks, although the report curiously claims HE will improve them.

6.76. Irreplaceable ancient woodland is vulnerable to irreparable harm. The central ancient woodland is next to the urban hub and effectively surrounded by development.

6.77. No firm indication of how biodiversity net gain is to be achieved beyond boxes (bird, bat, bees, etc). All else, like new hedgerows in AONB and a wetland habitat are aspirational.

6.78. HE refers to 3 key objectives;

- . Green Belt 'compensatory improvements': equated to planting hedges and management of habitat – hardly adequate for the MGB loss which will result in the merger of Tudeley with Five Oak Green.
- . Address impact on views to/from AONB: the ancient and irreplaceable landscape will be forever irreparably scarred, physically and visually.
- . Biodiversity net gain of 10 percent: plans are speculative, 25 years distant, dependent upon TVG approval and described as not required.

6.79. HE claims there are numerous assessments, but none are open to scrutiny.

6.80. Improving features for biodiversity is dependent upon achieving planning permission for the site. No reason is given for this dependency, despite HE claims of long-term wildlife stewardship.

6.81. HE has no mandatory need to protect habitat as the site is not in or close to '*...any statutory or non-statutory wildlife site designation.*' However, the proposed Five Oak Green by-pass necessitated by this strategic site will cross land that that is "Priority Habitat Inventory (traditional orchards)" and "Priority Species for Countryside Stewardship Targeting –Lapwing" (DEFRA).

6.82. Given HE's caveats, and TWBC has no governance measures in place to ensure biodiversity net gain, there appears no real commitment or incentive to assist biodiversity and replace lost habitat.

Summary

6.83. Policy EN9 recognises that important habitats and protected and notable species are not confined to designated sites but can be found on any site (Page 356 PSLP). The evidence gathered above supports and endorses this fact. However, the plan does not demonstrate that the strategic sites will any way manage, conserve nor enhance biodiversity. At best the proposals are aspirational at worst destructive.

6.84. It is considered by Save Capel that the non-inclusion of the Hadlow Village Masterplan and Delivery Plan in the TWBC evidence base is not justified and will lead to both a flawed consultation and Examination and therefore fails the test of soundness. Furthermore, the plan because of lack of evidence does not robustly demonstrate that it is effective.

6.85. Our research team has prepared a comprehensive report on biodiversity (appendix 12).

Flood risk, water supply, & sewerage

6.86. Whilst we acknowledge the SFRA commissioned by TWBC (JBA 2019), the strict application of flood zone boundaries determined that a Level 2 is not required for the allocation at Tudeley (STR/SS 3). The proposals include development right up to the flood zone.

6.87. The draft local plan recognised "Flood Zones 2 and 3 in northern part of Tudeley". It is well known that many parts of this proposed garden settlement are regularly subjected to flooding, as demonstrated in the report prepared by our research team at Regulation 18 (see appendix 13).

6.88. The elevated southern parcel (south of the railway) of the site does not directly benefit from the strategic storage at Leigh, given that the existing flooding here is from run-off from higher ground to the south, surface water, and watercourses that are downstream.

6.89. Given the sloping nature of this terrain (>60m AoD to c20m AoD), the development would result in vast amounts of run-off that will descend towards the railway and eastwards across the Sherenden Road area. The railway embankment already acts as a buffer, particularly in the north-east.

6.90. Large areas of the northern parcel are already subject to risk from fluvial flooding of the Medway and, whilst the increased capacity at Leigh would provide some strategic mitigation, a repeated breach would cause increased flood levels compared to the major events in 2000 and 2013.

6.91. A drainage plan has not been included in the evidence base although it is clear that extensive mitigation will be needed, and the location of surface water attenuation storage and other forms of SuDS will impact the masterplan in terms of developable area, building design/cost and access.

6.92. Save Capel submits that the Policy is not “effective” as the subsequent FRA and prescribed drainage measures will limit the developable area, resulting in 2,800 homes not being deliverable. In addition, the location of the proposed main village centre and primary school is subject to frequent flooding from the main conveyance channel in the southern parcel. This is ‘high risk’ in EA surface water mapping.

6.93. The Policy includes *“mitigation measures to reduce the flood risk to particular residential areas in Five Oak Green”*. Development of this allocation would not directly influence the causes of flooding in FOG and such measures have not been specified. A Five Oak Green flood alleviation scheme has been proposed with the EA to reduce fluvial flood risk from the Alder Stream, but this has not been included in the PSLP. The ‘betterment’ is therefore not justified, and the Policy is unsound.

Water supply

6.94. South East Water (SEW) supply the Capel/Paddock Wood area (WRZ7) from Trottiscliffe and the surrounding areas (from groundwater) where it is treated. The same sources will be used in the future and forecasts for WRZ7 show there would be a deficit in the amount of water available to supply the growing demand by 2030.

6.95. A system of private water mains belonging to Hadlow Estates (the promoter of Tudeley village) also provides supply to some properties around the area of the development.

6.96. Although there is some capacity already in SEW's plans to serve the proposed Tudeley garden settlement, it is considered that it may require an adaption or expansion of the existing mains. This is in addition to the laying of new mains within the residential area.

6.97. The EA has applied a Groundwater Protection Zone (SPZ3) related to the aquifer at Hartlake which extends under almost all the parcel north of the railway line. Any further development of this area may impact water supply options that serve SEW customers in Pembury and Tunbridge Wells:

. Hartlake Wells pump Lilley Farm Paddock Wood reservoir Pembury/TW customers

6.98. SEW has carried out extensive investigations into eight groundwater sources, and within its Water Industry National Environment Programme (WINEP) report it identifies concerns of raw water quality deterioration from significant levels of nitrate and pesticides, metaldehyde and carbendazim.

6.99. The Hartlake catchment is already at risk from nitrate and pesticides and the investigation found a significant relationship between groundwater levels in the river terrace gravels at the Hartlake site and River Medway levels and flows. Metaldehyde has been applied to the nearby neighbouring agricultural land surrounding the abstraction and high levels of metaldehyde concentrations have also been found in the River Medway.

6.100. Polluted run-off from the proposed development in both construction and general household chemicals will find its way into groundwater and aquifer/streams without extensive SuDS filtration, and indeed as a result of any breach or failure of these measures.

6.101. The potential environmental issues around the Hartlake Aquifers and, with rising nitrate and pesticide levels that have already been identified, any penetration to the Aquifers would lead to further significant health risks.

6.102. The Aquifer and natural springs within the site will seriously hinder excavations for building, sewage, drainage, etc. as suitable mitigation schemes will have to be implemented to avoid puncturing the natural clay membrane that protects the Aquifer.

6.103. Again, Save Capel submits this is an inappropriate location for development, in particular the northern parcel, and is not “effective” and therefore unsound.

Sewerage

6.104. Southern Water (SW) will be carrying out further capacity assessments at both the existing Paddock Wood and Tonbridge treatment works to assess capacity to meet the future needs of all the proposed developments in Capel parish, most notably at Tudeley.

6.105. Given the constraints at Paddock Wood, explained at STR/SS 1 above, and already increasing demands on the Tonbridge sewerage plant (distant and uphill), there is a very real likelihood that a

new additional treatment plant will be required at Tudeley. The promoter has told Save Capel that land would be available for this, but it is not identified in the masterplan.

6.106. Whilst the provision of sewerage facilities has not been specified, the consequent run-off to the Medway floodplain from new plant would further add to flooding risk and adequate/enhanced mitigation from SuDS and other measures must be incorporated in the build design.

6.107. It is inappropriate that such a significant element of infrastructure has not been specified nor assessed prior to this consultation. Given the significance, the evidence does not demonstrate that this Policy can be effective in delivering 2,800 homes.

Question 7

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Question 8

If you have any separate comments you wish to make on the accompanying Sustainability Appraisal, please make them here.

Sustainability Appraisal for Tudeley Village & Paddock Wood / East Capel

2.36. The Sustainability Appraisal of each site is based on 19 sustainability objectives ("SO"). Each objective is supported by 2-5 detailed and specific decision-aiding questions. In total there are 62 sub-questions based on a mix of subjective and objective criteria.

2.37. Working through these granular 62 sub-questions should result in a reasonably objective and transparent Sustainability Appraisal for each site.

2.38. There are two separate Sustainability Appraisals published for Tudeley Village and Paddock Wood / East Capel. Both are high-level assessments at the 19 strategic objective level – there is no link to nor any evidence of an assessment at the 62 sub-question level for either site!

2.39. Validating the Sustainability Appraisals for Tudeley Village and Paddock Wood / East Capel and considering the 62 sub-questions yields a fundamentally different outcome to TWBC's proposal in both cases: TWBC results appear to be entirely unreasonable and unsound.

[TWBC: for table, please see full representation attached as a supporting document]

2.40. For Tudeley Village - in summary at the 19 SO level (also see table above):

TWBC proposes 10 positive, 3 neutral and 6 negative scores

A bottom-up assessment reveals 4 positive, 1 neutral and 14 negative scores

2.41. For Paddock Wood / East Capel - in summary at the 19 SO level (also see table above):

TWBC proposes 10 positive, 3 neutral and 6 negative scores

A bottom-up assessment reveals 3 positive, 3 neutral and 13 negative scores (for East Capel only)

2.42. We respectfully submit that TWBC's assessment of both sites is flawed, illogical and not defensible

when assessing the underlying criteria.

2.43. On a side note: It is curious that in TWBC's assessment both sites are rated with near identical scores across all criteria. While this is possible in theory, it is - given the differences between both sites - statistically-speaking highly unlikely. We cannot prove and only speculate on whether this is indicative of a pre-determined answer being approved due to its convenience. However, we can unequivocally state that TWBC's assessment of both sites is superficial and simply wrong.

2.44. For a more detailed comparison and an evidence-based rationale for each score at the 62 sub-question level please refer to the 'Alternative Sites Report' in Appendix 8.

Sustainability Appraisal for Alternative Selected Sites

2.45. As mentioned under 2.22, TWBC considered several other strategic sites that – in our view mistakenly – were ruled out earlier in the plan-making process.

2.46. As a result, TWBC did not conduct a sustainability appraisal for any of these sites. There are no published sustainability results, neither at the 19 SO nor at the 62 sub-questions level for any site.

2.47. Given the flawed assessment and poor sustainability scores for Tudeley Village and East Capel, Save Capel decided to reinvestigate these sites as potential alternatives.

2.48. Given Save Capel's limited resources we decided to focus on 2 specific sites – Castle Hill (also located in Capel Parish) and Blantyre House.

2.49. In summary at the 19 SO level (see table below):

A bottom-up assessment for Castle Hill reveals 7 positive, 7 neutral and 5 negative scores

A bottom-up assessment for Blantyre House reveals 8 positive, 6 neutral and 5 negative scores

2.50. A comparison to Tudeley Village and East Capel reveals that both alternative sites are far more sustainable and preferable. Castle Hill in particular feels like a – more sustainable – direct replacement for Tudeley Village.

2.51. We also strongly suspect that some of the other strategic sites such as Horsmonden would also turn out to be more sustainable than Tudeley Village and / or East Capel if subjected to a detailed, objective review. Unfortunately, this was not conducted by TWBC and Save Capel does not have the resources to replicate the analysis for all sites in time for Regulation 19.

2.52. For the assessment and an evidence-based rationale for each score at the 62 sub-question level for Castle Hill and Blantyre House please refer to the 'Alternative Sites' report in Appendix 8.

[TWBC: for table, please see full representation attached as a supporting document]

2.53. Key findings from Save Capel's 'Alternative Sites' report are:

The Sustainability Appraisals for Tudeley Village and East Capel are unreasonable based on TWBC's own criteria and any objective assessment

The Sustainability Appraisals for Tudeley Village and East Capel are inconsistent with the assessments of other SHELAA/strategic sites

Both Castle Hill and Blantyre House are more sustainable sites offering a similar housing potential as Tudeley Village / East Capel

Of the 437 unique sites submitted for inclusion in the SHELAA process, 323 sites were rejected by TWBC.

Based on a review of 90 rejected sites in 3 representative parishes, we recommend to re-consider 43 'rejected' sites for inclusion in the Plan INSTEAD of Tudeley Village / East Capel.

These 43 sites provide a total incremental housing potential of ca. 2,270 units (based on a conservative 30 dph). All are more sustainable than Tudeley Village / East Capel.

An analysis of 7 selected high potential sites reveals a potential housing yield of up to 10,000 dwellings through the use of alternative housing solutions.

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Event Name	Pre-Submission Local Plan
Comment by	Save Capel ([REDACTED])
Comment ID	PSLP_1987
Response Date	03/06/21 18:51
Consultation Point	Policy STR/CA 1 The Strategy for Capel parish (View)
Status	Processed
Submission Type	Email
Version	0.8
Files	PSLP_1964 & 1973-1987_Knights Solicitors for Save Capel_SI-1_Cover Letter.pdf PSLP_1964 & 1973-1987_Knights Solicitors for Save Capel_SI-3_Appendices.pdf PSLP_1964 & 1973-1987_Knights Solicitors for Save Capel_SI-2_Representation.pdf
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Question 3a

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Policy STR/CA 1 The Strategy for Capel parish

Paragraph No(s) 5.260-5.267

[TWBC: for further comments by Save Capel, please see Comment Numbers PSLP_1964 and PSLP_1973-1987]

Question 4

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Complies with the Duty to Cooperate No

Question 4a

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Please see attached: "Representation by Save Capel under Regulation 19", dated 3rd June 2021, and Appendices

[TWBC: the following extract is from "Representation by Save Capel under Regulation 19" - for the full representation and appendices, please see supporting documents]

7. STR/CA 1 The Strategy for Capel parish

Cumulative impact assessment

7.1. Capel Parish totals 5228 acres; 600 acres of countryside, over 11% of the Parish, is to be developed. With development in Paddock Wood, the total in one area is over 65% of the Borough's development plans.

7.2. Merger: Tonbridge will all but join Tudeley in the west, merge Tudeley with Five Oak Green, and Five Oak Green with Paddock Wood in the east. An urban sprawl will be created across the Parish, all in Green Belt.

7.3. Kent County Council have also authorized gravel extraction in Capel, creating an industrial arc joining the two strategic sites. With additional plans for a by-pass, over 15% of Capel's countryside will be lost. This cannot fail to have a serious impact on fauna and flora.

7.4. A Cumulative Impact Assessment is therefore needed, encompassing the TWBC proposals and KCC extractions, not just for biodiversity, but for flooding, landscape, pollution, etc.

7.5. Given the strategic importance of the Capel sites, this is a significant omission. TWBC should be pressed to commission such an assessment, but through an independent practice as agreed with Capel Parish Council.

7.6. TWBC and KCC have not prepared a cumulative impact assessment, or a strategic environmental impact assessment to assess the wider impact of their plans upon the parish. Perhaps because such assessments would demonstrate the extreme impact of the proposals when viewed together.

Biodiversity

7.7. TWBC's assessment of fauna and flora in the Biodiversity Evidence Base Update (February 2021) uses out-of-date KMBRC records. Save Capel looked at KMBRC records in 2019 which appear more contemporary. (Examples in main report). The use of historic data is suggestive of a 'tick-box' process, rather than a professional commitment to accuracy.

7.8. TWBC's Landscape and Biodiversity Officer (19/08/2019) claimed better woodland management would achieve biodiversity gain. However, habitat in Capel's strategic sites is primarily fields and hedgerows; woodland management would achieve little for resident fauna and flora.

7.9. Durrell Institute of Conservation and Ecology have noted TWBC have not described a governance mechanism to ensure biodiversity gain is monitored and achieved; their report is sceptical about councils holding developers to account. TWBC is one of only 4 councils who have adopted 10% minimum net biodiversity gains. An assessment last year by the DI of these councils found net gains translated into considerable loss of habitat area and forecast of 21% drop in non-urban habitat.

7.10. David Lock Associates' ("DLA") *Strategic Sites Master-planning & Infrastructure Study 2021* confirms deliverability of the proposals but states an ecological appraisal and other surveys would identify '*...suitable mitigation and enhancement measures which can be incorporated into a masterplan at an early stage.*' It is a leap to assess the strategic sites are both 'justified and viable' if the work upon which to base the assessment has not been done.

7.11. TWBC appear to consider designated land status as a dispensable inconvenience, and do not take biodiversity seriously. Perhaps because removal of irreplaceable habitat is an inevitable consequence of the Local Plan's strategy for Capel.

7.12. Save Capel's topic paper on Biodiversity can be found as Appendix 12.

Heritage

7.13. Historic England entries for Capel are in excess of 100.

- . 3 are Grade 1 and 4 are Grade 11*
- . All Saints Church Tudeley Grade 1
(*the highest designation but with twelve widows painted by Chagall making it globally unique*)
- . St Thomas a Becket, Capel Grade 1
- . Somerhill Grade 1 and historic park/garden
- . Upper Postern Farmhouse Grade 11*
- . Thistles Wenhams Grade 11*
- . Tatlingbury Farmhouse Grade 11*
- . The Postern Grade 11*
- . Castle Hill Scheduled Monument

7.14. The majority of all listed assets fall within a 1Km Zone (zone of assessment required by TWBC for planning applications) from either or both of the strategic sites and/or the Five Oak Green By-pass.

7.15. The Plan has identified the value and susceptibility of Capel and of the heritage assets within its defined character including the last remaining Hop Farm (Listed Building) in the parish which will be impacted by the Five Oak Green by-pass.

7.16. KCC Heritage Maps show many more unlisted assets such as historic farmsteads which often include oast houses and barns.

“There are a large number of historic oast houses which are frequently visible throughout the landscape. Many are associated with small hamlet groupings, with many surviving from the medieval period, 17th and 18th centuries. They are very distinctive features within this open landscape

There are also numerous traditional historic buildings typical of the Weald, including timber framed houses and farmsteads. Vernacular materials include red brick, weatherboard, tiled roofs, hanging tile elevations, gable ends hipped or half-hipped roofs”.

Open views across this intensively farmed landscape are frequently punctuated by the cowls of clustered groups of oast houses and extensive farm building complexes. Tunbridge Wells LCA 2017

The research has re-emphasised the importance of historic farmsteads to Tunbridge Wells’ rural areas.

Traditional farmstead groups and their buildings make a positive contribution to local character and distinctiveness. “.....they are under the greatest threat of neglect on one hand, and development on the other, than any rural building type”.

National and local research has highlighted the significance of traditional farmsteads as assets which contribute to landscape character, local distinctiveness and rural economies and communities. Kent Farmsteads Assessment Guidance 2016

7.17. 6,000 + new houses and associated infrastructure will destroy the treasured historic rural landscape of this Parish. Assessments to inform decisions and produce a solid evidence base for those decisions are being completely ignored by TWBC.

7.18. Our assessment (see Heritage report – Appendix 11) has produced a number of important conclusions, not least to further highlight the high contribution that setting makes to the significance of heritage assets. In particular, a number of areas were identified as being of cumulatively high value, in regard to their value as a whole, and in relation to individual heritage assets within them. This is particularly true of the dispersed nature of many of the historic farmsteads identified.

7.19. Allocated development sites listed in the TWBC Local Plan are deemed to have automatically received outline planning permission. Without any prior assessment of the impact of the strategic sites and the effect of potential new by passes on an historic landscape this must put the delivery of the LP at risk if the evidence base is not robust.

7.20. There is no up dated SER scoping within the document base. Historic England as statutory consultees were consulted in 2016. There was no indication at this stage of the TGV plan, since the Reg.18 consultation the proportion of houses allocated to East Capel has actually risen by some 700 houses!

7.21. EIAs will be prepared at planning app stage – with the magnitude of development for Capel in the TWBC LP (over 50% of the allocation) it is suggested that this is not appropriate in the case of the 2 strategic sites. This view would appear to be supported by the Planning Inspectors appointed to examine Tandridge DC LP.

Tandridge DC Local Plan Dec 2020 PINs Philip Lewis

*The Inspector has specifically mentioned Star Fields (identified as policy **HSG12** in the Plan) in his letter, noting the absence of an assessment of the heritage aspects of the site and the potential impact of development on them - he requests that a heritage assessment should be provided by TDC.*

7.22. The significant harmful impact on many of Capel's heritage assets, the dramatic change of the historic rural landscape that comprises this parish to urbanisation, the loss of the dark skies, the increase in noise and pollution are all indisputable. The Local Plan as it stands is inequitable, a disproportionate burden on one area of the borough, will not meet the needs or improve the lives of the existing community and importantly does not have the support of the community.

7.23. Neither TWBC nor the masterplanners have demonstrated that *“full account needs to be taken of the landscape and environmental sensitivities of each site, as well as respecting local distinctiveness and providing for enhancements”* nor how harm to the existing landscape and thus the setting of

heritage assets might be minimized or even avoided. It has not been demonstrated how any affected heritage assets will be enhanced. Far from protection proffered in Core Policies, the LP will actually cause irreversible damage. There is an inconsistency between the Core Policies and the Strategic Policies, and no evidence offered as to how they can be implemented at the same time. For these reasons it is concluded that the LP as it stands is unsound.

Question 7

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Comment ID	PSLP_1983
Response Date	03/06/21 18:51
Consultation Point	Policy EN 4 Historic Environment (View)
Status	Processed
Submission Type	Email
Version	0.12
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Question 3

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Policy EN 4 Historic Environment

[TWBC: for further comments by Save Capel, please see Comment Numbers PSLP_1964 and PSLP_1973-1987]

Question 4

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Question 4a

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Please see attached: "Representation by Save Capel under Regulation 19", dated 3rd June 2021, and Appendices

[TWBC: the following extract is from the STR/SS 1 section of "Representation by Save Capel under Regulation 19" - for further comments on this Policy, please see Comment Number PSLP_1980. For the full representation and appendices, please see supporting documents]

Consistency with other policies

4.4. This representation acknowledges the objectives of TWBC and supports many of the policies set out in the PSLP. However, the allocation at East Capel (STR/SS 1) directly contradicts several other policies and is inconsistent with much of the evidence base.

Policy EN4 - Historic Environment

4.5. This Policy uses terms such as “have regard, where possible, consideration” words that do not convey any surety that the Policy will safeguard our unique historic environment despite acknowledging that it is an irreplaceable asset. The sheer scale of the change of setting from rural to urban in Capel with 4000+ houses does not show “sensitivity”.

[TWBC: these paragraphs on Policy EN 4 are repeated under the The Strategy for Tudeley Village (STR/SS 3) section of the Save Capel representation - please see paragraphs numbers 6.5 and 6.6 of the representation]

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Policy EN 5 Heritage Assets

[TWBC: for further comments by Save Capel, please see Comment Numbers PSLP_1964 and PSLP_1973-1987]

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Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

Please see attached: "Representation by Save Capel under Regulation 19", dated 3rd June 2021, and Appendices

[TWBC: the following extract is from the STR/SS 1 section of "Representation by Save Capel under Regulation 19" - for further comments on this Policy, please see Comment Number PSLP_1980. For the full representation and appendices, please see supporting documents]

Consistency with other policies

4.4. This representation acknowledges the objectives of TWBC and supports many of the policies set out in the PSLP. However, the allocation at East Capel (STR/SS 1) directly contradicts several other policies and is inconsistent with much of the evidence base.

Policy EN5 - Heritage Assets

4.6. It is to be hoped that TWBC abide by this policy and recognise the significant harm that the LP as it stands will cause. Housing need alone cannot be used as any justification. Given the scale of the proposals the setting of many assets will be significantly harmed.

[TWBC: these paragraphs on Policy EN 5 are repeated under the The Strategy for Tudeley Village (STR/SS 3) section of the Save Capel representation - please see paragraphs numbers 6.5 and 6.7 of the representation]

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . Yes, I wish to participate in hearing session(s)

Question 7a

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If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Save Capel has sought to be actively involved in engaging with the Council throughout this review of the Local Plan. As a group we have developed particular expertise and have undertaken significant and extensive research in respect of the effects of the policies to which we have made representations. We consider that we will be able to assist the Inspector(s) examining the final submission significantly.

If you would like to attach a file in support of your comments, please upload it here. [PSLP_1964 & 1973-1987_Knights Solicitors for Save Capel_SI-1_Cover Letter.pdf](#)

If you would like to attach a file in support of your comments, please upload it here. [PSLP_1964 & 1973-1987_Knights Solicitors for Save Capel_SI-2_Representation.pdf](#)

If you would like to attach a file in support of your comments, please upload it here. [PSLP_1964 & 1973-1987_Knights Solicitors for Save Capel_SI-3_Appendices.pdf](#)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box: Yes, I wish to be notified of future stages of the Local Plan

Supporting Information File Ref No: SI_131a-c

Comment

Agent	Mr Simon Bell ([REDACTED])
Email Address	[REDACTED]
Company / Organisation	Knights Solicitors
Address	Regency House 25 High Street Tunbridge Wells TN1 1UT
Consultee	Save Capel ([REDACTED])
Email Address	[REDACTED]
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Save Capel ([REDACTED])
Comment ID	PSLP_1985
Response Date	03/06/21 18:51
Consultation Point	Policy EN 8 Outdoor Lighting and Dark Skies (View)
Status	Processed
Submission Type	Email
Version	0.13
Files	PSLP_1964 & 1973-1987_Knights Solicitors for Save Capel_SI-2_Representation.pdf PSLP_1964 & 1973-1987_Knights Solicitors for Save Capel_SI-1_Cover Letter.pdf PSLP_1964 & 1973-1987_Knights Solicitors for Save Capel_SI-3_Appendices.pdf
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Save Capel
Question 2	
Agent's Name and Organisation (if applicable)	Knights Solicitors

Question 3

To which part of the Local Plan does this representation relate? Policy

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy EN 8 Outdoor Lighting and Dark Skies

Paragraph No(s) 6.119-6.129

[TWBC: for further comments by Save Capel, please see Comment Numbers PSLP_1964 and PSLP_1973-1987]

Question 4

Do you consider that the Local Plan:

Is legally compliant No

Is sound No

Complies with the Duty to Cooperate No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not positively prepared
- . It is not effective
- . It is not justified
- . It is not consistent with national policy

Question 5

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Please see attached: "Representation by Save Capel under Regulation 19", dated 3rd June 2021, and Appendices

[TWBC: the following extracts are from the STR/SS 1 and STR/SS 3 sections of "Representation by Save Capel under Regulation 19" - for further comments on these Policies, please see Comment Numbers PSLP_1980 and PSLP_1982. For the full representation and appendices, please see supporting documents]

Consistency with other policies

4.4. This representation acknowledges the objectives of TWBC and supports many of the policies set out in the PSLP. However, the allocation at East Capel (STR/SS 1) directly contradicts several other policies and is inconsistent with much of the evidence base.

Policy EN8 - Outdoor Lighting and Dark Skies

4.7. Light pollution is one of the most rapidly increasing types of environmental degradation. Light pollution maps enable the tracking of changes in light pollution across the country. Lights can account for between 15-30% of a council's carbon emissions.

4.8. With few exceptions, everything we build is lit at night, including homes, streets and roads, bridges, commercial buildings, parking lots, etc. Sky glow, glare and light spillage can disrupt the behaviour of flora and fauna. Year on year, artificial lighting is increasing by about 6%.

4.9. This increase will exacerbate known and possible unknown effects of light pollution on human health, environment and on the visual perception of the Universe by humans due to the location, intensity, and wavelength of the emitted light at night.

4.10. TWBC's strategy EN8 is to "maintain current level of lighting in rural areas." The target is "no deterioration in dark skies mapping outside allocated areas." The implication of this is that lighting levels will not be reduced with the new development, so the density of lighting could remain the same per area of construction, but as the area grows, it could spread the light pollution more widely.

4.11. Light pollution will be an insurmountable issue which will affect not only residents of the development but wildlife and biodiversity assets currently thriving. If this is proposed to be mitigated by reducing lighting density throughout the settlement, this would no doubt lead to more crime as has been the case in other "Garden Settlements".

Consistency with other policies

6.5. This representation acknowledges the objectives of TWBC and supports many of the policies set out in the PSLP. However, the allocation at Tudeley (STR/SS 3) directly contradicts several other policies and is inconsistent with much of the evidence base.

Policy EN8 - Outdoor Lighting and Dark Skies

[TWBC: paragraphs 4.7-4.9 and 4.11 on Policy EN 8 are repeated under the The Strategy for Tudeley Village (STR/SS 3) section of the Save Capel representation - please see paragraphs numbers 6.8-6.10 and 6.12 of the representation]

6.11. TWBC's strategy EN8 is to "maintain current level of lighting in rural areas." The target is "no deterioration in dark skies mapping outside allocated areas." The implication of this is that lighting levels will not be reduced with the new development, so the density of lighting could remain the same per area of construction, but as the area grows, it could spread the light pollution more widely. Due to the openness and sloping nature of the Tudeley site, this policy is not achievable.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? Yes, I wish to participate in hearing session(s)

Question 7a

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If you would like to attach a file in support of your comments, please upload it here. [PSLP 1964 & 1973-1987 Knights Solicitors for Save Capel SI-2 Representation.pdf](#)

If you would like to attach a file in support of your comments, please upload it here. [PSLP 1964 & 1973-1987 Knights Solicitors for Save Capel SI-3 Appendices.pdf](#)

Future Notifications

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Supporting Information File Ref No: SI_131a-c

Comment

Agent	Mr Simon Bell ([REDACTED])
Email Address	[REDACTED]
Company / Organisation	Knights Solicitors
Address	Regency House 25 High Street Tunbridge Wells TN1 1UT
Consultee	Save Capel ([REDACTED])
Email Address	[REDACTED]
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Save Capel ([REDACTED])
Comment ID	PSLP_1986
Response Date	03/06/21 18:51
Consultation Point	Policy EN 18 Rural Landscape (View)
Status	Processed
Submission Type	Email
Version	0.10
Files	PSLP_1964 & 1973-1987_Knights Solicitors for Save Capel_SI-1_Cover Letter.pdf PSLP_1964 & 1973-1987_Knights Solicitors for Save Capel_SI-2_Representation.pdf PSLP_1964 & 1973-1987_Knights Solicitors for Save Capel_SI-3_Appendices.pdf
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Save Capel
Question 2	
Agent's Name and Organisation (if applicable)	Knights Solicitors

Question 3

To which part of the Local Plan does this representation relate? Policy

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy EN 18 Rural Landscape

Paragraph No(s) 6.221-6.223

[TWBC: for further comments by Save Capel, please see Comment Numbers PSLP_1964 and PSLP_1973-1987]

Question 4

Do you consider that the Local Plan:

Is legally compliant No

Is sound No

Complies with the Duty to Cooperate No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not positively prepared
- . It is not effective
- . It is not justified
- . It is not consistent with national policy

Question 5

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[TWBC: the following extracts are from the STR/SS 1 and STR/SS 3 sections of "Representation by Save Capel under Regulation 19" - for further comments on these Policies, please see Comment Numbers PSLP_1980 and PSLP_1982. For the full representation and appendices, please see supporting documents]

Consistency with other policies

4.4. This representation acknowledges the objectives of TWBC and supports many of the policies set out in the PSLP. However, the allocation at East Capel (STR/SS 1) directly contradicts several other policies and is inconsistent with much of the evidence base.

Policy EN18 - Rural Landscape

4.12. Several "roads" within Capel are included in the "Rural Lanes" Supplementary Planning Document.

4.13. It is unclear and no evidence produced how this Policy relates or supports in any way the Strategic Sites Policies. The plans WILL result in unsympathetic change to important rural lanes. A new by-pass will undoubtedly include street lighting as will settlements themselves. As such the evidence base to support the two sites and accompanying new road infrastructure is unsound.

Consistency with other policies

6.5. This representation acknowledges the objectives of TWBC and supports many of the policies set out in the PSLP. However, the allocation at Tudeley (STR/SS 3) directly contradicts several other policies and is inconsistent with much of the evidence base.

Policy EN18 - Rural Landscape

6.13. Several "roads" within Capel are included in the "Rural Lanes" Supplementary Planning Document. The proposed Five Oak Green by-pass is very significant.

6.14. Sherenden Road (No 125) will become the main road through what would be the new town of TGV and Hartlake Road (no 124) is the western boundary to this strategic site. Both are amongst the most highly scoring lanes in the borough. Hartlake Road is in the top 5% for historic value (Appendix NN 4) whilst both Sherenden and Hartlake in the top 10% for high landscape and amenity value (Appendix NN 3) 5 SPD "Rural Lanes"

6.15. Sychem Lane (no. 127), Church Lane (No 128) and Alders Road (no 126) will be adversely affected by the proposed FOG by-pass and fall within the top 10% or 20-30% historic, amenity or landscape value.

6.16. It is unclear and no evidence produced how this Policy relates or supports in any way the Strategic Sites Policies. The plans WILL result in unsympathetic change to important rural lanes. A new by-pass will undoubtedly include street lighting as will settlements themselves. As such the evidence base to support the two sites and accompanying new road infrastructure is unsound.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . Yes, I wish to participate in hearing session(s)

Question 7a

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[PSLP 1964 & 1973-1987 Knights Solicitors for Save Capel SI-3 Appendices.pdf](#)

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Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Julie Schippers [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] Brenchley [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Julie Schippers [REDACTED]
Comment ID	PSLP_1725
Response Date	04/06/21 07:51
Consultation Point	Policy STR 1 The Development Strategy (View)
Status	Processed
Submission Type	Email
Version	0.5

Data inputter to enter their initials here KJ

Question 1

Respondent's Name and/or Organisation Julie Schippers

Question 3

To which part of the Local Plan does this representation relate? Policy

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR 1 The Development Strategy

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

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We object to the TWBC Local Plan for the following reasons:

1 Economic

Much of our area is Green Belt and AONB. The plan fails to respect that. Limits to build are being moved. In the case of Capel 'Garden Village', the council has seized on the easy option of dealing with one landowner (Hadlow Estate) to proposed a huge estate of houses that is on flood land (wrong type of land), puts development before infrastructure so small rural roads and larger trunk road (A228) and Tonbridge will be clogged by traffic for years to come.

At a time when need to produce more food to mitigate the effects of Brexit, we are effectively ploughing under valuable farmland in East Paddock Wood and Horsmonden to create more homes. In effect doubling the size of these villages, again providing a wish list of infrastructure improvements (schools, gp surgeries and leisure facilities) that we know from experience (example Ryewood development in Sevenoaks) never see the light of day.

We challenge how this long-hatched plan fulfils the current government economic policy of levelling up and Brexit-based immigration policies to limit numbers of migrants. Do we need so many houses in Kent if this is the aim? The Local Plan has taken so long to forment, it has not taken these factors into account nor does it address the effects of the pandemic with many brownfield, urban sites being made available as commercial businesses close down or office space is reduced as companies adapt to workers working from home and less office space is required. The economic effect of this must be taken into account. Send this Local Plan back for reconsideration.

1 Social

The NPPF says a Local Plan should provide "by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being"

This plan does not do this. Again, it focusses on development with little detail and just vague ideas on how to make these new communities or add-on estates integrate, nor does it provide adequate planning for social facilities, job creation, shops, roads, GP surgeries, play/sport facilities and so on. There's little detail on creating routes for non- motorised traffic.

1 Environmental

There is no clear detail in the Local Plan to deal with the increased flood risk to new estates proposed in Capel and East Paddock Wood.

The plan will result in loss of species and destruction of habitats as land is converted to housing that does not respect the environment.

There is no air quality plan within the Local Plan.

We don't believe The Local plan is sustainable, deliverable or good for the economy. There should be a more holistic approach with housing sensitively added to all our communities rather than large swathes of housing being attached to particular villages/green areas, mostly based in the east of our council area.

Please send this Plan back to TWBC to rethink.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

For office use only

If responder hasn't ticked an option on this box, data inputter to tick 'not stated' box. Not Stated

Comment

Consultee	David Scott [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] Tudeley [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	David Scott [REDACTED]
Comment ID	PSLP_1667
Response Date	04/06/21 13:26
Consultation Point	Policy STR/SS 3 The Strategy for Tudeley Village (View)
Status	Processed
Submission Type	Email
Version	0.3
Data inputter to enter their initials here	KH
Question 1	
Respondent's Name and/or Organisation	David Scott
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy STR/SS 3 The Strategy for Tudeley Village	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Don't know
Is sound	No

Complies with the Duty to Cooperate

Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

- Do you consider that the Local Plan is not sound because:
- . It is not positively prepared
 - . It is not effective
 - . It is not justified
 - . It is not consistent with national policy

Question 5

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I consider the local plan to be unsound because:

- . The percentage of new houses in Tudeley and Capel is disproportionate with the plan across the wards covered by TWBC. A more widespread, smaller set of new builds across all wards would minimise the impact on the infrastructure and environment in one.
- . There are already considerable infrastructure challenges in the area, and the plan does not comprehensively answer. The current situation is that the roads in and out of Tonbridge from Tudeley and Capel are extremely congested, both during school drop off times and weekends, with some journeys for the 3 mile journey into Tonbridge taking more than 20 minutes. Train services from Tonbridge are already crowded during commuting times, with no seating available for the 40 minute journey several times a month. With an extra 2,800 dwellings there will obviously be a significant increase in traffic in to Tonbridge from the B2017, lengthening journey times even more. There will be a need for additional parking close to Tonbridge station, and additional train capacity to cater for the number of new commuters. Without a comprehensive plan as to how these basic transport infrastructure needs can be met with the involvement of the Sevenoaks District Council and Tonbridge & Malling Borough Councils the local plan is not positively prepared.
- . While the plan recognises that "A key issue is therefore ensuring that the proposed growth strategy can be accommodated without further harm and risk to areas that are vulnerable to flooding, to provide betterment", the local plan does not provide solution as to how that issue will be managed in the Tudeley village development. The land around Hartlake road already suffers from flooding and as large parts of the developments will occur on the Medway floodplain with flood risk assessments based on old data that does not fully consider the impact of climate change I can only believe that flood risks will increase. Covering farmed fields with houses and roads will make the Medway flood more often and cause increased flood risk not only in Tudeley but in Golden Green, East Peckham, Tonbridge and Yalding. The plan refers to Sustainable Drainage Systems, but not identify how these will be improved, or the impact of doing so, to alleviate the existing problem let alone cater for a new development.
- . Green belt land is that it is designed to provide a buffer between towns, with tightly controlled developments that incentivises regeneration of damaged and derelict land in urban areas; has all such land been properly considered in the creation of the plan? Green belts are meant to be cherished, conserving nature and agriculture. Creating so much housing in Capel Parish will require the destruction of woodland, hedgerows, meadows, and farmland that is Green Belt land. It will spoil the landscape and kill wildlife that is very special to the area, including rare species. This area should remain rural with agricultural land that can be used to provide food.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . No, I do not wish to participate in examination hearing session(s)

Future Notifications

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Comment

Consultee	Peter Scrimshaw [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] Tonbridge [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Peter Scrimshaw [REDACTED]
Comment ID	PSLP_829
Response Date	01/06/21 18:05
Consultation Point	Policy STR/SS 1 The Strategy for Paddock Wood, including land at east Capel (View)
Status	Processed
Submission Type	Web
Version	0.3
Question 1	
Respondent's Name and/or Organisation	Peter Scrimshaw
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy STR/SS 1	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Don't know
Is sound	No
Complies with the Duty to Cooperate	Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not effective
- . It is not justified
- . It is not consistent with national policy

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I have lived on Badsell Road for ~25 years and now work from home, so I am very well placed to comment on how these proposals will affect the local area. Other than the outrageous and unjustifiable destruction of green belt land, I am very concerned about how traffic levels will change on what are some quite minor roads and the inevitable increase to the flood risk in this area. There have been several recent flood events in Five Oak Green village, with water levels reaching halfway up my driveway, so these are not rare events already!

Badsell Road (B2017), Colts Hill and Five Oak Green village are already often at a standstill during the busy rush hour periods and this is before the extra traffic which will be generated by the now 1100 new homes which are already being built on the three development sites around Paddock Wood town. Note that the original proposal here was to adopt two of the three sites for ~600 new homes, but now all three sites are being developed and one of them increased in size, so this expansion has nearly doubled!

Paddock Wood has a fire station and the ambulance service centre on Eldon Way, so there is a regular stream of emergency vehicles using all the roads out of the town. Colts Hill / Whetsted Road (A228) is known to be an important road link between the Tunbridge Wells and Maidstone hospitals and I see that the Colts Hill bypass is being resurrected, with the destruction of yet more old farmland which this will require. But this scheme was first deemed necessary well before the current expansion of Paddock Wood, so how can this possibly be a sufficient solution to all of the extra traffic which this daft Local Plan will doubtlessly generate?

I see that there is also now a proposal to add a spur road from Colts Hill to bypass Five Oak Green village, which will of course destroy yet more green belt land. If you now acknowledge that you will need to bypass the village, then perhaps that should be taken as a fairly obvious clue that the proposal is inappropriate to the area? At the very least you will need to wait and re-assess local traffic flow in the area after all of the current new housing around Paddock Wood is finished and fully occupied.

I regularly walk my dog along the footpaths to the north of Badsell Road, up to the railway line and Whetsted Wood; this is an important area which is used by many other walkers & dog walkers, especially from Paddock Wood. Whetsted Wood itself is a small pocket of remaining ancient woodland, linked to the surrounding habitats by the existing field boundary hedges; it would become completely isolated by the new housing proposals.

I am also staggered by the council's outrageous hypocrisy, by proposing to build on green belt land at all, with other local planning applications often turned down for "inappropriate and harmful development which would have a greater impact on the openness of the Metropolitan Green Belt", for example 18/01767/FULL (Erection of building for six B&B rooms associated with The Poacher, Tudeley) and 18/03915/FULL (Demolition of existing buildings and erection of detached dwelling at Builders Yard, Five Oak Green).

I do appreciate that there is an obligation to plan for future housing needs, but sincerely urge you to re-assess all available brownfield sites and come up with a sensible plan which is appropriate to the area, rather than try to dump ~50% of the requirement all in one place!

Being able to deal with a single landowner is not any kind of justification for the destruction of such a large area of green belt land and the location is rather inappropriate anyway, being on the River Medway flood plain and right on the boundary of Tonbridge & Malling Borough Council.

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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Re-assess all available brownfield sites and especially give serious consideration to the proposed development plan for Castle Hill (still within Capel), which has good road access directly onto the recently upgraded A21 and also close proximity to rail transport at High Brooms station

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Peter Scrimshaw [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] Tonbridge [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Peter Scrimshaw [REDACTED]
Comment ID	PSLP_858
Response Date	01/06/21 18:05
Consultation Point	Policy STR/SS 3 The Strategy for Tudeley Village (View)
Status	Processed
Submission Type	Web
Version	0.3
Question 1	
Respondent's Name and/or Organisation	Peter Scrimshaw
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy STR/SS 3	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Don't know
Is sound	No
Complies with the Duty to Cooperate	Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not effective
- . It is not justified
- . It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

I have lived on Badsell Road for ~25 years and now work from home, so I am very well placed to comment on how these proposals will affect the local area. Other than the outrageous and unjustifiable destruction of green belt land, I am very concerned about how traffic levels will change on what are some quite minor roads and the inevitable increase to the flood risk in this area. There have been several recent flood events in Five Oak Green village, with water levels reaching halfway up my driveway, so these are not rare events already!

Building a new garden village at Tudeley along the B2017 (basically a country lane) is frankly preposterous, as the vast majority of new residents will need to drive from there; parking at either Paddock Wood or Tonbridge railway stations will be totally impossible, if not already. Even if a new station were to be built at Tudeley, fast trains to London would be very unlikely to stop there anyway, since they already stop at both of the stations that would be on either side of it!

I am also very concerned that this idea would eventually result in a continuous corridor of urban sprawl, from Tonbridge, through Tudeley and Five Oak Green to Paddock Wood, completely destroying the green belt buffer around Tonbridge.

Large parts of the developments will occur on the River Medway floodplain with flood risk assessments based on old data that does not fully consider the impact of climate change. Flood mitigation measures may help, but I believe that flood risks will increase. Covering farmed fields with houses and roads will make the Medway flood more often and cause increased flood risk not only in Tudeley but in Golden Green, East Peckham, Tonbridge and Yalding. There will be an increase in air, light and noise pollution that will spread across the boundary into Tonbridge & Malling and create a visual scar across the landscape. Views from Tonbridge to the Low and High Weald will be impaired, including the setting of historic assets like All Saint's Church in Tudeley and the Hadlow Tower. The church at Tudeley may end up being surrounded by houses, bus lanes and sit next to a busy road, which will cause great harm to its value as a heritage asset of world renown (due to the complete set of Marc Chagall windows).

The proposal at Tudeley can never be one village, as it is divided by a railway line that has very narrow, weak crossings. Putting in larger crossings at frequent points across the railway may be possible but it won't tie the two halves together well enough to make it one settlement, so it will never satisfy the garden village principles.

I see that there is also now a plan to add a spur road from the resurrected Colts Hill bypass, around Five Oak Green village, which will of course destroy yet more green belt land. If you now acknowledge that you will need to bypass the village, then perhaps that should be taken as a fairly obvious clue that the proposal is inappropriate to the area? At the very least you will need to wait and re-assess local traffic flow in the area after all of the current new housing around Paddock Wood is finished and fully occupied.

I am also staggered by the council's outrageous hypocrisy, by proposing to build on green belt land at all, with other local planning applications often turned down for "inappropriate and harmful development which would have a greater impact on the openness of the Metropolitan Green Belt", for example 18/01767/FULL (Erection of building for six B&B rooms associated with The Poacher, Tudeley) and 18/03915/FULL (Demolition of existing buildings and erection of detached dwelling at Builders Yard, Five Oak Green).

I do appreciate that there is an obligation to plan for future housing needs, but sincerely urge you to re-assess all available brownfield sites and come up with a sensible plan which is appropriate to the area, rather than try to dump ~50% of the requirement in one area. Being able to deal with a single landowner is not any kind of justification for the destruction of such a large area of green belt land and the location is rather inappropriate anyway, being on the River Medway flood plain and right on the boundary with Tonbridge & Malling Borough Council.

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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Re-assess all available brownfield sites and especially give serious consideration to the proposed development plan for Castle Hill (still within Capel), which has good road access directly onto the recently upgraded A21 and also close proximity to rail transport at High Brooms station

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box: Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Elisabeth Searle [REDACTED]
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	Elisabeth Searle [REDACTED]
Comment ID	PSLP_699
Response Date	31/05/21 14:48
Consultation Point	Policy STR 6 Transport and Parking (View)
Status	Processed
Submission Type	Web
Version	0.4
Question 1	
Respondent's Name and/or Organisation	Mrs Elisabeth Searle
Question 3	
To which part of the Local Plan does this representation relate?	Paragraph(s)
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Page 27 2.39 promote non motorised travel.

Page 32 strategic objective 6 To ensure good, safe access to jobs and services, with priority to active travel and public transport, as well as embracing new technology

Page 46 Item 7. Prioritise the needs of pedestrians, cyclists, and public transport services;

Page 57 4.101 Cycling, and the use of electric bicycles (or e-bikes), is considered to have a particularly important role in active travel, and it is recognised that the infrastructure for safe cycling needs to be in place first to bring about increased use of this mode of transport.

Page 59 Active Travel. The provision of inter-settlement walking, cycling, electrical personal vehicle, and non-motorised user routes into the centres or key destinations within settlements, including through enhancing routes such as Public Rights of Way (including footpaths, bridleways, and byways) for users of non-motorised transport. This will include links to destinations outside the borough, including Tonbridge; 4. The provision of improved cycle parking and e-bike charging points and bike share opportunities.

Page 375 Rural Lanes. Rural lanes6.225 There is a rich heritage of attractive lanes throughout the borough that contributesignificantly to the distinctive character of the countryside, while also providing wildlifehabitats. Reference should be made to the Council's adopted Supplementary PlanningGuidance: Rural Lanes and the High Weald AONB Joint Advisory Committee data setfor historic routeways (and any subsequent revisions): it is recognised that the RuralLanes SPG is now of considerable age, and will be reviewed in due course.

Question 4

Do you consider that the Local Plan:

Is legally compliant Don't know

Is sound No

Complies with the Duty to Cooperate Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not positively prepared
- . It is not effective

Question 5

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Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

The focus of the specific active travel improvements mentioned seems to be far too heavily centred around new development which is within or adjacent to existing towns, who already benefit from pavements and 20 mph zones.

My issue is there is a complete absence of proposals to address how active travel can be implemented in more rural areas where the need is greatest. The plan spans too long a time period for this to be ignored. You cannot discriminate against the rural communities in this way. It's not prioritisation, although I understand the need for that, it's neglect and in this respect I do not feel the draft plan as it stands is fit for purpose. It's a failure to develop a plan to address a well know and long standing problem situation that was accurately described over 25 years ago.

The rural lanes special planning guidance has brought about no discernable change in the last 25 years with the last approach, and the next report you commission will tell you what it did last time. That the rural lanes are a hostile environment for walkers, families with push chairs, wheel chair or mobility scooter users, cyclists and horse riders. This forces most rural families to run not just one but multiple vehicles. At one point when our children learned to drive we were a seven car family and we are most certainly not alone in this.

The key difference now though is that it's now critical that these lanes can be used for active travel that are not just recreational, but also for access to shops, schools and transport which makes it even more vital that they are made safer.

Waiting until the next special guidance report is just kicking the can down the road and is basically a failure to plan to resolve the hostile environment you are already very well aware of. I have no doubt

that you are also aware that housing developments are adding to the heavy usage of country lanes. for example cars cutting through the back lanes from new developments at Paddock Wood and Horsemonden rather than using main roads to reach the A21.

It was also well documented within the Highways England plan that the relatively recent dual carriageway which ends at Kippings Cross would result in endless traffic jams during the rush hour and any sunny weekend that force A21 users to take the the rural lanes making life intolerable and even more dangerous for the local residents between Pembury and Lamberhurst. This is a known problem which has been exacerbated by the councils own decisions and must be addressed and not ignored.

If we exclude A or B roads the vast majority of rural lanes are narrow meaning it's virtually impossible for any vehicle to pass a vulnerable road user safely by allowing for a 2m gap.

With no verges, high hedges and banks and the winding nature of the lanes there are many blind bends.

The vast majority will be national speed limit which is unacceptably high for the above mentioned road conditions and places all vulnerable road users at risk. While we cannot change the nature of the lanes we can reduce this speed limit and this should be done as a blanket change.

TWBC have made no meaningful progress in resolving this in the last 25 years and need to find a different and bolder approach to drive change. My recommendation is that you adopt the same strategy as places like the New Forest and introduce a High Weald AONB zone where as you turn off the A or B roads you see a sign indicating you are now entering the High Weald AONB zone, where a 30 mph speed limit applies to all lanes within the zone and unless you see a sign saying you are leaving the zone, everything is a 30 mph limit. The signage should warn drivers they should expect to see walkers, cyclists and horse riders and should clearly show that vulnerable road users should be passed wide (2m) and slow (less than 15 mph). This would allow for the removal of a vast amount of signage related to speed limits and save the costs of upkeep on these signs. It would also make it easier for the police to prosecute dangerous driving where it is obviously in excess of 30 mph. Visually it would massively reduce clutter and improve the visual appearance of the AONB.

This could be combined with all villages as home zones at 20 mph and the introduction of a network of quiet lanes within each parish linking key equestrian establishments to bridle paths, TROT rides or other permissive rides.

To drive change at a faster pace there should be a presumption that all new rights of way WILL BE multi user paths accessible to pedestrians, families with push chairs, wheel chair or mobility scooter users and horse riders as this offers the best value for tax payer investment given it can be used by the largest number of people.

The work done for the Brenchley and Matfield neighbourhood plan has indicated that equestrianism is second only to agriculture in providing employment. Most other rural villages will be exactly the same and yet there is no evidence of support for this industry which provides employment and could thrive by providing much needed recreational and tourist income if some effort were actually invested in resolving the deficit of bridle paths within the area. The same is probably also true of off road cycling where a better network would significantly increase the income of cafes, pubs and tourist accommodation.

The old rural lanes special guidance report identified that Kent is poorly provided with bridleways, 10 percent of PROW network compared with 20 percent nationally. Even with the inclusion of toll rides and permissive rides many rural lanes are regularly used by riders either for linking the off road network or because there is no off road resource at all in their locality. The reality is that while other areas have worked hard to increase their bridle or multi user path network often getting close to 30%, within TWBC this percentage is actually significantly less than 10 percent in many areas with just 2% within my local parish of Brenchley and Matfield. There must be a plan to upgrade the foot path network of PROW's in all rural villages to ensure that we at least achieve 20 percent of paths being upgraded to multi user or bridle paths by the end of the plan as a bare minimum.

Question 6

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The key difference now though is that it's now critical that these lanes can be used for active travel that are not just recreational, but also for access to shops, schools and transport which makes it even more vital that they are made safer.

Waiting until the next special guidance report is just kicking the can down the road and is basically a failure to plan to resolve the hostile environment you are already very well aware of. I have no doubt that you are also aware that housing developments are adding to the heavy usage of country lanes. for example cars cutting through the back lanes from new developments at Paddock Wood and Horsemonden rather than using main roads to reach the A21.

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Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Sevenoaks District Council
Address	Council Offices Argyle Road Sevenoaks TN13 1HG
Event Name	Pre-Submission Local Plan
Comment by	Sevenoaks District Council [REDACTED]
Comment ID	PSLP_1510
Response Date	03/06/21 15:42
Consultation Point	Section 1: Introduction (View)
Status	Processed
Submission Type	Email
Version	0.3
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Sevenoaks District Council
Question 3	
To which part of the Local Plan does this representation relate?	Paragraph(s)
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Section 1: Introduction

Paragraph No(s) 1.29

[TWBC: for further comments by Sevenoaks District Council, please see Comment Numbers PSLP_1508 and PSLP_1509]

Question 4

Do you consider that the Local Plan:

Is legally compliant	Yes
Is sound	Yes
Complies with the Duty to Cooperate	Yes

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

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Through our duty to co-operate discussions and regular meetings, it is clear that SDC and TWBC share similar issues and ambitions, including:

- . Providing high quality and well-designed development that meets identified needs.
- . Encouraging the re-use of previously developed brownfield land in sustainable locations.
- . Providing infrastructure to support sustainable growth.
- . Conserving and enhancing the AONB.
- . Protecting the Green Belt.

SDC continues to work with TWBC to address strategic cross boundary issues. Engagement has been constructive, active and on-going during the production of our respective Local Plans. In this regard, SDC is content that TWBC has met the requirements of Section 33A of the Planning and Compulsory Purchase Act 2004. We look forward to further engagement in relation to strategic matters and the possible production of a revised Statement of Common Ground.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?	. No, I do not wish to participate in examination hearing session(s)
---	--

Question 7a

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If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

At this stage, SDC is content to rely on written submissions to express its views on TWBC's emerging Local Plan. Officers will inform you as soon as possible should this position change.

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Sevenoaks District Council
Address	Council Offices Argyle Road Sevenoaks TN13 1HG
Event Name	Pre-Submission Local Plan
Comment by	Sevenoaks District Council [REDACTED]
Comment ID	PSLP_1508
Response Date	03/06/21 15:42
Consultation Point	Policy STR 1 The Development Strategy (View)
Status	Processed
Submission Type	Email
Version	0.3
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Sevenoaks District Council
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR 1 The Development Strategy

[TWBC: for further comments by Sevenoaks District Council, please see Comment Numbers PSLP_1509 and PSLP_1510]

Question 4

Do you consider that the Local Plan:

Is legally compliant	Yes
Is sound	Yes
Complies with the Duty to Cooperate	Yes

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

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SDC is supportive of joint working with TWBC and other development partners to address strategic, cross boundary matters. You will be aware of the evidence which demonstrates on-going and constructive engagement between our authorities since 2015, on matters such as housing, infrastructure and employment needs. Much of the discussion has taken place as part of the wider West Kent group with Tonbridge & Malling Borough Council.

In May 2019, a Statement of Common Ground was signed between SDC and TWBC. This document sets out the issues and actions raised during duty to co-operate engagement, which include how both local authorities were seeking to meet a variety of development needs. We have discussed the preparation of an updated Statement of Common Ground and the latest version is with you for comment. The updated document will reflect the extent to which our respective strategic development needs can be met and a range of other cross boundary policy matters, including those related to employment, retail and strategic infrastructure.

All legal challenges associated with SDC's Local Plan have now concluded and the Council is working with stakeholders to ensure that an updated document can be put in place as soon as possible. We will keep you updated on this process as part of duty to co-operate discussions.

SDC is of the view that TWBC's approach to the pre-submission Local Plan is positive, proactive and reflects the requirements of the duty to co-operate. We will continue to engage with TWBC as both authorities progress their Local Plans. This will include further discussion on the extent to which our respective housing needs can be met.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Question 7a

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

At this stage, SDC is content to rely on written submissions to express its views on TWBC's emerging Local Plan. Officers will inform you as soon as possible should this position change.

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Sevenoaks District Council
Address	Council Offices Argyle Road Sevenoaks TN13 1HG
Event Name	Pre-Submission Local Plan
Comment by	Sevenoaks District Council [REDACTED]
Comment ID	PSLP_1509
Response Date	03/06/21 15:42
Consultation Point	Policy STR 5 Infrastructure and Connectivity (View)
Status	Processed
Submission Type	Email
Version	0.3
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Sevenoaks District Council
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR 5 Infrastructure and Connectivity

[TWBC: for further comments by Sevenoaks District Council, please see Comment Numbers PSLP_1508 and PSLP_1510]

Question 4

Do you consider that the Local Plan:

Is legally compliant	Yes
Is sound	Yes
Complies with the Duty to Cooperate	Yes

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

In relation to education and health infrastructure, SDC recognises that many pupils and patients travel between our respective authorities to access these services. We are committed to working with TWBC, Kent County Council and the Kent and Medway Clinical Commissioning Group to deliver the services that are necessary for sustainable growth.

In relation to highway and rail infrastructure, SDC recognises the importance of the A21 and rail service to London in particular. We are committed to working with TWBC, Kent County Council and Network Rail to ensure any necessary improvements to support sustainable growth are delivered in a timely manner.

SDC will continue to work with infrastructure providers and partners on cross boundary matters, including through mechanisms such as the production of Infrastructure Delivery Plans.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Question 7a

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If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

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Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Simon Harkins [REDACTED]
Email Address	[REDACTED]
Company / Organisation	SGN
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	SGN [REDACTED]
Comment ID	PSLP_1405
Response Date	04/06/21 10:46
Consultation Point	Pre-Submission Local Plan (View)
Status	Processed
Submission Type	Email
Version	0.5

Data inputter to enter their initials here AT

Question 1

Respondent's Name and/or Organisation Simon Harkins, SGN

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

General comments on whole Plan.

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

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From reviewing the Pre-Submission Local Plan and other provided documents, my only comments at this time are in relation to the Site Allocations. Below is a summary and a bit more information you may find of use.

NETWORK OVERVIEW

All sites reviewed should be in a location where the gas network is close by, so the initial physical connection to the system should not be a problem.

Gas demand for the Site Allocations was estimated based on the number of dwellings. This was then added and analysed on our Network Analysis Model. From the review I found that the Intermediate Pressure (IP) and Medium Pressure (MP) tiers of the network are relatively robust in Tunbridge Wells and *at this time* the addition of the proposed sites did not pose a risk to the operation of the system or the capacity on these gas tiers.

Please note:

- . Reinforcement of the existing Low Pressure (LP) network may be necessary to support development on this scale, dependant on the site demand and the final point of connection to SGN's network. This will usually only be known when a connections enquiry/request is made.
- . SGN are unable to book capacity and the above assessment does not guarantee the availability of future capacity which is offered on a 'first come, first served basis'.
- . The UK Governments plan to stop all domestic connections to the gas network post 2025 was partly taken into consideration, please be aware of this possible new regulation.

STATUTORY OBLIGATIONS

Where required, SGN will look to manage the provision of any off-site infrastructure improvements, in line with the overall development growth and / or timescales provided. The full extent of these works will be dependent on the nature and location of the requested load(s), potentially requiring LP reinforcement in addition to that required for the IPMP networks and will only become clear once a developer's request has been received. Reinforcement solutions are likely to involve the provision of a new pipeline in parallel to SGN's existing mains system but may also include the installation of above ground apparatus involving land purchase.

As this is a high-level assessment and response, the information provided is indicative only and should be use as a guide to assist you on your assessment. While information obtained through consultation and / or engagement on Local Development Plans is important to our analysis, it only acts to identify potential development areas. Our principle statutory obligations relevant to the development of our gas network arise from the Gas Act 1986 (as amended), an extract of which is given below:-

Section 9 (1) and (2) which provides that:

9. General powers and duties

(1) It shall be the duty of a gas transporter as respects each authorised area of his:-

(a) to develop and maintain an efficient and economical pipe-line system for the conveyance of gas; and

(b) subject to paragraph (a) above, to comply, so far as it is economical to do so, with any reasonable request for him -

(i.) to connect to that system, and convey gas by means of that system to, any premises; or

(ii.) to connect to that system a pipe-line system operated by an authorised transporter.

(1A) It shall also be the duty of a gas transporter to facilitate competition in the supply of gas.

(2) It shall also be the duty of a gas transporter to avoid any undue preference or undue discrimination -

(a) in the connection of premises or a pipe-line system operated by an authorised transporter to any pipe-line system operated by him; and in the terms of which he undertakes the conveyance of gas by means of such a system.

SGN would not, therefore, develop firm extension or reinforcement proposals until we are in receipt of confirmed developer requests.

As SGN is the owner and operator of significant gas infrastructure within the area and due to the nature of our licence holder obligations;

- . Should alterations to existing assets be required to allow development to proceed, such alterations will require to be funded by a developer.
- . Should major alterations or diversions to such infrastructure be required to allow development to proceed, this could have a significant time constraint on development and, as such, any diversion requirements should be established early in the detailed planning process.

SGN would therefore request that, where the Council are in discussions with developers via the Local Plan, early notification requirements are highlighted.

Additionally, SGN are aware of the advances being made in renewable technologies, especially those related to the production of biomethane. Should any developer be proposing to include such technology within their development, then we would highlight the benefits of locating these facilities near existing gas infrastructure. Again, where the Council are in discussions with developers via the Local Plan, we would hope that these early notifications requirements are highlighted.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

Comment

Consultee	Mrs S Sheldrake [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] ROYAL TUNBRIDGE WELLS [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Mrs S Sheldrake [REDACTED]
Comment ID	PSLP_45
Response Date	20/04/21 11:41
Consultation Point	Policy AL/RTW 13 Turners Pie Factory, Broadwater Lane (View)
Status	Processed
Submission Type	Email
Version	0.3
Data inputter to enter their initials here	KJ
Question 1	
Respondent's Name and/or Organisation	Susan Sheldrake
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy AL/RTW 13: Turners Pie Factory, Broadwater Lane

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

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Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

I am against turner's going for yet more houses as this area is crowded and the town really needs jobs!

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

For office use only

If responder hasn't ticked an option on this box, data inputter to tick 'not stated' box. Not Stated

Comment

Consultee	Mrs S Sheldrake [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] ROYAL TUNBRIDGE WELLS [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Mrs S Sheldrake [REDACTED]
Comment ID	PSLP_46
Response Date	20/04/21 11:41
Consultation Point	Policy AL/RTW 16 Land to the west of Eridge Road at Spratsbrook Farm (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	KJ
Question 1	
Respondent's Name and/or Organisation	Susan Sheldrake
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy AL/RTW 16: land to the west of Eridge Road at Spratsbrook Farm

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

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I am against building on the Ramslye Farm land-- it is unnecessary and the land is essential for crops and peoples' welfare

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

For office use only

If responder hasn't ticked an option on this box, data inputter to tick 'not stated' box. Not Stated

Comment

Consultee	Parish Clerk [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Shipbourne Parish Council
Address	[REDACTED] Ightham [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Shipbourne Parish Council (Parish Clerk [REDACTED])
Comment ID	PSLP_173
Response Date	17/05/21 16:39
Consultation Point	Policy STR/SS 1 The Strategy for Paddock Wood, including land at east Capel (View)
Status	Processed
Submission Type	Email
Version	0.4
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Shipbourne Parish Council
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR/SS 1 The Strategy for Paddock Wood, including land at east Capel

Paragraph Numbers 5.153-5.193 & 5.200-5.229

Map Numbers 26-29, 31-34 and Inset Maps 4,7,8,9

Question 4

Do you consider that the Local Plan:

Is legally compliant No

Is sound No

Complies with the Duty to Cooperate No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not positively prepared
- . It is not effective
- . It is not justified

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

- 1 The Allocations at Paddock Wood, Capel/Tudeley are unsound because it is not based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground;
- 2 The main service areas for these developments are either Paddock Wood or Tonbridge. Most of the Tudeley development will look to Tonbridge as their main service centre which is within the Borough of Tonbridge and Malling.
- 3 The following will impact on Shipbourne residents:
 - **The capacity of the railway station**

This is currently Shipbourne's nearest mainline station to London that provides a fast and regular service; Capel and Tudeley new residents will use Tonbridge rather than Paddock Wood due to proximity. Congestion around the railway station, parking issues and capacity of the rail system are issues that should have been discussed with South Eastern Railways and Tonbridge and Malling BC as part of the Duty to Cooperate. Have these conversations been undertaken and if so what were the outcomes?

. **Increase the existing problems of air pollution within Tonbridge High Street**

Tonbridge and Malling has proposed allocations at the southern end of Tonbridge which if included in the next Local Plan will already put the High Street under undue pressure in relation to air quality. Air quality in Tonbridge High Street is of interest to Shipbourne residents as secondary children pass through the High Street on a regular basis to access the secondary schools. It is also the nearest large service centre for Shipbourne residents. Has Tonbridge and Malling Borough Council discussed the problems of air quality with Tunbridge Wells BC as part of the Duty to Cooperate? If so what are the actions that Tunbridge Wells BC propose to undertake to ensure that Tonbridge High Street is protected from increase in poor air quality caused by increase in traffic from Tudeley and Capel allocations? The SA indicates that the Capel/Tudeley allocation would create 'a worsening of the AQMA on Tonbridge High Street must be considered (cross boundary impacts)'.(Page 93)

Impact on the number of secondary school places available and opportunities for adult education for Shipbourne residents.

Has the school provision been part of the discussion with Tonbridge and Malling Borough Council as part of the duty to cooperate? The Comprehensive school at Paddock Wood is already oversubscribed.

If so what provision will be made for the education of Tunbridge Wells's children? When will the proposed secondary school at Tudeley be built and commissioned in relation to the build out of the development? Will there be restrictions on the entry into Tonbridge schools from Tunbridge Wells? The Schools serving Tonbridge and Malling already accept children travelling into Tonbridge from outside the Borough. The SA states 'All new educational pressures created are expected to be met by provision of new or extended schools. Adult education facilities are not considered, and it is expected that Royal Tunbridge Wells would continue to meet this demand.'

i) How, where and when is the secondary school provision to be made in relation to the programming of development?

ii) It is likely that the Adult education provision in Tonbridge would be used in preference to Tunbridge Wells' provision due to proximity.

Impact on Tonbridge and Malling from flashy run off into the flood plain of the River Medway

This will be exacerbated as climate change impacts increase. Flooding in Tonbridge High Street impacts on residents of Shipbourne as it is their main service centre and most of the secondary pupils need to pass through Tonbridge to reach their schools. The economic impact of major flooding within the Borough of Tonbridge and Malling as a result of allocations impacting on flash run off into the Medway could be major unless correct flood prevention methods are undertaken in the Medway valley which will address the situation. When and how will this be done in relation to the build out of the new developments? Will SUDS in the new developments at Capel and Tudeley be sufficient alone? The impact of flood waters downstream of Tonbridge (within Tonbridge and Malling), back up of flood waters into Tonbridge town centre and downstream flooding at Yalding has not been properly assessed or talked about in the Local Plan. There is no evidence that this has been sufficiently addressed with Tonbridge and Malling Borough Council and the Environment Agency as part of the Duty to Co-operate.

1 Conclusion :

None of the above issues have been addressed sufficiently in the Sustainability Appraisal or through the Duty to Cooperate with Tonbridge and Malling Borough Council. Issues have been left for consideration subsequent to the adoption of the Local Plan. This is unacceptable. The issues raised above should be identified in the Local Plan and unless they can be satisfactorily addressed with programmed actions set out in policies within the Local Plan it is considered that the plan is unsound. Furthermore it is considered that unless these issues have been fully considered and discussed with TMBC under the duty to co-operate (DTC) and there is a statement of common ground addressing these issues that the Local Plan fails on its DTC.

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan 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.

Actions needed to be addressed to make the plan sound:

The issues raised above should be identified in the Local Plan and unless they can be satisfactorily addressed with programmed actions related to the build out of development which are set out in policies within the Local Plan it is considered that the plan is unsound.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . No, I do not wish to participate in examination hearing session(s)

Future Notifications

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Comment

Consultee	Parish Clerk [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Shipbourne Parish Council
Address	[REDACTED] Ightham [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Shipbourne Parish Council (Parish Clerk - [REDACTED])
Comment ID	PSLP_174
Response Date	17/05/21 16:39
Consultation Point	Policy STR/SS 3 The Strategy for Tudeley Village (View)
Status	Processed
Submission Type	Email
Version	0.4
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Shipbourne Parish Council
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR/SS 3 The Strategy for Tudeley Village

Paragraph Numbers 5.153-5.193 & 5.200-5.229

Map Numbers 26-29, 31-34 and Inset Maps 4,7,8,9

Question 4

Do you consider that the Local Plan:

Is legally compliant	No
Is sound	No
Complies with the Duty to Cooperate	No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:	<input type="checkbox"/> It is not positively prepared
	<input type="checkbox"/> It is not effective
	<input type="checkbox"/> It is not justified

Question 5

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This will be exacerbated as climate change impacts increase. Flooding in Tonbridge High Street impacts on residents of Shipbourne as it is their main service centre and most of the secondary pupils need to pass through Tonbridge to reach their schools. The economic impact of major flooding within the Borough of Tonbridge and Malling as a result of allocations impacting on flash run off into the Medway could be major unless correct flood prevention methods are undertaken in the Medway valley which will address the situation. When and how will this be done in relation to the build out of the new developments? Will SUDS in the new developments at Capel and Tudeley be sufficient alone? The impact of flood waters downstream of Tonbridge (within Tonbridge and Malling), back up of flood waters into Tonbridge town centre and downstream flooding at Yalding has not been properly assessed or talked about in the Local Plan. There is no evidence that this has been sufficiently addressed with Tonbridge and Malling Borough Council and the Environment Agency as part of the Duty to Co-operate.

1 Conclusion :

None of the above issues have been addressed sufficiently in the Sustainability Appraisal or through the Duty to Cooperate with Tonbridge and Malling Borough Council. Issues have been left for consideration subsequent to the adoption of the Local Plan. This is unacceptable. The issues raised above should be identified in the Local Plan and unless they can be satisfactorily addressed with programmed actions set out in policies within the Local Plan it is considered that the plan is unsound. Furthermore it is considered that unless these issues have been fully considered and discussed with TMBC under the duty to co-operate (DTC) and there is a statement of common ground addressing these issues that the Local Plan fails on its DTC.

Question 6

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Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan 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.

Actions needed to be addressed to make the plan sound:

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Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box: Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Julie Shrubb [REDACTED]
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	Julie Shrubb [REDACTED]
Comment ID	PSLP_245
Response Date	21/05/21 13:41
Consultation Point	Policy STR/SS 1 The Strategy for Paddock Wood, including land at east Capel (View)
Status	Processed
Submission Type	Web
Version	0.2
Question 1	
Respondent's Name and/or Organisation	Julie Shrubb
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
STR/SS 1	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	No
Is sound	No
Complies with the Duty to Cooperate	No
Question 4a	

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not positively prepared
- . It is not effective
- . It is not justified
- . It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

This plan does not take into account the amount of traffic going from Paddock Wood to both Tonbridge & Tunbridge Wells. The roads are used for commuting and schools. Both the Government & Royal Family (Prince Charles) are promoting the planting of more trees, being outdoors and encouraging wildlife habitats. This plan is doing the opposite - vast amounts of land to be descimated for housing. With the developments already happening in Paddock Wood we were promised infrastructure first. The main road at the junction of Badsell Road was due to be changed to allow for the development. This hasn't happened.

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan 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 plan is no longer in line with the Government guidelines since the pandemic has has happened. People will no longer need to commute in the numbers as previously as more home working will take place. Government are now advising green spaces to be of more importance than ever. This plan is going to do the complete opposite.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

- . No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Julie Shrubb [REDACTED]
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	Julie Shrubb [REDACTED]
Comment ID	PSLP_249
Response Date	21/05/21 13:33
Consultation Point	Paddock Wood (View)
Status	Processed
Submission Type	Web
Version	0.2

Question 1

Respondent's Name and/or Organisation	Julie Shrubb
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Question 3

To which part of the Local Plan does this representation relate?	Paragraph(s)
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Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

5.238, 5.239, 5.256

Question 4

Do you consider that the Local Plan:

Is legally compliant	No
Is sound	No
Complies with the Duty to Cooperate	No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

- Do you consider that the Local Plan is not sound because:**
- . It is not positively prepared
 - . It is not effective
 - . It is not justified
 - . It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

As stated there is only 1 road in & out of Paddock Wood. This is already busy at peak times. With additional housing/population this will increase. Promised infrastructure has not been put in place.

Paddock Wood is liable to flood as it is on a flood plain. Tonbridge has experienced recent flooding due to over development. The flood barrier does help but the Capel development will add more pressure.

The housing is not affordable. Most young local residents do not earn enough to buy the cheapest of these properties - approximately £255,000 for a 1 bedroom apartment.

Question 6

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Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan 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 Capel Plan should not go ahead. Paddock Wood needs the High Street (Commercial Road) to be used. A crossing by the library would enable people to cross safely & encourage use. Do not close the railway bridge to all traffic except buses. This will mean a detour to Seven Mile Lane, driving back towards Five Oak Green and back into Paddock Wood for some residents to get to school, doctors, shops etc. There is also an ambulance depot which could mean somebody may lose their life if there is a delay.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

- If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?**
- . No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Graham Siddle ([REDACTED])
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	Graham Siddle ([REDACTED])
Comment ID	PSLP_1327
Response Date	04/06/21 15:58
Consultation Point	Policy AL/RTW 6 Land at 202 and 230 Upper Grosvenor Road (View)
Status	Processed
Submission Type	Web
Version	0.1

Question 1

Respondent's Name and/or Organisation	Graham Siddle
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Question 3

To which part of the Local Plan does this representation relate?	Policy
--	--------

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

AL/RTW 6

Question 4

Do you consider that the Local Plan:

Is legally compliant	Don't know
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Is sound	No
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Complies with the Duty to Cooperate	Don't know
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Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because: . It is not justified because:

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

I would to state teh following reasons makes this local plan unsound:

The current sit eproposal for 40-45 units is very different to anything else around thi spart of Upper Grosvenor Road and will increase the development of the area.

These buildings will be far taller than anything else in th enear vicinity creatinga major eyesore foe everyone living nearby or visiting the area.

Aware there are tree presevations in place but they will not be sufficienet to restrict the impact that these large dwellings will create by removal of trees and large shrubs.

Upper Grosvenor Road around this area has limited street parking and any extra traffic\vans or people arriving to the area cannot be catered for. Especially with the hill and two bends around this area cause significant issues already.

Significant noise increase in the area - Both sides will be affected while at present there is shielding from the un

The road is busy with school children and young families walking to and from school and going to Hilbert Rec. Excessive traffic and site works etc will cause major issue son this front. Especailly with restrictive parking and cars and buses mounting pavements to get up and down the road.

This proposed planning will completely change this are of St Johns and the surrounding area, reducing the amount of green space. Two talll buildings twice the height of anything else nearby will also be an eyesore for everyone and multiple trees etc will no doubt be removed as part of the building works taking place.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box: Yes, I wish to be notified of future stages of the Local Plan

Supporting Information File Ref No: SI_96

Comment

Consultee	Mr Alex Simcox [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] Biddenden [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Mr Alex Simcox [REDACTED]
Comment ID	PSLP_1738
Response Date	04/06/21 15:47
Consultation Point	Policy STR 10 Neighbourhood Plans (View)
Status	Processed
Submission Type	Email
Version	0.5
Files	PSLP_1724,1735-1736, 1738 A Simcox SI.docx
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Alex Simcox
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR 10 Neighbourhood Plans

[TWBC: this representation has been input against Policies PSTR/BE 1, AL/BE 3, AL/BE 4 and STR 10 – see Comment Numbers PSLP_1724, PSLP_1735, PSLP_1736 and PSLP_1738]

Question 4

Do you consider that the Local Plan:

Is legally compliant No

Is sound No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not effective
- . It is not justified
- . It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

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Draft Tunbridge Wells Local Plan – Regulation 19 consultation response

Introduction

1. These representations are made on behalf of Euan Burrows, Mockbeggar Lane and a group of residents who all live in East End, Benenden.
2. These representations are concerned with the policies in the draft Tunbridge Wells Local Plan ('the Local Plan') affecting Benenden, in particular Policy PTSR/BE1, Policy AL/BE3 and Policy AL/BE4. These representations further concern Policy STR10 insofar as Tunbridge Wells Borough Council's ('the Council') stated intention to withdraw local plan policies in the event that neighbourhood plans are adopted prior to the completion of the examination of the Local Plan. Beyond these identified policies, these representations are not concerned with either the legality or soundness of the Local Plan as a whole.
3. As currently drafted, the identified policies are unsound and cannot be adopted. They are unjustified, ineffective and inconsistent with national policy.

Policy PTSR/BE1 – Limits to Built Development

4. Policy PTSR/BE1 of the Local Plan seeks to define the strategy for Benenden parish. Paragraph 1 of Policy PTSR/BE1 states that:

The development strategy for Benenden parish is to:

1. Set Limits to Built Development for Benenden village, as defined on the Policies Map (Inset Map 17) as a framework for new development over the plan period;
- 1 The proposed limits to built development ('LBD') for Benenden are shown on Inset Map 17. [https://tunbridgewells.gov.uk/__data/assets/pdf_file/0008/387962/Inset-Map-17-Benenden.pdf] Notably, the majority of development proposed for Benenden is actually outside of the LBD for Benenden and is in fact directed towards Benenden Hospital (Inset Map 18 [https://tunbridgewells.gov.uk/__data/assets/pdf_file/0009/387963/Inset-Map-18-Benenden-Hospital.pdf], Policies AL/BE3 and AL/BE4 of the Local Plan).
6. The purpose of LBDs is to act as settlement boundaries, the effect of which being that that development is focussed within LBDs. Policy STR1(2), (9) of the Local Plan states that:
"The broad development strategy for Tunbridge Wells borough over the period 2020-2038, as shown indicatively on the Key Diagram (Figure 5), is to ensure that a minimum of 12,204 dwellings and 14

hectares of employment (Use Classes B and E) land are developed, together with supporting infrastructure and services.

To achieve this, the Local Plan:

2. Looks to focus new development within the Limits to Built Development of settlements, as defined on the Policies Map, where proposals accord with other relevant policies of this Plan;

[...]

9. Normally limits development in the countryside (being defined as that outside the Limits to Built Development) to that which accords with specific policies of this Plan and/or that for which a rural location is fully demonstrated to be necessary

7. This accords with the stated strategy for Benenden in the Local Plan. Paragraph 5.416 of the Local Plan states that:

“The LBD around Benenden village sets the extent of existing and planned development, and provides for any potential future windfall development. Any windfall sites that do come forward for residential development over the plan period should provide affordable housing in accordance with the relevant Local Plan policy in Section 6, having regard to information on local housing needs”

8. Accordingly, LBDs play a fundamental role in the Local Plan. They define areas to which development is directed (STR1; paragraph 5.416, Policies AL/BE1, AL/BE2, AL/BE3 and AL/BE4) and define areas beyond the LBD as countryside. As a result, of this development proposals outside of the LBDs will be significantly harder to obtain permission for.

9. In our view the LBD currently proposed for Benenden fails to accord with the Local Plan. It unjustifiably excludes built development to the west of the New Pond Road crossroads towards Benenden School, bordering the B2086, and also excludes Iden Green in its entirety. The purported basis for the exclusion of Iden Green is that this settlement has *“limited key facilities and bus service making them unsustainable in this context.”* [Paragraph 3.1(b) of the Limits to Built Development Topic Paper https://tunbridgewells.gov.uk/__data/assets/pdf_file/0009/388098/Limits-to-Built-Development-Topic-Paper.pdf]

10. Furthermore, the boundary of the LBD is artificially constrained within Benenden itself. This avoids any prospect of in-filling in suitable sites within and immediately adjacent to the village and has in turn informed the site-selection process and excluded several suitable sites in sustainable village locations (Policies AL/BE1, AL/BE2, AL/BE3 and AL/BE4).

11. Policy STR1(3) states that the Local Plan will provide *“for the growth of settlements, having regard to their role and function, constraints, and opportunities.”* However, the LBD as currently drawn for Benenden and Benenden Hospital, fails to apply this reasoning. It has resulted in sustainable, appropriate sites for development being excluded from Benenden and pushed development to unsustainable, isolated areas (AL/BE3 and AL/BE4). This is addressed in the submissions below on the sustainability of AL/BE3 and AL/BE4 but, in our view, the only conclusion that can be drawn is that the LBD for Benenden is unsound, undermines the Local Plan and should not be adopted.

Policies AL/BE3 and AL/BE4

12. The land subject to policies AL/BE3 and AL/BE4 is situated approximately 4km to the north east of Benenden ('the Site'). It is connected to Benenden by Goddard's Green Road / Benenden Road (a designated rural lane). At present, there is nothing on the Site beyond houses and the hospital (with associated buildings).

13. The Site contains some land which is previously developed, but also 3 Local Wildlife Sites, greenfield areas and rare grassland (see TWFDLP Comments, DLP_3458). In any event, the presence of some previously developed hospital infrastructure within the Site, which itself is placed within an isolated and wholly rural setting, does not override its fundamental unsustainability in local or national planning policy terms for development on the scale proposed.

14. In this regard, the Site is clearly unsustainable. This is demonstrated by both the Sustainability Appraisal ('the SA') and the extant planning permission. The extant permission does not set a precedent for development on the Site but rather was a highly fact-sensitive decision which, properly understood, should not be used as a justification for further development. There are other more appropriate sites in Benenden which, had the SA been properly applied, would have been selected.

The extent planning permission

15. There is currently permission for 24 new dwellings on the Site (TW/12/03130, subsequently amended by 14/505641/FULL). The justification for the 2012 application can be seen from paragraphs 2.07 – 2.08 of the Committee Report for the 2012 permission, which state that: [https://twbcpa.midkent.gov.uk/online-applications/files/C51CE242B260EDEE3F5806A1D9D5B596/pdf/12_03130_EIAMJ-Committee_Report-3829324.pdf]

“2.07 The Design and Access Statement identifies that the redevelopment aspirations of the hospital follow consideration of a number of development options including a new build solution. It was concluded (by the Hospital Trust) that the preferred strategy for the future of the site would be to centralise development on the existing hospital through a process of new build extension to enable a consolidation of services and the optimisation of functional arrangements.

2.08 In looking at the options the Hospital Trust concluded that those parts of the estate surplus to requirements could potentially be marketed for sale in order to generate funding support for the scheme. This subsequently led to the confirmation that the administrative South East quadrant (excluding Peek Lodge, Windmill Cottage and Joy Carey buildings) would be put up for sale.”

16. In our view, it is significant that the primary justification for the residential aspect of the 2012 permission was to generate funding for the re-development of the hospital facilities. At no point was this intended to demonstrate the suitability of the Site for wide-spread development. Rather, this was a bespoke planning permission which has to be understood on its own facts. Whilst permission was granted, the 2012 report expressly noted at paragraph 10.27 that:

“Relevant factors also include the fact that the site is in a remote, isolated location and therefore the site is not a sustainable one – seeking a higher density of residential development would lead to such matters as higher car use for example which would not be sustainable”

17. This accords with the consultation response from the expert Highways Authority, Kent Highways Services, summarised at paragraph 6.43, which notes, among other things, that *“the residential aspect is not a sustainable location.”* There is no provision made in the 2012 permission to address the unsustainability of the Site in terms of transport.

18. The Site was deemed to be remote, isolated and unsustainable *prior* to the 2012 permission being granted for, among other things, the development of 24 houses. There is no provision in the 2012 permission to address the unsustainability of the Site. It follows that the Site is still unsustainable, if not more unsustainable given the additional issues which will be caused by the development of the 24 houses. Allocations in the Local Plan (AL/BE3 and AL/BE4) cannot be justified on the basis of funding healthcare development at the hospital given the Local Plan cannot specify who will financially benefit from building out AL/BE3 and AL/BE4. On this basis alone it is clear that further residential allocations on the Site are wholly inappropriate.

Policies AL/BE3 and AL/BE4 – sustainability

19. Policy STR3 of the Local Plan states that *“Proposals that provide for the effective use of redundant, disused, or under-utilised brownfield land and buildings in sustainable locations will be supported in principle.”* Paragraphs 4.68 and 4.70 of the explanatory text to Policy STR3 state that:

“4.68 - A key principle underpinning the overall strategy set out in the Local Plan for the pattern and scale of development is that it makes as much use as possible (optimal use) of suitable PDL (previously developed land)/brownfield sites and under-utilised land, including optimising the density of development, particularly in the borough’s town centres and other locations well served by public transport

[...]

4.70 - The Local Plan includes a number of site allocations on brownfield sites, making effective use of such sites, as required by the NPPF, helping to achieve the overarching need for sustainable development. Such sites tend to be located within established LBDs. This is reflected in Policy STR 1: The Development Strategy. (Para 1 Policy STR1 - Promotes the effective use of urban and previously developed (brownfield) land, having due regard to relevant Plan policies;)”

20. On any reading, the support in Policy STR3 for use of brownfield land and buildings is predicated on those sites being sustainable. The position in the Local Plan is that brownfield sites in sustainable locations will be supported in principle. It is not that brownfield sites in any location will be supported

in principle. This accords with the broad definition of sustainable development given in the NPPF, based on the three overarching objectives of economic, social and environmental. Whilst the use of brownfield land may go to the environmental objective of sustainability, the presence of some previously developed infrastructure within a site cannot be dispositive of whether sites and developments are themselves sustainable.

21. It is unarguable that the Site is sustainable. As made clear above, the Site was found to be “remote” and “isolated” and therefore unsustainable in 2012. No infrastructure has been introduced since. The only change is the extant permission for the development of 24 homes which further stresses the sustainability and connectivity of the Site. On this basis, there is no policy support for the allocation of development to this location.

22. Furthermore, as made clear in earlier representations as part of the regulation 18 consultation response to the Local Plan submitted on behalf of Euan Burrows, Mockbeggar Lane and a group of residents who all live in East End, Benenden, there are significant issues in the SA which have resulted in Policies AL/BE3 and AL/BE4. Those representations have been appended to these representations rather than repeated in full, but a number of points are reiterated here.

23. First, and fundamentally, the filtering exercise carried out in the SA which led to the selection of the Site over other options has been misapplied. The first two bullet points of paragraph 8.1.4 of the SA provide that sites will be filtered out if they are:

- . *“Located in remote locations away from existing settlements; such sites considered unlikely to be sustainable in this context; in some instances some remote sites have been considered in the context of a new garden settlement where applicable or as urban extensions; (Bullet Point 1)*
- . *Not well related to a settlement; this has included sites that may be in relative close proximity to a settlement but are not well related to the built form of the settlement for example because they are cut off / separated from the settlement / built form in some way; (Bullet Point 2)*

24. If these points were to have been correctly applied, it is inconceivable that AL/BE3 and AL/BE4 would have emerged as a preferred option. The Site is acknowledged to be located in a remote location away from existing settlements and is not well related to the nearest settlements of Benenden and Biddenden, both of which are 4km away. The only means of transport between East End and Benenden is along the narrow Goddard’s Green Road. There is no walking path and no cyclepath between East End and Benenden. Indeed, this lack of relation to Benenden is clearly acknowledged by the wording of AL/BE3 and AL/BE4, which require the provision of an ‘active travel link’ between the site and Benenden village.

25. Second, and leading on from this point, the SA itself identifies that the Site is unsustainable but then suggests that this can be addressed through future development. However, this is fundamentally misguided. The correct approach is to consider a potential site as it exists, not after hypothetical development has taken place. Otherwise, all sites would be acceptable, thereby rendering the site-selection process pointless.

26. As such these policies are unjustified. They are the result of an inconsistent approach to determining limits to built development and a fundamentally flawed SA.

Policies AL/BE3 and AL/BE4 – conclusion

27. These policies would result in the development of an isolated residential outpost in an unsustainable location on the edge of the AONB.

28. Policies AL/BE3 and AL/BE4 are unjustified. They are the result of an inconsistent and erroneous approach within the SA. This is reflected in the proposed LBD for Benenden which have artificially excluded a number of viable sites for development, pushing development to an isolated, remote and unsustainable location in the East End.

29. Policies AL/BE3 and AL/BE4 are inconsistent with the Local Plan. They are not sustainable, contrary to Policy STR1. The existence of some previously built development does not render the scale of development now sought on the site compatible with STR3 or overcome its fundamental incompatibility with the wider local applicable policy framework. In particular, the Site is isolated and remote and will necessitate travel by car, contrary to Policies STR6, STR7 and TP2. This will result in severe residual cumulative impacts on Goddard’s Green Road, contrary to Policy EN1. Moreover, these proposed policies for the Site also fail to afford protection to the setting of the AONB, contrary to Policy EN20, which is a fundamental requirement in this rural area.

30. At the national level, Policies AL/BE3 and AL/BE4 are also inconsistent with the NPPF. They represent unsuitable development in an unsustainable location, contrary NPPF chapter 2 and paragraphs 78 – 79. The development is not located to existing settlements and would have an unacceptable impact on local roads, contrary to NPPF paragraph 84. These policies do not and cannot promote sustainable transport, contrary to NPPF chapter 9.

31. For these reasons, Policies AL/BE3 and AL/BE4 are unjustified, ineffective and inconsistent with the Local Plan and the NPPF. It therefore follows that these policies are unsound and cannot be adopted.

Policy STR10 – interaction between draft Neighbourhood Plans and the Local Plan

32. The stated intention of the Local Plan is to withdraw policies in the Local Plan if Neighbourhood Plans are adopted prior to the examination of the Local Plan which contain policies similar to those in the Local Plan (paragraph 4.145, Policy STR10).

33. This stated intention applies directly to Benenden. Paragraphs 5.420 – 5.422 of the Local Plan provide that:

“5.420 Local policies are also being prepared through the Benenden Neighbourhood Plan (BNP), which will become an increasingly important consideration as it progresses. The BNP was submitted to Tunbridge Wells Borough Council in October 2020 and was consulted on between 30 October and 11 December 2020. The BNP proposes to include site allocation policies that follow the approach of the site allocation policies for Benenden in this Local Plan.

5.421 If the BNP progress through the relevant stages, including referendum, a decision will be made by the Full Council of Tunbridge Wells Borough Council whether to make the Benenden NDP part of the development plan for Tunbridge Wells borough. If this is agreed, all decisions on planning proposals within the parish of Benenden will be required have regard to its policies.

5.422 If this occurs while this Plan is still under consideration, the allocation Policies AL/BE1, AL/BE2, AL/BE3, and AL/BE4 will be omitted. Rather, the settlement chapter in the Local Plan for Benenden will refer to the site allocations, and other relevant policies in the made BNP. This would be undertaken through modifications to the Local Plan, which would be consulted on.”

34. It is well-established that the examination of a draft local plan is wholly distinct from the examination of a draft neighbourhood plan and must be assessed on its own merits. A draft local plan can only be adopted if it is sound. There is no requirement to consider whether a draft neighbourhood plan is sound. Instead, the question to determine is whether it is appropriate to make the plan having regard to national policies and advice. As a result of this distinction there is no requirement to consider whether a draft neighbourhood plan is the most appropriate strategy for the area nor to consider whether it is based upon proportionate evidence as there is with a draft local plan.

35. These differences were summarised by Holgate J in *R (Crownhall Estates Limited) v Chichester District Council* [2016] EWHC 73 (Admin). He identified the following relevant principles at paragraph 29:

“i) The examination of a neighbourhood plan, unlike a development plan document, does not include any requirement to consider whether the plan is “sound” (contrast s. 20(5)(b) of PCPA 2004) and so the requirements of soundness in paragraph 182 of the NPPF do not apply. So there is no requirement to consider whether a neighbourhood plan has been based upon a strategy to meet “objectively assessed development and infrastructure requirements”, or whether the plan is “justified” in the sense of representing “the most appropriate strategy, when considered against reasonable alternatives” and based upon “proportionate evidence”;

ii) Where it is engaged, the basic condition in paragraph 8 (2)(e) of schedule 4B to TCPA 1990 only requires that the draft neighbourhood plan as a whole be in “general conformity” with the strategic policies of the adopted development plan (in so far as it exists) as a whole . Thus, there is no need to consider whether there is a conflict or tension between one policy of a neighbourhood plan and one element of the local plan;

iii) Paragraph 8(2)(a) confers a discretion to determine whether or not it is appropriate that the neighbourhood plan should proceed to be made “having regard” to national policy The more limited requirement of the basic condition in paragraph 8(2)(a) that it be “appropriate to make the plan” “having regard to national policies and advice” issued by SSCLG, is not to be confused with the more

investigative scrutiny required by PCPA 2004 to determine whether a local plan meets the statutory test of “soundness”.

iv) Paragraphs 14, 47 and 156 to 159 of the NPPF deal with the preparation of local plans. Thus local planning authorities responsible for preparing local plans are required to carry out a strategic housing market assessment to assess the full housing needs for the relevant market area (which may include areas of neighbouring local planning authorities). They must then ensure that the local plan meets the full, objectively assessed needs for the housing market area, unless, and only to the extent that, any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole, or specific policies in the NPPF indicate that development should be restricted (*St Albans City Council v Hunston Properties* [2013] EWCA Civ 1610; *Solihull Metropolitan B.C. v Gallagher Estates Ltd* [2014] EWCA Civ 1610).

v) Those policies in the NPPF (and hence the principles laid down in *Hunston* and *Gallagher* in the interpretation of those policies) do not apply to the preparation by a qualifying body of a neighbourhood plan. Although a neighbourhood plan may include policies on the use of land for housing and on locations for housing development, and may address local needs within its area, the qualifying body is not responsible for preparing strategic policies in its neighbourhood plan to meet objectively assessed development needs across a local plan area. Moreover, where the examination of a neighbourhood plan precedes the adoption of a local plan, there is no requirement to consider whether it has been based upon a strategy to meet objectively assessed housing needs.”

36. Significantly, a draft neighbourhood plan is examined for general conformity with an adopted local plan and not against policies in an emerging local plan. Paragraph 006 of the PPG ‘Plan-making’ states that:

“They [neighbourhood plans] can be developed before, after or in parallel with a local plan, but the law requires that they must be in general conformity with the strategic policies in the adopted local plan for the area (and any other strategic policies that form part of the statutory development plan where relevant, such as the London Plan). Neighbourhood plans are not tested against the policies in an emerging local plan although the reasoning and evidence informing the local plan process may be relevant to the consideration of the basic conditions against which a neighbourhood plan is tested.”

37. The point of this is that, if adopted, as a matter of law the Neighbourhood Plan will have been subject to a far less rigorous examination than the Local Plan. Importantly, policies in the Benenden Neighbourhood Plan will not have been tested against the Local Plan. This means that there is no basis on which it can be said that the Benenden Neighbourhood Plan is in “general conformity” with the Local Plan. Whilst it may be the case that the draft Neighbourhood Plan has been prepared with the Local Plan in mind, it cannot be concluded that if both are adopted the Benenden Neighbourhood Plan will be in conformity with the Tunbridge Wells Local Plan given substantial main modifications may be required to ensure that the Tunbridge Wells Local Plan is sound.

38. However, notwithstanding these stark differences, at present Policy STR10 seeks to abandon the provision of site-specific policies for Benenden in the event that the draft Neighbourhood Plan is adopted. The practical result of this is that the Tunbridge Wells Plan would effectively “adopt” site allocations and other relevant policies in the Benenden Neighbourhood Plan (paragraph 5.422) which have not been found to be sound and which have not been tested against the Tunbridge Wells Local Plan. To be sound, Policy STR10 rests upon the wholly improper premise that policies in the Neighbourhood Plan would not only be found to be in general conformity with the Local Plan but also that those Neighbourhood Plan policies would be “sound” if tested against the Local Plan, given they will replace the provision of any site-specific policies in the local plan. Given the Local Plan has not yet been examined, this conclusion is simply not open to the local planning authority.

39. It is clear that this should not and cannot prevent the Neighbourhood Plan being examined and adopted prior to the examination and potential adoption of the Local Plan. Furthermore, we neither object to the desire to avoid repetition within development plan documents nor to avoid potentially unnecessary superseding of neighbourhood plan policies. However, none of this justifies circumventing the proper local plan procedure. Given the uncontroversial marked procedural differences and requirements between the two examination processes, it is our case that it is unlawful and unsound to read neighbourhood plan policies into a local plan where those neighbourhood plan policies have not been subject to the rigorous examination of draft local plan policies to test them as sound. At no point will those neighbourhood plan policies been found to even be in general conformity with that local plan, let alone tested for soundness. At the least, Policies AL/BE1, AL/BE2, AL/BE3 and AL/BE4

need to be tested against the draft Local Plan to ensure that they are sound, even if this subsequently results in them being withdrawn by main modification.

40. This is especially true given there are a number of significant differences between site specific policies in the Neighbourhood Plan and the Local Plan, as noted by the examiner appointed to inspect the Neighbourhood Plan's initial comments of 26 March 2021. [<http://www.benendenneighbourhoodplan.org/wp-content/uploads/2021/04/Benenden-Initial-comments.pdf>]

He stated at paragraph 26 of his initial comments that:

"I note that the Pre-Submission Version of the Local Plan also allocates the same four sites for development, but the contents of the respective policies differ. Is there merit in the policies, at least having the same policy expectations within them? For example, if the neighbourhood plan is made first, then I understand that the intention of the Borough Council is to withdraw these allocations from the Local Plan and in which case, the requirements which are only found in the local plan, and are not within the neighbourhood plan, will be lost. Is there scope for at least a consistent approach to the policy requirements and would further discussions between the two parties be helpful? I would then be able to consider whether to accept any possible modification in my recommendations."

41. Accordingly, the effect of Policy STR10 is not only to circumvent the requirements of the local plan examination procedure but also to then "adopt" policies that differ from those currently in the Local Plan. This is unsound.

42. For these reasons, as presently drafted Policy STR10 is unsound and would be unlawful if adopted.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . Yes, I wish to participate in hearing session(s)

Question 7a

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

We shall attend with Counsel.

Points will be made with reference to National and Local Planning Policy, together with applicable legal obligations

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box: Yes, I wish to be notified of future stages of the Local Plan

Supporting Information File Ref No: SI_96

Comment

Consultee	Mr Alex Simcox [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] Biddenden [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Mr Alex Simcox [REDACTED]
Comment ID	PSLP_1724
Response Date	04/06/21 15:47
Consultation Point	Policy PSTR/BE 1 The Strategy for Benenden parish (View)
Status	Processed
Submission Type	Email
Version	0.8
Files	PSLP_1724,1735-1736, 1738_A Simcox_SI.docx
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Alex Simcox
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy PSTR/BE 1 The Strategy for Benenden parish

[TWBC: this representation has been input against Policies PSTR/BE 1, AL/BE 3, AL/BE 4 and STR 10 – see Comment Numbers PSLP_1724, PSLP_1735, PSLP_1736 and PSLP_1738]

Question 4

Do you consider that the Local Plan:

Is legally compliant No

Is sound No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not effective
- . It is not justified
- . It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

Draft Tunbridge Wells Local Plan – Regulation 19 consultation response

Introduction

- 1 These representations are made on behalf of Euan Burrows, Mockbeggar Lane and a group of residents who all live in East End, Benenden.
- 2 These representations are concerned with the policies in the draft Tunbridge Wells Local Plan ('the Local Plan') affecting Benenden, in particular Policy PTSR/BE1, Policy AL/BE3 and Policy AL/BE4. These representations further concern Policy STR10 insofar as Tunbridge Wells Borough Council's ('the Council') stated intention to withdraw local plan policies in the event that neighbourhood plans are adopted prior to the completion of the examination of the Local Plan. Beyond these identified policies, these representations are not concerned with either the legality or soundness of the Local Plan as a whole.
- 3 As currently drafted, the identified policies are unsound and cannot be adopted. They are unjustified, ineffective and inconsistent with national policy.

Policy PTSR/BE1 – Limits to Built Development

- 1 Policy PTSR/BE1 of the Local Plan seeks to define the strategy for Benenden parish. Paragraph 1 of Policy PTSR/BE1 states that:

The development strategy for Benenden parish is to:

- 1 *Set Limits to Built Development for Benenden village, as defined on the Policies Map (Inset Map 17) as a framework for new development over the plan period;*

5. The proposed limits to built development ('LBD') for Benenden are shown on Inset Map 17.[https://tunbridgewells.gov.uk/__data/assets/pdf_file/0008/387962/Inset-Map-17-Benenden.pdf]Notably, the majority of development proposed for Benenden is actually outside of the LBD for Benenden and is in fact directed towards Benenden Hospital (Inset Map 18[https://tunbridgewells.gov.uk/__data/assets/pdf_file/0009/387963/Inset-Map-18-Benenden-Hospital.pdf], Policies AL/BE3 and AL/BE4 of the Local Plan).

6. The purpose of LBDs is to act as settlement boundaries, the effect of which being that that development is focussed within LBDs. Policy STR1(2), (9) of the Local Plan states that:

"The broad development strategy for Tunbridge Wells borough over the period 2020-2038, as shown indicatively on the Key Diagram (Figure 5), is to ensure that a minimum of 12,204 dwellings and 14

hectares of employment (Use Classes B and E) land are developed, together with supporting infrastructure and services.

To achieve this, the Local Plan:

- 1 Looks to focus new development within the Limits to Built Development of settlements, as defined on the Policies Map, where proposals accord with other relevant policies of this Plan;
- [...]

- 1 Normally limits development in the countryside (being defined as that outside the Limits to Built Development) to that which accords with specific policies of this Plan and/or that for which a rural location is fully demonstrated to be necessary

7. This accords with the stated strategy for Benenden in the Local Plan. Paragraph 5.416 of the Local Plan states that:

“The LBD around Benenden village sets the extent of existing and planned development, and provides for any potential future windfall development. Any windfall sites that do come forward for residential development over the plan period should provide affordable housing in accordance with the relevant Local Plan policy in Section 6, having regard to information on local housing needs”

- 1 Accordingly, LBDs play a fundamental role in the Local Plan. They define areas to which development is directed (STR1; paragraph 5.416, Policies AL/BE1, AL/BE2, AL/BE3 and AL/BE4) and define areas beyond the LBD as countryside. As a result, of this development proposals outside of the LBDs will be significantly harder to obtain permission for.
- 2 In our view the LBD currently proposed for Benenden fails to accord with the Local Plan. It unjustifiably excludes built development to the west of the New Pond Road crossroads towards Benenden School, bordering the B2086, and also excludes Iden Green in its entirety. The purported basis for the exclusion of Iden Green is that this settlement has *“limited key facilities and bus service making them unsustainable in this context.”* [Paragraph 3.1(b) of the Limits to Built Development Topic Paper https://tunbridgewells.gov.uk/__data/assets/pdf_file/0009/388098/Limits-to-Built-Development-Topic-Paper.pdf]
- 3 Furthermore, the boundary of the LBD is artificially constrained within Benenden itself. This avoids any prospect of in-filling in suitable sites within and immediately adjacent to the village and has in turn informed the site-selection process and excluded several suitable sites in sustainable village locations (Policies AL/BE1, AL/BE2, AL/BE3 and AL/BE4).
- 4 Policy STR1(3) states that the Local Plan will provide *“for the growth of settlements, having regard to their role and function, constraints, and opportunities.”* However, the LBD as currently drawn for Benenden and Benenden Hospital, fails to apply this reasoning. It has resulted in sustainable, appropriate sites for development being excluded from Benenden and pushed development to unsustainable, isolated areas (AL/BE3 and AL/BE4). This is addressed in the submissions below on the sustainability of AL/BE3 and AL/BE4 but, in our view, the only conclusion that can be drawn is that the LBD for Benenden is unsound, undermines the Local Plan and should not be adopted.

Policies AL/BE3 and AL/BE4

- 1 The land subject to policies AL/BE3 and AL/BE4 is situated approximately 4km to the north east of Benenden ('the Site'). It is connected to Benenden by Goddard's Green Road / Benenden Road (a designated rural lane). At present, there is nothing on the Site beyond houses and the hospital (with associated buildings).
- 2 The Site contains some land which is previously developed, but also 3 Local Wildlife Sites, greenfield areas and rare grassland (see TWFDLP Comments, DLP_3458). In any event, the presence of some previously developed hospital infrastructure within the Site, which itself is placed within an isolated and wholly rural setting, does not override its fundamental unsustainability in local or national planning policy terms for development on the scale proposed.
- 3 In this regard, the Site is clearly unsustainable. This is demonstrated by both the Sustainability Appraisal ('the SA') and the extant planning permission. The extant permission does not set a precedent for development on the Site but rather was a highly fact-sensitive decision which, properly understood, should not be used as a justification for further development. There are other more appropriate sites in Benenden which, had the SA been properly applied, would have been selected.

The extant planning permission

- 1 There is currently permission for 24 new dwellings on the Site (TW/12/03130, subsequently amended by 14/505641/FULL). The justification for the 2012 application can be seen from paragraphs 2.07 – 2.08 of the Committee Report for the 2012 permission, which state that:[https://twbcpa.midkent.gov.uk/online-applications/files/C51CE242B260EDEE3F5806A1D9D5B596/pdf/12_03130_EIAMJ-Committee_Report-3829324.pdf]

“2.07 The Design and Access Statement identifies that the redevelopment aspirations of the hospital follow consideration of a number of development options including a new build solution. It was concluded (by the Hospital Trust) that the preferred strategy for the future of the site would be to centralise development on the existing hospital through a process of new build extension to enable a consolidation of services and the optimisation of functional arrangements.

2.08 In looking at the options the Hospital Trust concluded that those parts of the estate surplus to requirements could potentially be marketed for sale in order to generate funding support for the scheme. This subsequently led to the confirmation that the administrative South East quadrant (excluding Peek Lodge, Windmill Cottage and Joy Carey buildings) would be put up for sale.”

- 1 In our view, it is significant that the primary justification for the residential aspect of the 2012 permission was to generate funding for the re-development of the hospital facilities. At no point was this intended to demonstrate the suitability of the Site for wide-spread development. Rather, this was a bespoke planning permission which has to be understood on its own facts. Whilst permission was granted, the 2012 report expressly noted at paragraph 10.27 that:

“Relevant factors also include the fact that the site is in a remote, isolated location and therefore the site is not a sustainable one – seeking a higher density of residential development would lead to such matters as higher car use for example which would not be sustainable”

- 1 This accords with the consultation response from the expert Highways Authority, Kent Highways Services, summarised at paragraph 6.43, which notes, among other things, that *“the residential aspect is not a sustainable location.”* There is no provision made in the 2012 permission to address the unsustainability of the Site in terms of transport.
- 2 The Site was deemed to be remote, isolated and unsustainable *prior to* the 2012 permission being granted for, among other things, the development of 24 houses. There is no provision in the 2012 permission to address the unsustainability of the Site. It follows that the Site is still unsustainable, if not more unsustainable given the additional issues which will be caused by the development of the 24 houses. Allocations in the Local Plan (AL/BE3 and AL/BE4) cannot be justified on the basis of funding healthcare development at the hospital given the Local Plan cannot specify who will financially benefit from building out AL/BE3 and AL/BE4. On this basis alone it is clear that further residential allocations on the Site are wholly inappropriate.

Policies AL/BE3 and AL/BE4 – sustainability

- 1 Policy STR3 of the Local Plan states that *“Proposals that provide for the effective use of redundant, disused, or under-utilised brownfield land and buildings in sustainable locations will be supported in principle.”* Paragraphs 4.68 and 4.70 of the explanatory text to Policy STR3 state that:

“4.68 - A key principle underpinning the overall strategy set out in the Local Plan for the pattern and scale of development is that it makes as much use as possible (optimal use) of suitable PDL (previously developed land)/brownfield sites and under-utilised land, including optimising the density of development, particularly in the borough’s town centres and other locations well served by public transport

[...]

4.70 - The Local Plan includes a number of site allocations on brownfield sites, making effective use of such sites, as required by the NPPF, helping to achieve the overarching need for sustainable development. Such sites tend to be located within established LBDs. This is reflected in Policy STR 1: The Development Strategy. (Para 1 Policy STR1 - Promotes the effective use of urban and previously developed (brownfield) land, having due regard to relevant Plan policies;)”

- 1 On any reading, the support in Policy STR3 for use of brownfield land and buildings is predicated on those sites being sustainable. The position in the Local Plan is that brownfield sites in sustainable locations will be supported in principle. It is not that brownfield sites in any location will be supported in principle. This accords with the broad definition of sustainable development given in the NPPF, based on the three overarching objectives of economic, social and environmental. Whilst the use of brownfield land may go to the environmental objective of

- sustainability, the presence of some previously developed infrastructure within a site cannot be dispositive of whether sites and developments are themselves sustainable.
- 2 It is unarguable that the Site is sustainable. As made clear above, the Site was found to be “remote” and “isolated” and therefore unsustainable in 2012. No infrastructure has been introduced since. The only change is the extant permission for the development of 24 homes which further stresses the sustainability and connectivity of the Site. On this basis, there is no policy support for the allocation of development to this location.
 - 3 Furthermore, as made clear in earlier representations as part of the regulation 18 consultation response to the Local Plan submitted on behalf of Euan Burrows, Mockbeggar Lane and a group of residents who all live in East End, Benenden, there are significant issues in the SA which have resulted in Policies AL/BE3 and AL/BE4. Those representations have been appended to these representations rather than repeated in full, but a number of points are reiterated here.
 - 4 First, and fundamentally, the filtering exercise carried out in the SA which led to the selection of the Site over other options has been misapplied. The first two bullet points of paragraph 8.1.4 of the SA provide that sites will be filtered out if they are:
 - *“Located in remote locations away from existing settlements; such sites considered unlikely to be sustainable in this context; in some instances some remote sites have been considered in the context of a new garden settlement where applicable or as urban extensions; (Bullet Point 1)*
 - *Not well related to a settlement; this has included sites that may be in relative close proximity to a settlement but are not well related to the built form of the settlement for example because they are cut off / separated from the settlement / built form in some way; (Bullet Point 2)*
 - 1 If these points were to have been correctly applied, it is inconceivable that AL/BE3 and AL/BE4 would have emerged as a preferred option. The Site is acknowledged to be located in a remote location away from existing settlements and is not well related to the nearest settlements of Benenden and Biddenden, both of which are 4km away. The only means of transport between East End and Benenden is along the narrow Goddard’s Green Road. There is no walking path and no cyclepath between East End and Benenden. Indeed, this lack of relation to Benenden is clearly acknowledged by the wording of AL/BE3 and AL/BE4, which require the provision of an ‘active travel link’ between the site and Benenden village.
 - 2 Second, and leading on from this point, the SA itself identifies that the Site is unsustainable but then suggests that this can be addressed through future development. However, this is fundamentally misguided. The correct approach is to consider a potential site as it exists, not after hypothetical development has taken place. Otherwise, all sites would be acceptable, thereby rendering the site-selection process pointless.
 - 3 As such these policies are unjustified. They are the result of an inconsistent approach to determining limits to built development and a fundamentally flawed SA.

Policies AL/BE3 and AL/BE4 – conclusion

- 1 These policies would result in the development of an isolated residential outpost in an unsustainable location on the edge of the AONB.
- 2 Policies AL/BE3 and AL/BE4 are unjustified. They are the result of an inconsistent and erroneous approach within the SA. This is reflected in the proposed LBD for Benenden which have artificially excluded a number of viable sites for development, pushing development to an isolated, remote and unsustainable location in the East End.
- 3 Policies AL/BE3 and AL/BE4 are inconsistent with the Local Plan. They are not sustainable, contrary to Policy STR1. The existence of some previously built development does not render the scale of development now sought on the site compatible with STR3 or overcome its fundamental incompatibility with the wider local applicable policy framework. In particular, the Site is isolated and remote and will necessitate travel by car, contrary to Policies STR6, STR7 and TP2. This will result in severe residual cumulative impacts on Goddard’s Green Road, contrary to Policy EN1. Moreover, these proposed policies for the Site also fail to afford protection to the setting of the AONB, contrary to Policy EN20, which is a fundamental requirement in this rural area.
- 4 At the national level, Policies AL/BE3 and AL/BE4 are also inconsistent with the NPPF. They represent unsuitable development in an unsustainable location, contrary NPPF chapter 2 and paragraphs 78 – 79. The development is not located to existing settlements and would have an unacceptable impact on local roads, contrary to NPPF paragraph 84. These policies do not and cannot promote sustainable transport, contrary to NPPF chapter 9.

- 5 For these reasons, Policies AL/BE3 and AL/BE4 are unjustified, ineffective and inconsistent with the Local Plan and the NPPF. It therefore follows that these policies are unsound and cannot be adopted.

Policy STR10 – interaction between draft Neighbourhood Plans and the Local Plan

- 1 The stated intention of the Local Plan is to withdraw policies in the Local Plan if Neighbourhood Plans are adopted prior to the examination of the Local Plan which contain policies similar to those in the Local Plan (paragraph 4.145, Policy STR10).
- 2 This stated intention applies directly to Benenden. Paragraphs 5.420 – 5.422 of the Local Plan provide that:

“5.420 Local policies are also being prepared through the Benenden Neighbourhood Plan (BNP), which will become an increasingly important consideration as it progresses. The BNP was submitted to Tunbridge Wells Borough Council in October 2020 and was consulted on between 30 October and 11 December 2020. The BNP proposes to include site allocation policies that follow the approach of the site allocation policies for Benenden in this Local Plan.

5.421 If the BNP progress through the relevant stages, including referendum, a decision will be made by the Full Council of Tunbridge Wells Borough Council whether to make the Benenden NDP part of the development plan for Tunbridge Wells borough. If this is agreed, all decisions on planning proposals within the parish of Benenden will be required have regard to its policies.

5.422 If this occurs while this Plan is still under consideration, the allocation Policies AL/BE1, AL/BE2, AL/BE3, and AL/BE4 will be omitted. Rather, the settlement chapter in the Local Plan for Benenden will refer to the site allocations, and other relevant policies in the made BNP. This would be undertaken through modifications to the Local Plan, which would be consulted on.”

- 1 It is well-established that the examination of a draft local plan is wholly distinct from the examination of a draft neighbourhood plan and must be assessed on its own merits. A draft local plan can only be adopted if it is sound. There is no requirement to consider whether a draft neighbourhood plan is sound. Instead, the question to determine is whether it is appropriate to make the plan having regard to national policies and advice. As a result of this distinction there is no requirement to consider whether a draft neighbourhood plan is the most appropriate strategy for the area nor to consider whether it is based upon proportionate evidence as there is with a draft local plan.
- 2 These differences were summarised by Holgate J in R (Crownhall Estates Limited) v Chichester District Council [2016] EWHC 73 (Admin). He identified the following relevant principles at paragraph 29:

“i) The examination of a neighbourhood plan, unlike a development plan document, does not include any requirement to consider whether the plan is “sound” (contrast s. 20(5)(b) of PCPA 2004) and so the requirements of soundness in paragraph 182 of the NPPF do not apply. So there is no requirement to consider whether a neighbourhood plan has been based upon a strategy to meet “objectively assessed development and infrastructure requirements”, or whether the plan is “justified” in the sense of representing “the most appropriate strategy, when considered against reasonable alternatives” and based upon “proportionate evidence”;

ii) Where it is engaged, the basic condition in paragraph 8 (2)(e) of schedule 4B to TCPA 1990 only requires that the draft neighbourhood plan as a whole be in “general conformity” with the strategic policies of the adopted development plan (in so far as it exists) as a whole . Thus, there is no need to consider whether there is a conflict or tension between one policy of a neighbourhood plan and one element of the local plan;

iii) Paragraph 8(2)(a) confers a discretion to determine whether or not it is appropriate that the neighbourhood plan should proceed to be made “having regard” to national policy The more limited requirement of the basic condition in paragraph 8(2)(a) that it be “appropriate to make the plan” “having regard to national policies and advice” issued by SSCLG, is not to be confused with the more investigative scrutiny required by PCPA 2004 to determine whether a local plan meets the statutory test of “soundness”;

iv) Paragraphs 14, 47 and 156 to 159 of the NPPF deal with the preparation of local plans. Thus local planning authorities responsible for preparing local plans are required to carry out a strategic housing market assessment to assess the full housing needs for the relevant market area (which may include areas of neighbouring local planning authorities). They must then ensure that the local plan meets the full, objectively assessed needs for the housing market area, unless, and only to the extent that, any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed

against the policies in the NPPF taken as a whole, or specific policies in the NPPF indicate that development should be restricted (St Albans City Council v Hunston Properties [2013] EWCA Civ 1610; Solihull Metropolitan B.C. v Gallagher Estates Ltd [2014] EWCA Civ 1610).

v) Those policies in the NPPF (and hence the principles laid down in Hunston and Gallagher in the interpretation of those policies) do not apply to the preparation by a qualifying body of a neighbourhood plan. Although a neighbourhood plan may include policies on the use of land for housing and on locations for housing development, and may address local needs within its area, the qualifying body is not responsible for preparing strategic policies in its neighbourhood plan to meet objectively assessed development needs across a local plan area. Moreover, where the examination of a neighbourhood plan precedes the adoption of a local plan, there is no requirement to consider whether it has been based upon a strategy to meet objectively assessed housing needs.”

36. Significantly, a draft neighbourhood plan is examined for general conformity with an adopted local plan and not against policies in an emerging local plan. Paragraph 006 of the PPG ‘Plan-making’ states that:

“They [neighbourhood plans] can be developed before, after or in parallel with a local plan, but the law requires that they must be in general conformity with the strategic policies in the adopted local plan for the area (and any other strategic policies that form part of the statutory development plan where relevant, such as the London Plan). Neighbourhood plans are not tested against the policies in an emerging local plan although the reasoning and evidence informing the local plan process may be relevant to the consideration of the basic conditions against which a neighbourhood plan is tested.”

- 1 The point of this is that, if adopted, as a matter of law the Neighbourhood Plan will have been subject to a far less rigorous examination than the Local Plan. Importantly, policies in the Benenden Neighbourhood Plan will not have been tested against the Local Plan. This means that there is no basis on which it can be said that the Benenden Neighbourhood Plan is in “general conformity” with the Local Plan. Whilst it may be the case that the draft Neighbourhood Plan has been prepared with the Local Plan in mind, it cannot be concluded that if both are adopted the Benenden Neighbourhood Plan will be in conformity with the Tunbridge Wells Local Plan given substantial main modifications may be required to ensure that the Tunbridge Wells Local Plan is sound.
- 2 However, notwithstanding these stark differences, at present Policy STR10 seeks to abandon the provision of site-specific policies for Benenden in the event that the draft Neighbourhood Plan is adopted. The practical result of this is that the Tunbridge Wells Plan would effectively “adopt” site allocations and other relevant policies in the Benenden Neighbourhood Plan (paragraph 5.422) which have not been found to be sound and which have not been tested against the Tunbridge Wells Local Plan. To be sound, Policy STR10 rests upon the wholly improper premise that policies in the Neighbourhood Plan would not only be found to be in general conformity with the Local Plan but also that those Neighbourhood Plan policies would be “sound” if tested against the Local Plan, given they will replace the provision of any site-specific policies in the local plan. Given the Local Plan has not yet been examined, this conclusion is simply not open to the local planning authority.
- 3 It is clear that this should not and cannot prevent the Neighbourhood Plan being examined and adopted prior to the examination and potential adoption of the Local Plan. Furthermore, we neither object to the desire to avoid repetition within development plan documents nor to avoid potentially unnecessary superseding of neighbourhood plan policies. However, none of this justifies circumventing the proper local plan procedure. Given the uncontroversial marked procedural differences and requirements between the two examination processes, it is our case that it is unlawful and unsound to read neighbourhood plan policies into a local plan where those neighbourhood plan policies have not been subject to the rigorous examination of draft local plan policies to test them as sound. At no point will those neighbourhood plan policies been found to even be in general conformity with that local plan, let alone tested for soundness. At the least, Policies AL/BE1, AL/BE2, AL/BE3 and AL/BE4 need to be tested against the draft Local Plan to ensure that they are sound, even if this subsequently results in them being withdrawn by main modification.
- 4 This is especially true given there are a number of significant differences between site specific policies in the Neighbourhood Plan and the Local Plan, as noted by the examiner appointed to inspect the Neighbourhood Plan’s initial comments of 26 March 2021.
[<http://www.benendenneighbourhoodplan.org/wp-content/>]

uploads/2021/04/Benenden-Initial-comments.pdf]He stated at paragraph 26 of his initial comments that:

"I note that the Pre-Submission Version of the Local Plan also allocates the same four sites for development, but the contents of the respective policies differ. Is there merit in the policies, at least having the same policy expectations within them? For example, if the neighbourhood plan is made first, then I understand that the intention of the Borough Council is to withdraw these allocations from the Local Plan and in which case, the requirements which are only found in the local plan, and are not within the neighbourhood plan, will be lost. Is there scope for at least a consistent approach to the policy requirements and would further discussions between the two parties be helpful? I would then be able to consider whether to accept any possible modification in my recommendations."

- 1 Accordingly, the effect of Policy STR10 is not only to circumvent the requirements of the local plan examination procedure but also to then "adopt" policies that differ from those currently in the Local Plan. This is unsound.
- 2 For these reasons, as presently drafted Policy STR10 is unsound and would be unlawful if adopted.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . Yes, I wish to participate in hearing session(s)

Question 7a

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We shall attend with Counsel.

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Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box: Yes, I wish to be notified of future stages of the Local Plan

Supporting Information File Ref No: SI_96

Comment

Consultee	Mr Alex Simcox [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] Biddenden [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Mr Alex Simcox [REDACTED]
Comment ID	PSLP_1735
Response Date	04/06/21 15:47
Consultation Point	Policy AL/BE 3 Land at Benenden Hospital (south of Goddards Green Road), East End (View)
Status	Processed
Submission Type	Email
Version	0.8
Files	PSLP_1724,1735-1736, 1738 A Simcox SI.docx
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Alex Simcox
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy AL/BE 3 Land at Benenden Hospital (south of Goddards Green Road), East End

[TWBC: this representation has been input against Policies PSTR/BE 1, AL/BE 3, AL/BE 4 and STR 10 – see Comment Numbers PSLP_1724, PSLP_1735, PSLP_1736 and PSLP_1738]

Question 4

Do you consider that the Local Plan:

Is legally compliant No

Is sound No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not effective
- . It is not justified
- . It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

Draft Tunbridge Wells Local Plan – Regulation 19 consultation response

Introduction

1. These representations are made on behalf of Euan Burrows, Mockbeggar Lane and a group of residents who all live in East End, Benenden.
2. These representations are concerned with the policies in the draft Tunbridge Wells Local Plan ('the Local Plan') affecting Benenden, in particular Policy PTSR/BE1, Policy AL/BE3 and Policy AL/BE4. These representations further concern Policy STR10 insofar as Tunbridge Wells Borough Council's ('the Council') stated intention to withdraw local plan policies in the event that neighbourhood plans are adopted prior to the completion of the examination of the Local Plan. Beyond these identified policies, these representations are not concerned with either the legality or soundness of the Local Plan as a whole.
3. As currently drafted, the identified policies are unsound and cannot be adopted. They are unjustified, ineffective and inconsistent with national policy.

Policy PTSR/BE1 – Limits to Built Development

4. Policy PTSR/BE1 of the Local Plan seeks to define the strategy for Benenden parish. Paragraph 1 of Policy PTSR/BE1 states that:

The development strategy for Benenden parish is to:

1. *Set Limits to Built Development for Benenden village, as defined on the Policies Map (Inset Map 17) as a framework for new development over the plan period;*
- 1 The proposed limits to built development ('LBD') for Benenden are shown on Inset Map 17. [https://tunbridgewells.gov.uk/__data/assets/pdf_file/0008/387962/Inset-Map-17-Benenden.pdf] Notably, the majority of development proposed for Benenden is actually outside of the LBD for Benenden and is in fact directed towards Benenden Hospital (Inset Map 18 [https://tunbridgewells.gov.uk/__data/assets/pdf_file/0009/387963/Inset-Map-18-Benenden-Hospital.pdf], Policies AL/BE3 and AL/BE4 of the Local Plan).

6. The purpose of LBDs is to act as settlement boundaries, the effect of which being that that development is focussed within LBDs. Policy STR1(2), (9) of the Local Plan states that:

“The broad development strategy for Tunbridge Wells borough over the period 2020-2038, as shown indicatively on the Key Diagram (Figure 5), is to ensure that a minimum of 12,204 dwellings and 14 hectares of employment (Use Classes B and E) land are developed, together with supporting infrastructure and services.

To achieve this, the Local Plan:

2. Looks to focus new development within the Limits to Built Development of settlements, as defined on the Policies Map, where proposals accord with other relevant policies of this Plan;

[...]

9. Normally limits development in the countryside (being defined as that outside the Limits to Built Development) to that which accords with specific policies of this Plan and/or that for which a rural location is fully demonstrated to be necessary

7. This accords with the stated strategy for Benenden in the Local Plan. Paragraph 5.416 of the Local Plan states that:

“The LBD around Benenden village sets the extent of existing and planned development, and provides for any potential future windfall development. Any windfall sites that do come forward for residential development over the plan period should provide affordable housing in accordance with the relevant Local Plan policy in Section 6, having regard to information on local housing needs”

8. Accordingly, LBDs play a fundamental role in the Local Plan. They define areas to which development is directed (STR1; paragraph 5.416, Policies AL/BE1, AL/BE2, AL/BE3 and AL/BE4) and define areas beyond the LBD as countryside. As a result, of this development proposals outside of the LBDs will be significantly harder to obtain permission for.

9. In our view the LBD currently proposed for Benenden fails to accord with the Local Plan. It unjustifiably excludes built development to the west of the New Pond Road crossroads towards Benenden School, bordering the B2086, and also excludes Iden Green in its entirety. The purported basis for the exclusion of Iden Green is that this settlement has *“limited key facilities and bus service making them unsustainable in this context.”* [Paragraph 3.1(b) of the Limits to Built Development Topic Paper https://tunbridgewells.gov.uk/_data/assets/pdf_file/0009/388098/Limits-to-Built-Development-Topic-Paper.pdf]

10. Furthermore, the boundary of the LBD is artificially constrained within Benenden itself. This avoids any prospect of in-filling in suitable sites within and immediately adjacent to the village and has in turn informed the site-selection process and excluded several suitable sites in sustainable village locations (Policies AL/BE1, AL/BE2, AL/BE3 and AL/BE4).

11. Policy STR1(3) states that the Local Plan will provide *“for the growth of settlements, having regard to their role and function, constraints, and opportunities.”* However, the LBD as currently drawn for Benenden and Benenden Hospital, fails to apply this reasoning. It has resulted in sustainable, appropriate sites for development being excluded from Benenden and pushed development to unsustainable, isolated areas (AL/BE3 and AL/BE4). This is addressed in the submissions below on the sustainability of AL/BE3 and AL/BE4 but, in our view, the only conclusion that can be drawn is that the LBD for Benenden is unsound, undermines the Local Plan and should not be adopted.

Policies AL/BE3 and AL/BE4

12. The land subject to policies AL/BE3 and AL/BE4 is situated approximately 4km to the north east of Benenden (‘the Site’). It is connected to Benenden by Goddard’s Green Road / Benenden Road (a designated rural lane). At present, there is nothing on the Site beyond houses and the hospital (with associated buildings).

13. The Site contains some land which is previously developed, but also 3 Local Wildlife Sites, greenfield areas and rare grassland (see TWFDLP Comments, DLP_3458). In any event, the presence of some previously developed hospital infrastructure within the Site, which itself is placed within an isolated and wholly rural setting, does not override its fundamental unsustainability in local or national planning policy terms for development on the scale proposed.

14. In this regard, the Site is clearly unsustainable. This is demonstrated by both the Sustainability Appraisal ('the SA') and the extant planning permission. The extant permission does not set a precedent for development on the Site but rather was a highly fact-sensitive decision which, properly understood, should not be used as a justification for further development. There are other more appropriate sites in Benenden which, had the SA been properly applied, would have been selected.

The extent planning permission

15. There is currently permission for 24 new dwellings on the Site (TW/12/03130, subsequently amended by 14/505641/FULL). The justification for the 2012 application can be seen from paragraphs 2.07 – 2.08 of the Committee Report for the 2012 permission, which state that:[\[https://twbcpa.midkent.gov.uk/online-applications/files/C51CE242B260EDEE3F5806A1D9D5B596/pdf/12_03130_EIAMJ-Committee_Report-3829324.pdf\]](https://twbcpa.midkent.gov.uk/online-applications/files/C51CE242B260EDEE3F5806A1D9D5B596/pdf/12_03130_EIAMJ-Committee_Report-3829324.pdf)

"2.07 The Design and Access Statement identifies that the redevelopment aspirations of the hospital follow consideration of a number of development options including a new build solution. It was concluded (by the Hospital Trust) that the preferred strategy for the future of the site would be to centralise development on the existing hospital through a process of new build extension to enable a consolidation of services and the optimisation of functional arrangements.

2.08 In looking at the options the Hospital Trust concluded that those parts of the estate surplus to requirements could potentially be marketed for sale in order to generate funding support for the scheme. This subsequently led to the confirmation that the administrative South East quadrant (excluding Peek Lodge, Windmill Cottage and Joy Carey buildings) would be put up for sale."

16. In our view, it is significant that the primary justification for the residential aspect of the 2012 permission was to generate funding for the re-development of the hospital facilities. At no point was this intended to demonstrate the suitability of the Site for wide-spread development. Rather, this was a bespoke planning permission which has to be understood on its own facts. Whilst permission was granted, the 2012 report expressly noted at paragraph 10.27 that:

"Relevant factors also include the fact that the site is in a remote, isolated location and therefore the site is not a sustainable one – seeking a higher density of residential development would lead to such matters as higher car use for example which would not be sustainable"

17. This accords with the consultation response from the expert Highways Authority, Kent Highways Services, summarised at paragraph 6.43, which notes, among other things, that *"the residential aspect is not a sustainable location."* There is no provision made in the 2012 permission to address the unsustainability of the Site in terms of transport.

18. The Site was deemed to be remote, isolated and unsustainable *prior* to the 2012 permission being granted for, among other things, the development of 24 houses. There is no provision in the 2012 permission to address the unsustainability of the Site. It follows that the Site is still unsustainable, if not more unsustainable given the additional issues which will be caused by the development of the 24 houses. Allocations in the Local Plan (AL/BE3 and AL/BE4) cannot be justified on the basis of funding healthcare development at the hospital given the Local Plan cannot specify who will financially benefit from building out AL/BE3 and AL/BE4. On this basis alone it is clear that further residential allocations on the Site are wholly inappropriate.

Policies AL/BE3 and AL/BE4 – sustainability

19. Policy STR3 of the Local Plan states that *"Proposals that provide for the effective use of redundant, disused, or under-utilised brownfield land and buildings in sustainable locations will be supported in principle."* Paragraphs 4.68 and 4.70 of the explanatory text to Policy STR3 state that:

"4.68 - A key principle underpinning the overall strategy set out in the Local Plan for the pattern and scale of development is that it makes as much use as possible (optimal use) of suitable PDL (previously developed land)/brownfield sites and under-utilised land, including optimising the density of development, particularly in the borough's town centres and other locations well served by public transport

[...]

4.70 - The Local Plan includes a number of site allocations on brownfield sites, making effective use of such sites, as required by the NPPF, helping to achieve the overarching need for sustainable development. Such sites tend to be located within established LBDs. This is reflected in Policy STR

1: *The Development Strategy*. (Para 1 Policy STR1 - Promotes the effective use of urban and previously developed (brownfield) land, having due regard to relevant Plan policies;)"

20. On any reading, the support in Policy STR3 for use of brownfield land and buildings is predicated on those sites being sustainable. The position in the Local Plan is that brownfield sites in sustainable locations will be supported in principle. It is not that brownfield sites in any location will be supported in principle. This accords with the broad definition of sustainable development given in the NPPF, based on the three overarching objectives of economic, social and environmental. Whilst the use of brownfield land may go to the environmental objective of sustainability, the presence of some previously developed infrastructure within a site cannot be dispositive of whether sites and developments are themselves sustainable.

21. It is unarguable that the Site is sustainable. As made clear above, the Site was found to be "remote" and "isolated" and therefore unsustainable in 2012. No infrastructure has been introduced since. The only change is the extant permission for the development of 24 homes which further stresses the sustainability and connectivity of the Site. On this basis, there is no policy support for the allocation of development to this location.

22. Furthermore, as made clear in earlier representations as part of the regulation 18 consultation response to the Local Plan submitted on behalf of Euan Burrows, Mockbeggar Lane and a group of residents who all live in East End, Benenden, there are significant issues in the SA which have resulted in Policies AL/BE3 and AL/BE4. Those representations have been appended to these representations rather than repeated in full, but a number of points are reiterated here.

23. First, and fundamentally, the filtering exercise carried out in the SA which led to the selection of the Site over other options has been misapplied. The first two bullet points of paragraph 8.1.4 of the SA provide that sites will be filtered out if they are:

- . *"Located in remote locations away from existing settlements; such sites considered unlikely to be sustainable in this context; in some instances some remote sites have been considered in the context of a new garden settlement where applicable or as urban extensions; (Bullet Point 1)*
- . *Not well related to a settlement; this has included sites that may be in relative close proximity to a settlement but are not well related to the built form of the settlement for example because they are cut off / separated from the settlement / built form in some way; (Bullet Point 2)*

24. If these points were to have been correctly applied, it is inconceivable that AL/BE3 and AL/BE4 would have emerged as a preferred option. The Site is acknowledged to be located in a remote location away from existing settlements and is not well related to the nearest settlements of Benenden and Biddenden, both of which are 4km away. The only means of transport between East End and Benenden is along the narrow Goddard's Green Road. There is no walking path and no cyclepath between East End and Benenden. Indeed, this lack of relation to Benenden is clearly acknowledged by the wording of AL/BE3 and AL/BE4, which require the provision of an 'active travel link' between the site and Benenden village.

25. Second, and leading on from this point, the SA itself identifies that the Site is unsustainable but then suggests that this can be addressed through future development. However, this is fundamentally misguided. The correct approach is to consider a potential site as it exists, not after hypothetical development has taken place. Otherwise, all sites would be acceptable, thereby rendering the site-selection process pointless.

26. As such these policies are unjustified. They are the result of an inconsistent approach to determining limits to built development and a fundamentally flawed SA.

Policies AL/BE3 and AL/BE4 – conclusion

27. These policies would result in the development of an isolated residential outpost in an unsustainable location on the edge of the AONB.

28. Policies AL/BE3 and AL/BE4 are unjustified. They are the result of an inconsistent and erroneous approach within the SA. This is reflected in the proposed LBD for Benenden which have artificially excluded a number of viable sites for development, pushing development to an isolated, remote and unsustainable location in the East End.

29. Policies AL/BE3 and AL/BE4 are inconsistent with the Local Plan. They are not sustainable, contrary to Policy STR1. The existence of some previously built development does not render the scale of

development now sought on the site compatible with STR3 or overcome its fundamental incompatibility with the wider local applicable policy framework. In particular, the Site is isolated and remote and will necessitate travel by car, contrary to Policies STR6, STR7 and TP2. This will result in severe residual cumulative impacts on Goddard's Green Road, contrary to Policy EN1. Moreover, these proposed policies for the Site also fail to afford protection to the setting of the AONB, contrary to Policy EN20, which is a fundamental requirement in this rural area.

30. At the national level, Policies AL/BE3 and AL/BE4 are also inconsistent with the NPPF. They represent unsuitable development in an unsustainable location, contrary NPPF chapter 2 and paragraphs 78 – 79. The development is not located to existing settlements and would have an unacceptable impact on local roads, contrary to NPPF paragraph 84. These policies do not and cannot promote sustainable transport, contrary to NPPF chapter 9.

31. For these reasons, Policies AL/BE3 and AL/BE4 are unjustified, ineffective and inconsistent with the Local Plan and the NPPF. It therefore follows that these policies are unsound and cannot be adopted.

Policy STR10 – interaction between draft Neighbourhood Plans and the Local Plan

32. The stated intention of the Local Plan is to withdraw policies in the Local Plan if Neighbourhood Plans are adopted prior to the examination of the Local Plan which contain policies similar to those in the Local Plan (paragraph 4.145, Policy STR10).

33. This stated intention applies directly to Benenden. Paragraphs 5.420 – 5.422 of the Local Plan provide that:

“5.420 Local policies are also being prepared through the Benenden Neighbourhood Plan (BNP), which will become an increasingly important consideration as it progresses. The BNP was submitted to Tunbridge Wells Borough Council in October 2020 and was consulted on between 30 October and 11 December 2020. The BNP proposes to include site allocation policies that follow the approach of the site allocation policies for Benenden in this Local Plan.

5.421 If the BNP progress through the relevant stages, including referendum, a decision will be made by the Full Council of Tunbridge Wells Borough Council whether to make the Benenden NDP part of the development plan for Tunbridge Wells borough. If this is agreed, all decisions on planning proposals within the parish of Benenden will be required have regard to its policies.

5.422 If this occurs while this Plan is still under consideration, the allocation Policies AL/BE1, AL/BE2, AL/BE3, and AL/BE4 will be omitted. Rather, the settlement chapter in the Local Plan for Benenden will refer to the site allocations, and other relevant policies in the made BNP. This would be undertaken through modifications to the Local Plan, which would be consulted on.”

34. It is well-established that the examination of a draft local plan is wholly distinct from the examination of a draft neighbourhood plan and must be assessed on its own merits. A draft local plan can only be adopted if it is sound. There is no requirement to consider whether a draft neighbourhood plan is sound. Instead, the question to determine is whether it is appropriate to make the plan having regard to national policies and advice. As a result of this distinction there is no requirement to consider whether a draft neighbourhood plan is the most appropriate strategy for the area nor to consider whether it is based upon proportionate evidence as there is with a draft local plan.

35. These differences were summarised by Holgate J in *R (Crownhall Estates Limited) v Chichester District Council* [2016] EWHC 73 (Admin). He identified the following relevant principles at paragraph 29:

“i) The examination of a neighbourhood plan, unlike a development plan document, does not include any requirement to consider whether the plan is “sound” (contrast s. 20(5)(b) of PCPA 2004) and so the requirements of soundness in paragraph 182 of the NPPF do not apply. So there is no requirement to consider whether a neighbourhood plan has been based upon a strategy to meet “objectively assessed development and infrastructure requirements”, or whether the plan is “justified” in the sense of representing “the most appropriate strategy, when considered against reasonable alternatives” and based upon “proportionate evidence”;

ii) Where it is engaged, the basic condition in paragraph 8 (2)(e) of schedule 4B to TCPA 1990 only requires that the draft neighbourhood plan as a whole be in “general conformity” with the strategic policies of the adopted development plan (in so far as it exists) as a whole. Thus, there is no need to

consider whether there is a conflict or tension between one policy of a neighbourhood plan and one element of the local plan;

iii) Paragraph 8(2)(a) confers a discretion to determine whether or not it is appropriate that the neighbourhood plan should proceed to be made “having regard” to national policy. The more limited requirement of the basic condition in paragraph 8(2)(a) that it be “appropriate to make the plan” “having regard to national policies and advice” issued by SSCLG, is not to be confused with the more investigative scrutiny required by PCPA 2004 to determine whether a local plan meets the statutory test of “soundness”.

*iv) Paragraphs 14, 47 and 156 to 159 of the NPPF deal with the preparation of local plans. Thus local planning authorities responsible for preparing local plans are required to carry out a strategic housing market assessment to assess the full housing needs for the relevant market area (which may include areas of neighbouring local planning authorities). They must then ensure that the local plan meets the full, objectively assessed needs for the housing market area, unless, and only to the extent that, any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole, or specific policies in the NPPF indicate that development should be restricted (*St Albans City Council v Hunston Properties* [2013] EWCA Civ 1610; *Solihull Metropolitan B.C. v Gallagher Estates Ltd* [2014] EWCA Civ 1610).*

*v) Those policies in the NPPF (and hence the principles laid down in *Hunston* and *Gallagher* in the interpretation of those policies) do not apply to the preparation by a qualifying body of a neighbourhood plan. Although a neighbourhood plan may include policies on the use of land for housing and on locations for housing development, and may address local needs within its area, the qualifying body is not responsible for preparing strategic policies in its neighbourhood plan to meet objectively assessed development needs across a local plan area. Moreover, where the examination of a neighbourhood plan precedes the adoption of a local plan, there is no requirement to consider whether it has been based upon a strategy to meet objectively assessed housing needs.”*

36. Significantly, a draft neighbourhood plan is examined for general conformity with an adopted local plan and not against policies in an emerging local plan. Paragraph 006 of the PPG ‘Plan-making’ states that:

“They [neighbourhood plans] can be developed before, after or in parallel with a local plan, but the law requires that they must be in general conformity with the strategic policies in the adopted local plan for the area (and any other strategic policies that form part of the statutory development plan where relevant, such as the London Plan). Neighbourhood plans are not tested against the policies in an emerging local plan although the reasoning and evidence informing the local plan process may be relevant to the consideration of the basic conditions against which a neighbourhood plan is tested.”

37. The point of this is that, if adopted, as a matter of law the Neighbourhood Plan will have been subject to a far less rigorous examination than the Local Plan. Importantly, policies in the Benenden Neighbourhood Plan will not have been tested against the Local Plan. This means that there is no basis on which it can be said that the Benenden Neighbourhood Plan is in “general conformity” with the Local Plan. Whilst it may be the case that the draft Neighbourhood Plan has been prepared with the Local Plan in mind, it cannot be concluded that if both are adopted the Benenden Neighbourhood Plan will be in conformity with the Tunbridge Wells Local Plan given substantial main modifications may be required to ensure that the Tunbridge Wells Local Plan is sound.

38. However, notwithstanding these stark differences, at present Policy STR10 seeks to abandon the provision of site-specific policies for Benenden in the event that the draft Neighbourhood Plan is adopted. The practical result of this is that the Tunbridge Wells Plan would effectively “adopt” site allocations and other relevant policies in the Benenden Neighbourhood Plan (paragraph 5.422) which have not been found to be sound and which have not been tested against the Tunbridge Wells Local Plan. To be sound, Policy STR10 rests upon the wholly improper premise that policies in the Neighbourhood Plan would not only be found to be in general conformity with the Local Plan but also that those Neighbourhood Plan policies would be “sound” if tested against the Local Plan, given they will replace the provision of any site-specific policies in the local plan. Given the Local Plan has not yet been examined, this conclusion is simply not open to the local planning authority.

39. It is clear that this should not and cannot prevent the Neighbourhood Plan being examined and adopted prior to the examination and potential adoption of the Local Plan. Furthermore, we neither object to the desire to avoid repetition within development plan documents nor to avoid potentially unnecessary superseding of neighbourhood plan policies. However, none of this justifies circumventing

the proper local plan procedure. Given the uncontroversial marked procedural differences and requirements between the two examination processes, it is our case that it is unlawful and unsound to read neighbourhood plan policies into a local plan where those neighbourhood plan policies have not been subject to the rigorous examination of draft local plan policies to test them as sound. At no point will those neighbourhood plan policies been found to even be in general conformity with that local plan, let alone tested for soundness. At the least, Policies AL/BE1, AL/BE2, AL/BE3 and AL/BE4 need to be tested against the draft Local Plan to ensure that they are sound, even if this subsequently results in them being withdrawn by main modification.

40. This is especially true given there are a number of significant differences between site specific policies in the Neighbourhood Plan and the Local Plan, as noted by the examiner appointed to inspect the Neighbourhood Plan's initial comments of 26 March 2021. [<http://www.benendenneighbourhoodplan.org/wp-content/uploads/2021/04/Benenden-Initial-comments.pdf>]

He stated at paragraph 26 of his initial comments that:

"I note that the Pre-Submission Version of the Local Plan also allocates the same four sites for development, but the contents of the respective policies differ. Is there merit in the policies, at least having the same policy expectations within them? For example, if the neighbourhood plan is made first, then I understand that the intention of the Borough Council is to withdraw these allocations from the Local Plan and in which case, the requirements which are only found in the local plan, and are not within the neighbourhood plan, will be lost. Is there scope for at least a consistent approach to the policy requirements and would further discussions between the two parties be helpful? I would then be able to consider whether to accept any possible modification in my recommendations."

41. Accordingly, the effect of Policy STR10 is not only to circumvent the requirements of the local plan examination procedure but also to then "adopt" policies that differ from those currently in the Local Plan. This is unsound.

42. For these reasons, as presently drafted Policy STR10 is unsound and would be unlawful if adopted.

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Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

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Supporting Information File Ref No: SI_96

Comment

Consultee	Mr Alex Simcox [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] Biddenden [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Mr Alex Simcox [REDACTED]
Comment ID	PSLP_1736
Response Date	04/06/21 15:47
Consultation Point	Policy AL/BE 4 Land at Benenden Hospital (north of Goddards Green Road), East End (View)
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Respondent's Name and/or Organisation	Alex Simcox
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To which part of the Local Plan does this representation relate?	Policy
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Policy AL/BE 4 Land at Benenden Hospital (north of Goddards Green Road), East End

[TWBC: this representation has been input against Policies PSTR/BE 1, AL/BE 3, AL/BE 4 and STR 10 – see Comment Numbers PSLP_1724, PSLP_1735, PSLP_1736 and PSLP_1738]

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Introduction

1. These representations are made on behalf of Euan Burrows, Mockbeggar Lane and a group of residents who all live in East End, Benenden.
2. These representations are concerned with the policies in the draft Tunbridge Wells Local Plan ('the Local Plan') affecting Benenden, in particular Policy PTSR/BE1, Policy AL/BE3 and Policy AL/BE4. These representations further concern Policy STR10 insofar as Tunbridge Wells Borough Council's ('the Council') stated intention to withdraw local plan policies in the event that neighbourhood plans are adopted prior to the completion of the examination of the Local Plan. Beyond these identified policies, these representations are not concerned with either the legality or soundness of the Local Plan as a whole.
3. As currently drafted, the identified policies are unsound and cannot be adopted. They are unjustified, ineffective and inconsistent with national policy.

Policy PTSR/BE1 – Limits to Built Development

4. Policy PTSR/BE1 of the Local Plan seeks to define the strategy for Benenden parish. Paragraph 1 of Policy PTSR/BE1 states that:

The development strategy for Benenden parish is to:

1. *Set Limits to Built Development for Benenden village, as defined on the Policies Map (Inset Map 17) as a framework for new development over the plan period;*
5. The proposed limits to built development ('LBD') for Benenden are shown on Inset Map 17. [https://tunbridgewells.gov.uk/__data/assets/pdf_file/0008/387962/Inset-Map-17-Benenden.pdf] Notably, the majority of development proposed for Benenden is actually outside of the LBD for Benenden and is in fact directed towards Benenden Hospital (Inset Map 18 [https://tunbridgewells.gov.uk/__data/assets/pdf_file/0009/387963/Inset-Map-18-Benenden-Hospital.pdf], Policies AL/BE3 and AL/BE4 of the Local Plan).
6. The purpose of LBDs is to act as settlement boundaries, the effect of which being that that development is focussed within LBDs. Policy STR1(2), (9) of the Local Plan states that:

“The broad development strategy for Tunbridge Wells borough over the period 2020-2038, as shown indicatively on the Key Diagram (Figure 5), is to ensure that a minimum of 12,204 dwellings and 14 hectares of employment (Use Classes B and E) land are developed, together with supporting infrastructure and services.

To achieve this, the Local Plan:

2. Looks to focus new development within the Limits to Built Development of settlements, as defined on the Policies Map, where proposals accord with other relevant policies of this Plan;

[...]

9. Normally limits development in the countryside (being defined as that outside the Limits to Built Development) to that which accords with specific policies of this Plan and/or that for which a rural location is fully demonstrated to be necessary

7. This accords with the stated strategy for Benenden in the Local Plan. Paragraph 5.416 of the Local Plan states that:

“The LBD around Benenden village sets the extent of existing and planned development, and provides for any potential future windfall development. Any windfall sites that do come forward for residential development over the plan period should provide affordable housing in accordance with the relevant Local Plan policy in Section 6, having regard to information on local housing needs”

8. Accordingly, LBDs play a fundamental role in the Local Plan. They define areas to which development is directed (STR1; paragraph 5.416, Policies AL/BE1, AL/BE2, AL/BE3 and AL/BE4) and define areas beyond the LBD as countryside. As a result, of this development proposals outside of the LBDs will be significantly harder to obtain permission for.

9. In our view the LBD currently proposed for Benenden fails to accord with the Local Plan. It unjustifiably excludes built development to the west of the New Pond Road crossroads towards Benenden School, bordering the B2086, and also excludes Iden Green in its entirety. The purported basis for the exclusion of Iden Green is that this settlement has *“limited key facilities and bus service making them unsustainable in this context.”* [Paragraph 3.1(b) of the Limits to Built Development Topic Paper https://tunbridgewells.gov.uk/__data/assets/pdf_file/0009/388098/Limits-to-Built-Development-Topic-Paper.pdf]

10. Furthermore, the boundary of the LBD is artificially constrained within Benenden itself. This avoids any prospect of in-filling in suitable sites within and immediately adjacent to the village and has in turn informed the site-selection process and excluded several suitable sites in sustainable village locations (Policies AL/BE1, AL/BE2, AL/BE3 and AL/BE4).

11. Policy STR1(3) states that the Local Plan will provide *“for the growth of settlements, having regard to their role and function, constraints, and opportunities.”* However, the LBD as currently drawn for Benenden and Benenden Hospital, fails to apply this reasoning. It has resulted in sustainable, appropriate sites for development being excluded from Benenden and pushed development to unsustainable, isolated areas (AL/BE3 and AL/BE4). This is addressed in the submissions below on the sustainability of AL/BE3 and AL/BE4 but, in our view, the only conclusion that can be drawn is that the LBD for Benenden is unsound, undermines the Local Plan and should not be adopted.

Policies AL/BE3 and AL/BE4

12. The land subject to policies AL/BE3 and AL/BE4 is situated approximately 4km to the north east of Benenden (‘the Site’). It is connected to Benenden by Goddard’s Green Road / Benenden Road (a designated rural lane). At present, there is nothing on the Site beyond houses and the hospital (with associated buildings).

13. The Site contains some land which is previously developed, but also 3 Local Wildlife Sites, greenfield areas and rare grassland (see TWFDLP Comments, DLP_3458). In any event, the presence of some previously developed hospital infrastructure within the Site, which itself is placed within an isolated and wholly rural setting, does not override its fundamental unsustainability in local or national planning policy terms for development on the scale proposed.

14. In this regard, the Site is clearly unsustainable. This is demonstrated by both the Sustainability Appraisal (‘the SA’) and the extant planning permission. The extant permission does not set a precedent for development on the Site but rather was a highly fact-sensitive decision which, properly understood,

should not be used as a justification for further development. There are other more appropriate sites in Benenden which, had the SA been properly applied, would have been selected.

The extent planning permission

15. There is currently permission for 24 new dwellings on the Site (TW/12/03130, subsequently amended by 14/505641/FULL). The justification for the 2012 application can be seen from paragraphs 2.07 – 2.08 of the Committee Report for the 2012 permission, which state that:[\[https://twbcpa.midkent.gov.uk/online-applications/files/C51CE242B260EDEE3F5806A1D9D5B596/pdf/12_03130_EIAMJ-Committee_Report-3829324.pdf\]](https://twbcpa.midkent.gov.uk/online-applications/files/C51CE242B260EDEE3F5806A1D9D5B596/pdf/12_03130_EIAMJ-Committee_Report-3829324.pdf)

“2.07 The Design and Access Statement identifies that the redevelopment aspirations of the hospital follow consideration of a number of development options including a new build solution. It was concluded (by the Hospital Trust) that the preferred strategy for the future of the site would be to centralise development on the existing hospital through a process of new build extension to enable a consolidation of services and the optimisation of functional arrangements.

2.08 In looking at the options the Hospital Trust concluded that those parts of the estate surplus to requirements could potentially be marketed for sale in order to generate funding support for the scheme. This subsequently led to the confirmation that the administrative South East quadrant (excluding Peek Lodge, Windmill Cottage and Joy Carey buildings) would be put up for sale.”

16. In our view, it is significant that the primary justification for the residential aspect of the 2012 permission was to generate funding for the re-development of the hospital facilities. At no point was this intended to demonstrate the suitability of the Site for wide-spread development. Rather, this was a bespoke planning permission which has to be understood on its own facts. Whilst permission was granted, the 2012 report expressly noted at paragraph 10.27 that:

“Relevant factors also include the fact that the site is in a remote, isolated location and therefore the site is not a sustainable one – seeking a higher density of residential development would lead to such matters as higher car use for example which would not be sustainable”

17. This accords with the consultation response from the expert Highways Authority, Kent Highways Services, summarised at paragraph 6.43, which notes, among other things, that *“the residential aspect is not a sustainable location.”* There is no provision made in the 2012 permission to address the unsustainability of the Site in terms of transport.

18. The Site was deemed to be remote, isolated and unsustainable *prior* to the 2012 permission being granted for, among other things, the development of 24 houses. There is no provision in the 2012 permission to address the unsustainability of the Site. It follows that the Site is still unsustainable, if not more unsustainable given the additional issues which will be caused by the development of the 24 houses. Allocations in the Local Plan (AL/BE3 and AL/BE4) cannot be justified on the basis of funding healthcare development at the hospital given the Local Plan cannot specify who will financially benefit from building out AL/BE3 and AL/BE4. On this basis alone it is clear that further residential allocations on the Site are wholly inappropriate.

Policies AL/BE3 and AL/BE4 – sustainability

19. Policy STR3 of the Local Plan states that *“Proposals that provide for the effective use of redundant, disused, or under-utilised brownfield land and buildings in sustainable locations will be supported in principle.”* Paragraphs 4.68 and 4.70 of the explanatory text to Policy STR3 state that:

“4.68 - A key principle underpinning the overall strategy set out in the Local Plan for the pattern and scale of development is that it makes as much use as possible (optimal use) of suitable PDL (previously developed land)/brownfield sites and under-utilised land, including optimising the density of development, particularly in the borough’s town centres and other locations well served by public transport

[...]

4.70 - The Local Plan includes a number of site allocations on brownfield sites, making effective use of such sites, as required by the NPPF, helping to achieve the overarching need for sustainable development. Such sites tend to be located within established LBDs. This is reflected in Policy STR 1: The Development Strategy. (Para 1 Policy STR1 - Promotes the effective use of urban and previously developed (brownfield) land, having due regard to relevant Plan policies;)”

20. On any reading, the support in Policy STR3 for use of brownfield land and buildings is predicated on those sites being sustainable. The position in the Local Plan is that brownfield sites in sustainable

locations will be supported in principle. It is not that brownfield sites in any location will be supported in principle. This accords with the broad definition of sustainable development given in the NPPF, based on the three overarching objectives of economic, social and environmental. Whilst the use of brownfield land may go to the environmental objective of sustainability, the presence of some previously developed infrastructure within a site cannot be dispositive of whether sites and developments are themselves sustainable.

21. It is unarguable that the Site is sustainable. As made clear above, the Site was found to be “remote” and “isolated” and therefore unsustainable in 2012. No infrastructure has been introduced since. The only change is the extant permission for the development of 24 homes which further stresses the sustainability and connectivity of the Site. On this basis, there is no policy support for the allocation of development to this location.

22. Furthermore, as made clear in earlier representations as part of the regulation 18 consultation response to the Local Plan submitted on behalf of Euan Burrows, Mockbeggar Lane and a group of residents who all live in East End, Benenden, there are significant issues in the SA which have resulted in Policies AL/BE3 and AL/BE4. Those representations have been appended to these representations rather than repeated in full, but a number of points are reiterated here.

23. First, and fundamentally, the filtering exercise carried out in the SA which led to the selection of the Site over other options has been misapplied. The first two bullet points of paragraph 8.1.4 of the SA provide that sites will be filtered out if they are:

- . *“Located in remote locations away from existing settlements; such sites considered unlikely to be sustainable in this context; in some instances some remote sites have been considered in the context of a new garden settlement where applicable or as urban extensions; (Bullet Point 1)*
- . *Not well related to a settlement; this has included sites that may be in relative close proximity to a settlement but are not well related to the built form of the settlement for example because they are cut off / separated from the settlement / built form in some way; (Bullet Point 2)*

24. If these points were to have been correctly applied, it is inconceivable that AL/BE3 and AL/BE4 would have emerged as a preferred option. The Site is acknowledged to be located in a remote location away from existing settlements and is not well related to the nearest settlements of Benenden and Biddenden, both of which are 4km away. The only means of transport between East End and Benenden is along the narrow Goddard’s Green Road. There is no walking path and no cyclepath between East End and Benenden. Indeed, this lack of relation to Benenden is clearly acknowledged by the wording of AL/BE3 and AL/BE4, which require the provision of an ‘active travel link’ between the site and Benenden village.

25. Second, and leading on from this point, the SA itself identifies that the Site is unsustainable but then suggests that this can be addressed through future development. However, this is fundamentally misguided. The correct approach is to consider a potential site as it exists, not after hypothetical development has taken place. Otherwise, all sites would be acceptable, thereby rendering the site-selection process pointless.

26. As such these policies are unjustified. They are the result of an inconsistent approach to determining limits to built development and a fundamentally flawed SA.

Policies AL/BE3 and AL/BE4 – conclusion

27. These policies would result in the development of an isolated residential outpost in an unsustainable location on the edge of the AONB.

28. Policies AL/BE3 and AL/BE4 are unjustified. They are the result of an inconsistent and erroneous approach within the SA. This is reflected in the proposed LBD for Benenden which have artificially excluded a number of viable sites for development, pushing development to an isolated, remote and unsustainable location in the East End.

29. Policies AL/BE3 and AL/BE4 are inconsistent with the Local Plan. They are not sustainable, contrary to Policy STR1. The existence of some previously built development does not render the scale of development now sought on the site compatible with STR3 or overcome its fundamental incompatibility with the wider local applicable policy framework. In particular, the Site is isolated and remote and will necessitate travel by car, contrary to Policies STR6, STR7 and TP2. This will result in severe residual cumulative impacts on Goddard’s Green Road, contrary to Policy EN1. Moreover, these proposed

policies for the Site also fail to afford protection to the setting of the AONB, contrary to Policy EN20, which is a fundamental requirement in this rural area.

30. At the national level, Policies AL/BE3 and AL/BE4 are also inconsistent with the NPPF. They represent unsuitable development in an unsustainable location, contrary NPPF chapter 2 and paragraphs 78 – 79. The development is not located to existing settlements and would have an unacceptable impact on local roads, contrary to NPPF paragraph 84. These policies do not and cannot promote sustainable transport, contrary to NPPF chapter 9.

31. For these reasons, Policies AL/BE3 and AL/BE4 are unjustified, ineffective and inconsistent with the Local Plan and the NPPF. It therefore follows that these policies are unsound and cannot be adopted.

Policy STR10 – interaction between draft Neighbourhood Plans and the Local Plan

32. The stated intention of the Local Plan is to withdraw policies in the Local Plan if Neighbourhood Plans are adopted prior to the examination of the Local Plan which contain policies similar to those in the Local Plan (paragraph 4.145, Policy STR10).

33. This stated intention applies directly to Benenden. Paragraphs 5.420 – 5.422 of the Local Plan provide that:

“5.420 Local policies are also being prepared through the Benenden Neighbourhood Plan (BNP), which will become an increasingly important consideration as it progresses. The BNP was submitted to Tunbridge Wells Borough Council in October 2020 and was consulted on between 30 October and 11 December 2020. The BNP proposes to include site allocation policies that follow the approach of the site allocation policies for Benenden in this Local Plan.

5.421 If the BNP progress through the relevant stages, including referendum, a decision will be made by the Full Council of Tunbridge Wells Borough Council whether to make the Benenden NDP part of the development plan for Tunbridge Wells borough. If this is agreed, all decisions on planning proposals within the parish of Benenden will be required have regard to its policies.

5.422 If this occurs while this Plan is still under consideration, the allocation Policies AL/BE1, AL/BE2, AL/BE3, and AL/BE4 will be omitted. Rather, the settlement chapter in the Local Plan for Benenden will refer to the site allocations, and other relevant policies in the made BNP. This would be undertaken through modifications to the Local Plan, which would be consulted on.”

34. It is well-established that the examination of a draft local plan is wholly distinct from the examination of a draft neighbourhood plan and must be assessed on its own merits. A draft local plan can only be adopted if it is sound. There is no requirement to consider whether a draft neighbourhood plan is sound. Instead, the question to determine is whether it is appropriate to make the plan having regard to national policies and advice. As a result of this distinction there is no requirement to consider whether a draft neighbourhood plan is the most appropriate strategy for the area nor to consider whether it is based upon proportionate evidence as there is with a draft local plan.

35. These differences were summarised by Holgate J in *R (Crownhall Estates Limited) v Chichester District Council* [2016] EWHC 73 (Admin). He identified the following relevant principles at paragraph 29:

“i) The examination of a neighbourhood plan, unlike a development plan document, does not include any requirement to consider whether the plan is “sound” (contrast s. 20(5)(b) of PCPA 2004) and so the requirements of soundness in paragraph 182 of the NPPF do not apply. So there is no requirement to consider whether a neighbourhood plan has been based upon a strategy to meet “objectively assessed development and infrastructure requirements”, or whether the plan is “justified” in the sense of representing “the most appropriate strategy, when considered against reasonable alternatives” and based upon “proportionate evidence”;

ii) Where it is engaged, the basic condition in paragraph 8 (2)(e) of schedule 4B to TCPA 1990 only requires that the draft neighbourhood plan as a whole be in “general conformity” with the strategic policies of the adopted development plan (in so far as it exists) as a whole. Thus, there is no need to consider whether there is a conflict or tension between one policy of a neighbourhood plan and one element of the local plan;

iii) Paragraph 8(2)(a) confers a discretion to determine whether or not it is appropriate that the neighbourhood plan should proceed to be made “having regard” to national policy. The more limited

requirement of the basic condition in paragraph 8(2)(a) that it be “appropriate to make the plan” “having regard to national policies and advice” issued by SSCLG, is not to be confused with the more investigative scrutiny required by PCPA 2004 to determine whether a local plan meets the statutory test of “soundness”.

iv) Paragraphs 14, 47 and 156 to 159 of the NPPF deal with the preparation of local plans. Thus local planning authorities responsible for preparing local plans are required to carry out a strategic housing market assessment to assess the full housing needs for the relevant market area (which may include areas of neighbouring local planning authorities). They must then ensure that the local plan meets the full, objectively assessed needs for the housing market area, unless, and only to the extent that, any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole, or specific policies in the NPPF indicate that development should be restricted (*St Albans City Council v Hunston Properties* [2013] EWCA Civ 1610; *Solihull Metropolitan B.C. v Gallagher Estates Ltd* [2014] EWCA Civ 1610).

v) Those policies in the NPPF (and hence the principles laid down in *Hunston* and *Gallagher* in the interpretation of those policies) do not apply to the preparation by a qualifying body of a neighbourhood plan. Although a neighbourhood plan may include policies on the use of land for housing and on locations for housing development, and may address local needs within its area, the qualifying body is not responsible for preparing strategic policies in its neighbourhood plan to meet objectively assessed development needs across a local plan area. Moreover, where the examination of a neighbourhood plan precedes the adoption of a local plan, there is no requirement to consider whether it has been based upon a strategy to meet objectively assessed housing needs.”

36. Significantly, a draft neighbourhood plan is examined for general conformity with an adopted local plan and not against policies in an emerging local plan. Paragraph 006 of the PPG ‘Plan-making’ states that:

“They [neighbourhood plans] can be developed before, after or in parallel with a local plan, but the law requires that they must be in general conformity with the strategic policies in the adopted local plan for the area (and any other strategic policies that form part of the statutory development plan where relevant, such as the London Plan). Neighbourhood plans are not tested against the policies in an emerging local plan although the reasoning and evidence informing the local plan process may be relevant to the consideration of the basic conditions against which a neighbourhood plan is tested.”

37. The point of this is that, if adopted, as a matter of law the Neighbourhood Plan will have been subject to a far less rigorous examination than the Local Plan. Importantly, policies in the Benenden Neighbourhood Plan will not have been tested against the Local Plan. This means that there is no basis on which it can be said that the Benenden Neighbourhood Plan is in “general conformity” with the Local Plan. Whilst it may be the case that the draft Neighbourhood Plan has been prepared with the Local Plan in mind, it cannot be concluded that if both are adopted the Benenden Neighbourhood Plan will be in conformity with the Tunbridge Wells Local Plan given substantial main modifications may be required to ensure that the Tunbridge Wells Local Plan is sound.

38. However, notwithstanding these stark differences, at present Policy STR10 seeks to abandon the provision of site-specific policies for Benenden in the event that the draft Neighbourhood Plan is adopted. The practical result of this is that the Tunbridge Wells Plan would effectively “adopt” site allocations and other relevant policies in the Benenden Neighbourhood Plan (paragraph 5.422) which have not been found to be sound and which have not been tested against the Tunbridge Wells Local Plan. To be sound, Policy STR10 rests upon the wholly improper premise that policies in the Neighbourhood Plan would not only be found to be in general conformity with the Local Plan but also that those Neighbourhood Plan policies would be “sound” if tested against the Local Plan, given they will replace the provision of any site-specific policies in the local plan. Given the Local Plan has not yet been examined, this conclusion is simply not open to the local planning authority.

39. It is clear that this should not and cannot prevent the Neighbourhood Plan being examined and adopted prior to the examination and potential adoption of the Local Plan. Furthermore, we neither object to the desire to avoid repetition within development plan documents nor to avoid potentially unnecessary superseding of neighbourhood plan policies. However, none of this justifies circumventing the proper local plan procedure. Given the uncontroversial marked procedural differences and requirements between the two examination processes, it is our case that it is unlawful and unsound to read neighbourhood plan policies into a local plan where those neighbourhood plan policies have not been subject to the rigorous examination of draft local plan policies to test them as sound. At no

point will those neighbourhood plan policies been found to even be in general conformity with that local plan, let alone tested for soundness. At the least, Policies AL/BE1, AL/BE2, AL/BE3 and AL/BE4 need to be tested against the draft Local Plan to ensure that they are sound, even if this subsequently results in them being withdrawn by main modification.

40. This is especially true given there are a number of significant differences between site specific policies in the Neighbourhood Plan and the Local Plan, as noted by the examiner appointed to inspect the Neighbourhood Plan's initial comments of 26 March 2021. [<http://www.benendenneighbourhoodplan.org/wp-content/uploads/2021/04/Benenden-Initial-comments.pdf>]

He stated at paragraph 26 of his initial comments that:

"I note that the Pre-Submission Version of the Local Plan also allocates the same four sites for development, but the contents of the respective policies differ. Is there merit in the policies, at least having the same policy expectations within them? For example, if the neighbourhood plan is made first, then I understand that the intention of the Borough Council is to withdraw these allocations from the Local Plan and in which case, the requirements which are only found in the local plan, and are not within the neighbourhood plan, will be lost. Is there scope for at least a consistent approach to the policy requirements and would further discussions between the two parties be helpful? I would then be able to consider whether to accept any possible modification in my recommendations."

41. Accordingly, the effect of Policy STR10 is not only to circumvent the requirements of the local plan examination procedure but also to then "adopt" policies that differ from those currently in the Local Plan. This is unsound.

42. For these reasons, as presently drafted Policy STR10 is unsound and would be unlawful if adopted.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . Yes, I wish to participate in hearing session(s)

Question 7a

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

We shall attend with Counsel.

Points will be made with reference to National and Local Planning Policy, together with applicable legal obligations

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box: Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Liz Simmonds [REDACTED]
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	Liz Simmonds [REDACTED]
Comment ID	PSLP_1933
Response Date	04/06/21 16:45
Consultation Point	Policy STR/PW 1 The Strategy for Paddock Wood (View)
Status	Processed
Submission Type	Email
Version	0.4
Data inputter to enter their initials here	KH
Question 1	
Respondent's Name and/or Organisation	Liz Simmonds
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR/PW 1 The Strategy for Paddock Wood

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

I have looked at the proposed developments for Paddock Wood and have several concerns. I have tried to access the consultation online but it has been an absolute nightmare - unwieldy, unhelpful, bureaucratic and impossible. Is this how objections are curtailed?! Please advise if emails are not being taken into account for this consultation.

Whilst I fully appreciate the need for more use of walking & cycling, other factors need to be taken into account. Paddock Wood is a rapidly growing town. It has the potential to be a really good town with already a large secondary and primary school with good reputations, a sports centre (missing a much-needed swimming pool) and a shopping centre which provides nearly every thing you need.

1). Paddock Wood also serves the rural community and cutting off access by closing the bridge and closing car parks will make it much more difficult for these people to visit the town.

2) There is NO public transport for outerlying areas to use. There is currently 1 bus a week into Paddock Wood from Collier Street for example. It is too far to cycle particularly for the elderly population in villages.

3). By cutting access to Paddock Wood from the main road into the town means that large numbers of lorries will use (or try to) the small and entirely unsuitable country lanes.

4). In order for Paddock Wood to flourish people need to access the shops. This proposal will strangle commerce in the town. Apart from those who can walk others will go elsewhere. Tunbridge Wells might profit from this with its retail parks but Paddock Wood will struggle & quite possibly end up a dormitory town for commuters. It needs shops & restaurants.

5). Shutting Commerce Road last year was a complete disaster and I really can't see how it will be anything else. Again, where do people who have to come to the town by car actually park if the car parks are closed?

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

For office use only

If responder hasn't ticked an option on this box, data inputter to tick 'not stated' box. Not Stated

Comment

Consultee	Bjorn Simpole [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Rusthall Labour Party
Address	[REDACTED] Tunbridge Wells [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Rusthall Labour Party [REDACTED]
Comment ID	PSLP_1546
Response Date	04/06/21 16:08
Consultation Point	Policy AL/SP 2 Land at and adjacent to Rusthall Recreation Ground, Southwood Road (View)
Status	Processed
Submission Type	Email
Version	0.3
Data inputter to enter their initials here	KJ
Question 1	
Respondent's Name and/or Organisation	Rusthall Labour Party
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy AL/SP 2 Land at and adjacent to Rusthall Recreation Ground, Southwood Road	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Don't know

Is sound

No

Complies with the Duty to Cooperate

Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not positively prepared
- . It is not effective
- . It is not justified

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

This site allocation is wholly unnecessary, has minimal public support and does not meet the needs of local residents. It will result in additional unsustainable vehicle movements, undermine a successful community football club and develop land located within the AONB. It's continued allocation in the Local Plan is ill thought through, based on an old assessment of need and needs to get re-examined.

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan 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.

Remove from the Local Plan

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

- . No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Christopher Sims [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] Tunbridge Wells [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Christopher Sims [REDACTED]
Comment ID	PSLP_80
Response Date	02/05/21 12:14
Consultation Point	Policy AL/RTW 16 Land to the west of Eridge Road at Spratsbrook Farm (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	KJ
Question 1	
Respondent's Name and/or Organisation	Christopher Sims FRICS ACIArb
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Paragraphs 5.99 thru 5.103

Policy AL/RTW 16: Land to the west of Eridge Road at Spratsbrook Farm

Inset Map 16

Question 4

Do you consider that the Local Plan:

Is legally compliant	No
Is sound	No
Complies with the Duty to Cooperate	No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

- Do you consider that the Local Plan is not sound because:
- . It is not positively prepared
 - . It is not effective
 - . It is not justified
 - . It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

I consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate because:

- . Paragraphs 5.99 thru 5.103 do not provide any supporting statements to justify the rationale for proposing housing development on this site.
- . Clearly states that consultations will be required with other authorities, who should have been consulted before the plan was proposed.
- . States that road access on to Eridge Road will be required but provides no details of that road access will be positioned or calculations as to the impact on an already strained road network.
- . If implemented will dramatically place existing primary infrastructure under pressure.
- . Does not recognised that part of the site is (as shown on DEFRA records) an area of historic land fill. Any land contaminated with hazardous or toxic materials is potentially a serious cause of pollution, as well as a threat to human health; it can also migrate into watercourses, impacting not only on water quality, but also biodiversity. Contamination can derive from previous uses, such as industrial processes involving chemicals, intensive agriculture, or closed waste disposal sites where landfill gas and leachate are still present.
- . Will have a serious ad detrimental impact to the Green belt.
- . Will harm and permanently harm for future generations an AONB.
- . Is not supported by a resultant increase in public services required to support such housing development.

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question

5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan 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 proposal should be abandoned altogether

Question 7

***Please note** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.*

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . Yes, I wish to participate in hearing session(s)

Question 7a

***Please note** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.*

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Because, the proposal is fundamentally flawed, ill thought through, detrimental and takes no cognizance of reality in respect of historic land fill, the Green belt and the AONB.

Question 8

If you have any separate comments you wish to make on the accompanying Sustainability Appraisal, please make them here.

I hold the view that no sustainability appraisal of the economic, environmental and social effects of this proposal has been undertaken in respect of Land to the west of Eridge Road at Spratsbrook Farm from the outset of the preparation process, to allow decisions to be made that accord with sustainable development.

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box: Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Keith Sinclair [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] Tonbridge [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Keith Sinclair [REDACTED]
Comment ID	PSLP_290
Response Date	23/05/21 17:04
Consultation Point	Policy STR/SS 1 The Strategy for Paddock Wood, including land at east Capel (View)
Status	Processed
Submission Type	Email
Version	0.5
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Keith Sinclair
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR/SS 1 The Strategy for Paddock Wood, including land at east Capel

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

xxxx Nursery Road

Paddock Wood

I have been a resident at the above address [TWBC: Full postal address redacted for data protection purposes] since 1982 working in London for the last 28 years of my working life. I have been fully retired for 6 years.

I have participated in local organisations for some years and worked for 6 years with the Citizens Advice Bureau in Paddock Wood.

I am particularly interested and concerned with the proposed very rapid growth of the town and how this will affect all residents.

A. Compliance with Legal and Procedural Requirements

I am not competent to comment on whether the process which Tunbridge Wells Planners have followed meets legal requirements.

My main concern is that these processes have taken place in a severely restricted climate due to the Covid Pandemic. The consequences of this are that many residents do not realise what the borough council's proposals for Paddock Wood are and how it is likely to impact their lives.

Current housing approvals under construction are likely to increase the population by 30% with no improvements to the area infrastructure which is already severely stretched.

The new proposals being commented on in this document are likely to double the population of Paddock Wood in the next few years. This will radically change the living environment of the local population.

The borough council has been unable to communicate adequately to local people because of the severe restrictions on movement imposed by the government. However, they have continued to progress schemes and gain borough council approval without the possibility of proper communication to Paddock Wood and Capel residents and not allowing for comment and opinion to be voiced in a democratic way.

Paddock Wood Town Council has been involved in the communication loop but has not been able to involve residents as might reasonably have been expected. The Town Council members voted against the Plan, but this was overridden by the Borough Council.

I believe that a "time out" should now be put into the programme to allow proper communication with and input from residents. The plan should then be discussed again by the Borough Council under examination with more evidence being available before any implementation.

B. Soundness of Plan

- 1 Flooding – Much of the area of the proposed construction of 3,500 new houses in the Paddock Wood / East Capel area is in Environmental Agency designated flood risk zones 2 and 3. **The Borough recognised these risks by designating the area as not suitable for further development in the last Local Plan 2016.** This proposal therefore is a sharp reversal of uninformed opinion. The Kent County Council has instigated various investigations over the last 20 years as a result of many flood incidents in Paddock Wood. These have been carried out by specialist consultants, the most recent in 2014 / 15 by Jackson - Hyder. This was called the "Paddock Wood Flood Alleviation Study." Hydraulic Modelling of the local water courses was

undertaken, and recommendations were proposed to mitigate the risk of future flooding to varying degrees based on the remedial actions taken or not taken.

I believe it is essential to update these studies before building work is considered in the area, to take account of changes which have taken place in the intervening years. This study should also consider and predict the effect of the considerable impact from new building works and increased surface water drainage to water courses. This change should initially consider impacts from the Mascall's Court Road site involving Berkeley Homes and the Church Road and Mascalls Farm sites. The footprints of building, walkways and roads is considerable with water run-off into existing water courses. Past modelling work of flows will be made irrelevant as a result of these large new developments. Then the modelling must consider the much greater impact of the proposed Paddock Wood / East Capel developments.

More is now known also of the impact of Climate Change on the frequency and intensity of severe weather events and the Environment Agency should be asked to respond to the effects on Paddock Wood and its' residents.

The potential blocking of ducts under road and railway must be of considerable concern in times of high rainfall and the responsibility for maintenance of these is unclear.

Flood alerts have been issued by the Environmental Agency on many occasions to the high- risk areas. This has certainly been the case in areas to the north of the railway and to the west of the Maidstone Road in my experience.

Household insurance with respect to flooding, has been available to residents at a premium but the impact of approved developments and in particular the Paddock Wood / East Capel major development may make insurance prohibitively expensive or not offered by insurers. **New studies must be undertaken to investigate the impact of proposals before work starts. The studies must be under the control of an expert authority with no clear interest in the outcomes.**

Removing wooded and agricultural areas will inevitably reduce the ability to absorb surface water. The need is for a "betterment" of existing flood risks and not the deterioration which is inevitable from construction on this scale on high flood risk land.

1 Infrastructure

- . Medical facilities in Paddock Wood are stretched now before the impact of the 1000 houses currently under construction bringing maybe a further 3000 people into the town. This is a major concern to residents without the impact of such a significant further expansion from the Paddock Wood / East Capel proposals. It has been difficult to attract Doctors to the Woodlands Health Centre, especially those working 5 days per week. This is already a town priority.
- . There has been no permanent police presence in Paddock Wood for many years and we rely on a service from the CranbrookTonbridge In emergency situations this is unacceptable to us. Visible police presence in central town areas does not happen. Control of vehicular speed though the town and of illegal parking no longer happens. **There appear to be no plans for an improved service with these major town expansion schemes?**
- . The most recent new housing occupancy indicates that each household has 1 or 2 cars. There are significant traffic flow problems in Paddock Wood already during busy periods of the day. Expansion plans in the town and surrounding areas show no road improvement schemes affecting Paddock Wood. Applying new bus routes and cycle lanes is to be applauded but there is no indication that residents now, and in the future, will not still use their cars most of the time. Traffic hazards and flow interruptions will become an even greater problem than at present.
- . The capacity of the town effluent treatment plant and pumping station has been reached. It was believed Mascalls Farm new properties would not be connected to the treatment works, instead relying on cess pits. Now it seems the decision may have been reversed? Either way, significant new investment will be required in order to accommodate the foul effluent from 3,500 new houses. Who will be pay for this other than Water Company customers and when will this investment be made? **I believe think the risk of overflows from the treatment plant direct to the Medway in times of high rainfall will be significantly increased.**
- . There appears to have been a reduction in fresh water supply main pressure as new housing is brought on-line. Major investment will be required in water supply to housing and business to meet future demands.
- . There will be insufficient school capacity to meet the demands of the 1000 homes currently under construction, but the Kent County Council has turned down the application for a new primary

school. If 3500 homes are built in this proposal new capacity will be required early in the development programme. How will this be funded?

- . In summary the Town infrastructure is weak now and will need considerable work in the future with the extensive expansion. The draft plan suggests all kinds of possibilities but who will be accountable for implementing these? Experience indicates no interest from the borough in making investment in this area and the appointed developers will have low priority on spending in areas which has no financial return. I have no faith in the delivery of the “promises” of the plan.

1 **Environment and Biodiversity**

- . The environment of the fields and wooded area of the flood zones scheduled for development is a pleasing area, much used by those exercising and dog walkers. There is a wide variety of animal and bird life. How can the proposed development improve this?
- . I estimate that up to 75% of the total green space currently in the area will be replaced by the footprint of roads, housing, driveways, footpaths and cycle paths. The massive increased water run-off into water courses will risk the environment considerably. Noise and air pollution will be substantially increased during the long construction period and forever after completion.
- . The evidence for this level of housing demand must be carefully scrutinised as in some parts of the country the figures have been shown much exaggerated.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

For office use only

If responder hasn't ticked an option on this box, data inputter to tick 'not stated' box. Not Stated

Comment

Consultee	Michele Sinclair [REDACTED]
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	Michele Sinclair [REDACTED]
Comment ID	PSLP_291
Response Date	24/05/21 15:04
Consultation Point	Policy STR/SS 1 The Strategy for Paddock Wood, including land at east Capel (View)
Status	Processed
Submission Type	Web
Version	0.3
Question 1	
Respondent's Name and/or Organisation	Michele Sinclair Paddock Wood Residents' Association
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
STR/SS1 Strategy for Paddock Wood, including land at east Capel	
STR/SS2	
STR/PW1	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Don't know
Is sound	No

Complies with the Duty to Cooperate

Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not effective
- . It is not justified
- . It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

My name is Michele Sinclair and I have been a resident of Paddock Wood since 1983. I am now retired but was Headteacher of Sackville School, Hildenborough, for 14 years prior to retirement.

I am the Chair of Paddock Wood Residents' Association, the Chair of Paddock Wood University of the Third Age - the largest community group in Paddock Wood and I am a member of Paddock Wood Flower Club. I have been involved in a number of different local associations over the years. I have brought my children up in Paddock Wood and they both attended Paddock Wood Primary School and then Bennett Memorial School, Tunbridge Wells.

As a long term resident of a small rural town I am most concerned at the impact that these vast changes will have on all residents, their children and visitors to the town.

I am not qualified to make any statement on the legality of the plan or whether it is compliant, however, I am qualified to make statements on the soundness of it.

FAIRNESS AND BALANCE

- . This proposal has been rushed through during lockdown when residents were only permitted to leave their homes for essential journeys; communication and consultation with the local population during the pandemic and lockdown has been minimal. Therefore, there is probably little realisation in many of the population of the impact this further planned town expansion will have on their lives during construction and beyond.
- . Many people do not have access to computers and those without internet access were invited to "make an appointment at Tunbridge Wells Borough Council to view the plan" - as we were under government rules not to venture from our homes, this was both disingenuous and against government rules. Our Library has been closed since March 2020 because of Covid so no-one could use the computing facilities in it.
- . As a result of this lack of proper consultation during the pandemic, organised opposition has been extremely difficult, therefore, this development must not proceed before a mass meeting of Paddock Wood and East Capel residents is called to explain the plans and to satisfactorily allay the many serious concerns that residents have, and any final decisions must be postponed so that a full and proper consultation can take place.
- . The Plan contains many hundreds of pages, written in almost unintelligible language with much repetition. No layman, no matter how concerned, can be expected to understand all the technical details, or to plough through so many hundreds of pages of such turgid prose, when with the best will in the world, it is not understood.
- . The borough of Tunbridge Wells is large, yet thousands of houses are proposed for a small area of the borough, which is neither fair nor equitable. Paddock Wood currently has three housing development sites in construction: it would be more sensible to see how these 1,000 extra houses,

people and cars settle in before any more major developments are permitted. Paddock Wood Town Council voted against the plans but were overridden by the Borough Council. Our town will more than double in size in this plan is approved and materially alter all our way of life.

- . Most of this proposed development is in Green Belt or Flood Zone and no Brown Field sites have been identified in it at all. Clearly it is more cost effective for developers to build from scratch, but it is much better to build on Brown Field sites first. Why have no Brown Field sites been identified?

JUSTIFICATION

- . The railway station at Paddock Wood has been stated as a major factor for the location of this development but when one sees the numbers of cars now in the station car parks this must be seriously questioned and the station should not be a major factor in decision making for such a massive development, nor justify a need for the expansion into green belt, flood zones and destroying prime arable land. Our rail station has a good service into London, however, the trains come up from the coast, stopping at many places, so that by the time they reach Paddock Wood they are virtually full and by Tonbridge, the next station up, it is standing room only: Southern Rail have no plans to increase capacity on the line.
- . There is a reasonable up-take of property currently under construction to the east of the town, but many more homes are still under construction and some time from release to potential buyers. Based on house prices on these new developments under construction it is unlikely that any could be considered affordable for first time buyers from Kent.
- . The national birth-rate is falling and government plans to restrict immigration to those with the skills needed in the workplace will also have an effect to decrease the future population. Where is the justification for this level of housing?
- . The Office for National Statistics' data for future housing requirements is in error in Coventry, and therefore the numbers planned/required must be seriously questioned for our area.

FLOOD RISK

- . The main objection to the proposals in the Paddock Wood / East Capel area is that land is in designated Flood Zones 2 or 3 and is likely to be inundated by river and water courses, witnessed by many Environmental Agency flood alerts over the last and many previous Winters. The borough council agreed with this information in the last Local Plan 2016 and designated much of the area now proposed for development as "unsuitable for development" because of the flooding risk. No major flood alleviation has been carried out since so the position cannot be reversed now for the sake of expediency.
- . Currently the land in question is largely used for agriculture or is wooded. In this state the land can absorb large quantities of rainwater into the water table above clay, with run-off available into water courses such as Tudeley Brook and streams unnamed when the land is saturated. It is estimated that the construction of 3,500 properties in the area will reduce the capability to drain naturally by at least 75% due to the footprint of the housing, drives, pathways, cycle tracks, parking areas, current industrial sites, and roads to be constructed. The run-off from the developments will have to drain into the existing water courses leading to a significantly increased risk of flooding of all housing in the area to the west and north west of Paddock Wood.
- . Mitigation, such as allowing water to be accommodated in a new lake to take surface water can seem to give an "appealing" environment as a paper exercise; if the lake is not allowed to fill it will be very unsightly in an urban situation, and when that lake becomes full where does the excess water go? Evaporation rates will be minimal, and it is known that severe weather events are likely to become more frequent and to cause much more flooding as Climate Change continues to occur in the future. Developers must indicate examples of similar developments in flood prone areas where mitigation has proved successful by the methods proposed and calculations should be checked by an "independent authority" which is not under the pressure to build housing: a Strategic Flood Risk Assessment must be carried out by an independent person and not one influenced by a desired outcome, as risk assessments are necessarily subjective and therefore potentially biased. The Environmental Agency must update their assessments based on the proposed new developments.
- . "Betterment" of the existing flood risks to property is required before any new schemes are considered.
- . Currently house holders in the areas of this development can get insurance cover, at a premium, based on historical data of flooding, despite the Environmental Agency's area classifications.

After building 3,500 houses in the designated flood zones, houses may well become uninsurable against flooding risk. Has the borough council consulted insurers on this issue?

- . If the development is completed and flooding occurs, as expected, with the losses to property and potentially human life, who will be held responsible for the decision to build in Flood Zones 2 and 3? Will it be the head of Planning at Tunbridge Wells Borough Council? Will it be the developers responsible for the construction? Will it be “consultants” employed by the above to provide the desired answers? Specific people are taking the decisions and those people must be accountable for any future flooding.
- . The Maidstone Road surface water drain is overloaded whenever heavy rain occurs. The solution to the regular flooding of the junction of Nursery Road and Eldon Way was to lay a new relief pipe from the flooding area in a westerly direction to the nearest fluvial take away stream. This will be effective as long as the water level in that stream allows flow and no reverse flow occurs. This was clearly the cheapest option and has been successful to date but not when new housing overloads that stream with substantially more run-off.
- . Very localised flooding has occurred in the past when water courses under roads have become blocked in times of high rainfall. Often there is considerable reduction in flow capability by small pipe diameters and inevitably these will be blocked by floating obstacles carried by the fast water flows. Housing to the north and north west of Paddock Wood is regularly threatened with flooding – I give the Environment Agency warnings as evidence.
- . The wooded area of land absorbs a substantial amount of water – I offer evidence with the Environment Agency’s maps showing where Flood Zone 3 merges into Flood Zone 2 where the land is heavily wooded: crops and trees soak up water, but concrete does not.

INFRASTRUCTURE

- . Paddock Wood has three major housing developments in progress – Mascall’s Court Farm, Mascall’s Farm and Church Road, which will add approximately 800 new houses with the option on these sites of a further 360. There have been no infrastructure changes coming from this current expansion so that the current residents can live their lives without increased difficulties due to the expected population increase. The Borough Council “infrastructure first” political statement has not been followed through, nor will it be as commercial interests are being allowed to dominate. Tunbridge Wells Borough Council has failed to offer any financial support to improve the infrastructure from current developments, with the likely 3,000 extra population.
- . Our bus service to surrounding local towns is woefully inadequate and has been severely cut in recent times and so all the new residents of the current developments will be car users of necessity.
- . The existing medical centre already struggles to cope, with no doctor working a 5- day week from choice. The Borough Council cannot force commercial interests to build another medical centre, despite the Medical Commissioning Team saying that a further centre will be needed. Often only locum doctors are available for residents with no continuity of care and the difficulties for all local residents of getting appointments.
- . Foul effluent capacity has been reached with new housing to the east of the town in some cases having to install cess pit collection. The pumping station has been at capacity for many years and simply limps along. One can foresee in times of high rainfall the effluent treatment plant for Paddock Wood overflowing raw sewage directly into the Medway without substantial investment.
- . Southern Water said some years ago that the Paddock Wood Pumping Station was at capacity: a proposed foul water ring main for Paddock Wood has **not** materialised. Southern Water has recently conducted an “internal review of modelling processes and standards” as an alternative to installing a Pumping Station and Rising Main and decided that their previous model was out of date and that a further 246 properties at Church Road can now be added to the drainage system. Modelling can produce almost whatever outcome the modeller desires, but this solution of course is so much more cost effective than building what is desperately required for Paddock Wood. When it is completely overwhelmed by heavy rainfall, we run the real risk of raw sewage flowing into our homes and streets because of this irresponsible modelling. There has been localised flooding in the Church Road area on several occasions and allowing these properties to connect to the network is a recipe for disaster. To accommodate the other new properties currently being built, Southern Water further propose putting holding tanks for sewage in Ringden Avenue which is archaic in this day and age, but it is a cheap solution. A new Pumping Station is required for all the new properties currently being built and most certainly before any other development is permitted.
- . Kent County Council refused to fund provision of a new primary school to coincide with the 3000 extra population expected with the current expansion in progress as it was not “required.” KCC

knows that it will be cheaper to provide extra Portakabins and another teacher on the existing primary school site and infill at all local primary schools. New schooling will have to be put in early within this proposed development project to improve infrastructure but needs to be funded and developers will not put in funding when houses are not sold.

- . Social Care has been significantly reduced in Paddock Wood, there is no care home for the elderly – Capel Grange is the nearest facility, and other facilities for the elderly are non-existent. The few child-care facilities are full and only one has purpose-built accommodation.
- . Carbon fibre networks are not widely available to existing houses for rapid internet service which will deter anyone working from home and thus put further pressure on the need to commute with over-crowded trains.
- . Fresh water supply will be an issue as it is noticeable that supply line pressure is dropping with the impact of demand from new housing taking its toll. This will require more investment from S.E. Water / Southern Water and / or the developers and they all seem to be extremely reluctant to make any sort of commitment.
- . In summary, infrastructure will be the last thing addressed based on historical performance and all the current residents of Paddock Wood will be made to suffer for many, many years to come.

FOOD SECURITY AND BIO-DIVERSITY

- . We have seen with Brexit, that the trading of goods and vaccine supplies across our borders is very susceptible to disruption. It is essential therefore, for our small island to be more self-sufficient. This proposal removes hundreds of acres of arable land from the food supply chain and that must not be permitted: one of the farms in question was mentioned in the Domesday Book.
- . There are large swathes of wooded areas under this threat and some are ancient woodlands, e.g. Whetsted Wood. Currently we have a wonderfully bio-diverse area with a vast variety of wildlife, from bats to badgers to foxes to hedgehogs to dormice etc. plus a significant array of birdlife including owls, woodpeckers, herons, hawks, buzzards, kingfishers, cuckoos, little egrets, and the more common garden birds regularly seen. The land is home to wood anemones, bluebells, wild garlic, lady's smock and many other plants too numerous to mention. Residents have witnessed the current developers cutting down trees with nesting birds and with preservation orders, demolishing bat habitats and more - Tunbridge Wells Borough Council Officers have not protected these trees and the wildlife, which gives no comfort in their future actions. When commercial interests hold sway, biodiversity is completely ignored, and it must be protected for our future and our children's future.
- . Much of the area earmarked for this development has been used for informal recreation for many decades and it has never been more important than during this last 18 months of the pandemic when it was so important to exercise outside. Areas of open land available for recreation and dog walking are rapidly disappearing. The developers are paying lip-service to "green spaces": we already have delightful green spaces and do not need to have any manufactured spaces, and do not need our current spaces covered in concrete with houses, roads and the like.
- . Housing must be built using methods and materials at low or zero carbon input but there appear to be no clear guidelines for developers. The current new housing developments in Paddock Wood are not incorporating low energy methods of heat pumps and solar cells by decree.

EMPLOYMENT

- . The plans show housing construction but little building for employment; perhaps this is because there is minimal profit in this type of building as opposed to housing which commands a premium. Most of the employment in Paddock Wood is warehousing and storage, with a little light industry, and very little office space. Warehousing offers a very limited number of jobs so where are all these new people going to work? Tunbridge Wells Borough Council are not doing anything to stimulate employment in the Paddock Wood area so why is a huge increase in housing being proposed as there is no demand for people to move here?
- . New buyers may well have to commute to London and hence the development of a thriving community in Paddock Wood may only become another commuter town and part of an ugly urban sprawl.

TRAFFIC

- . A recent inspection of the new development at Mascall's Court Farm (the most advanced) indicates that occupied houses have one and two cars. This means maybe three hundred further cars already into the local traffic systems. The effect therefore of 3,500 new houses in the West Paddock Wood / East Capel could lead to a further 5,000 vehicles. Buses and cycle lanes are good but as soon as substantial supermarket shopping is required a car is essential. People will

slowly change habits and attitudes, but cars will remain essential to buyers of these houses as the distance to the shops is too far to walk with shopping. Our supermarket carpark is always full now and it will be overwhelmed with so many more cars.

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In conclusion the proposed Local Plan is an unmitigated disaster for Paddock Wood/East Capel residents on so many grounds, and if it is approved our quality of life will suffer greatly over many years. Commercial interests have been allowed to influence the planners to such a degree that there the needs of the residents have been completely subsumed: please do not permit this to happen.

Michèle Sinclair

Paddock Wood residents' Association.

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Future Notifications

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Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Michele Sinclair [REDACTED]
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	Michele Sinclair [REDACTED]
Comment ID	PSLP_336
Response Date	24/05/21 14:55
Consultation Point	Policy STR/SS 2 The Strategy for Paddock Wood Town Centre (View)
Status	Processed
Submission Type	Web
Version	0.5
Question 1	
Respondent's Name and/or Organisation	Michele Sinclair Paddock Wood Residents' Association
Question 3	
To which part of the Local Plan does this representation relate?	Policy
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Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
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Do you consider that the Local Plan:	
Is legally compliant	Don't know
Is sound	No

Complies with the Duty to Cooperate

Don't know

Question 4a

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I am the Chair of Paddock Wood Residents' Association, the Chair of Paddock Wood University of the Third Age - the largest community group in Paddock Wood and I am a member of Paddock Wood Flower Club. I have been involved in a number of different local associations over the years. I have brought my children up in Paddock Wood and they both attended Paddock Wood Primary School and then Bennett Memorial School, Tunbridge Wells.

As a long term resident of a small rural town I am most concerned at the impact that these vast changes will have on all residents, their children and visitors to the town.

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JUSTIFICATION

- . The railway station at Paddock Wood has been stated as a major factor for the location of this development but when one sees the numbers of cars now in the station car parks this must be seriously questioned and the station should not be a major factor in decision making for such a massive development, nor justify a need for the expansion into green belt, flood zones and destroying prime arable land. Our rail station has a good service into London, however, the trains come up from the coast, stopping at many places, so that by the time they reach Paddock Wood they are virtually full and by Tonbridge, the next station up, it is standing room only: Southern Rail have no plans to increase capacity on the line.
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- . The Office for National Statistics' data for future housing requirements is in error in Coventry, and therefore the numbers planned/required must be seriously questioned for our area.

FLOOD RISK

- . The main objection to the proposals in the Paddock Wood / East Capel area is that land is in designated Flood Zones 2 or 3 and is likely to be inundated by river and water courses, witnessed by many Environmental Agency flood alerts over the last and many previous Winters. The borough council agreed with this information in the last Local Plan 2016 and designated much of the area now proposed for development as "unsuitable for development" because of the flooding risk. No major flood alleviation has been carried out since so the position cannot be reversed now for the sake of expediency.
- . Currently the land in question is largely used for agriculture or is wooded. In this state the land can absorb large quantities of rainwater into the water table above clay, with run-off available into water courses such as Tudeley Brook and streams unnamed when the land is saturated. It is estimated that the construction of 3,500 properties in the area will reduce the capability to drain naturally by at least 75% due to the footprint of the housing, drives, pathways, cycle tracks, parking areas, current industrial sites, and roads to be constructed. The run-off from the developments will have to drain into the existing water courses leading to a significantly increased risk of flooding of all housing in the area to the west and north west of Paddock Wood.
- . Mitigation, such as allowing water to be accommodated in a new lake to take surface water can seem to give an "appealing" environment as a paper exercise; if the lake is not allowed to fill it will be very unsightly in an urban situation, and when that lake becomes full where does the excess water go? Evaporation rates will be minimal, and it is known that severe weather events are likely to become more frequent and to cause much more flooding as Climate Change continues to occur in the future. Developers must indicate examples of similar developments in flood prone areas where mitigation has proved successful by the methods proposed and calculations should be checked by an "independent authority" which is not under the pressure to build housing: a Strategic Flood Risk Assessment must be carried out by an independent person and not one influenced by a desired outcome, as risk assessments are necessarily subjective and therefore potentially biased. The Environmental Agency must update their assessments based on the proposed new developments.
- . "Betterment" of the existing flood risks to property is required before any new schemes are considered.
- . Currently house holders in the areas of this development can get insurance cover, at a premium, based on historical data of flooding, despite the Environmental Agency's area classifications.

After building 3,500 houses in the designated flood zones, houses may well become uninsurable against flooding risk. Has the borough council consulted insurers on this issue?

- . If the development is completed and flooding occurs, as expected, with the losses to property and potentially human life, who will be held responsible for the decision to build in Flood Zones 2 and 3? Will it be the head of Planning at Tunbridge Wells Borough Council? Will it be the developers responsible for the construction? Will it be “consultants” employed by the above to provide the desired answers? Specific people are taking the decisions and those people must be accountable for any future flooding.
- . The Maidstone Road surface water drain is overloaded whenever heavy rain occurs. The solution to the regular flooding of the junction of Nursery Road and Eldon Way was to lay a new relief pipe from the flooding area in a westerly direction to the nearest fluvial take away stream. This will be effective as long as the water level in that stream allows flow and no reverse flow occurs. This was clearly the cheapest option and has been successful to date but not when new housing overloads that stream with substantially more run-off.
- . Very localised flooding has occurred in the past when water courses under roads have become blocked in times of high rainfall. Often there is considerable reduction in flow capability by small pipe diameters and inevitably these will be blocked by floating obstacles carried by the fast water flows. Housing to the north and north west of Paddock Wood is regularly threatened with flooding – I give the Environment Agency warnings as evidence.
- . The wooded area of land absorbs a substantial amount of water – I offer evidence with the Environment Agency’s maps showing where Flood Zone 3 merges into Flood Zone 2 where the land is heavily wooded: crops and trees soak up water, but concrete does not.

INFRASTRUCTURE

- . Paddock Wood has three major housing developments in progress – Mascall’s Court Farm, Mascall’s Farm and Church Road, which will add approximately 800 new houses with the option on these sites of a further 360. There have been no infrastructure changes coming from this current expansion so that the current residents can live their lives without increased difficulties due to the expected population increase. The Borough Council “infrastructure first” political statement has not been followed through, nor will it be as commercial interests are being allowed to dominate. Tunbridge Wells Borough Council has failed to offer any financial support to improve the infrastructure from current developments, with the likely 3,000 extra population.
- . Our bus service to surrounding local towns is woefully inadequate and has been severely cut in recent times and so all the new residents of the current developments will be car users of necessity.
- . The existing medical centre already struggles to cope, with no doctor working a 5- day week from choice. The Borough Council cannot force commercial interests to build another medical centre, despite the Medical Commissioning Team saying that a further centre will be needed. Often only locum doctors are available for residents with no continuity of care and the difficulties for all local residents of getting appointments.
- . Foul effluent capacity has been reached with new housing to the east of the town in some cases having to install cess pit collection. The pumping station has been at capacity for many years and simply limps along. One can foresee in times of high rainfall the effluent treatment plant for Paddock Wood overflowing raw sewage directly into the Medway without substantial investment.
- . Southern Water said some years ago that the Paddock Wood Pumping Station was at capacity: a proposed foul water ring main for Paddock Wood has **not** materialised. Southern Water has recently conducted an “internal review of modelling processes and standards” as an alternative to installing a Pumping Station and Rising Main and decided that their previous model was out of date and that a further 246 properties at Church Road can now be added to the drainage system. Modelling can produce almost whatever outcome the modeller desires, but this solution of course is so much more cost effective than building what is desperately required for Paddock Wood. When it is completely overwhelmed by heavy rainfall, we run the real risk of raw sewage flowing into our homes and streets because of this irresponsible modelling. There has been localised flooding in the Church Road area on several occasions and allowing these properties to connect to the network is a recipe for disaster. To accommodate the other new properties currently being built, Southern Water further propose putting holding tanks for sewage in Ringden Avenue which is archaic in this day and age, but it is a cheap solution. A new Pumping Station is required for all the new properties currently being built and most certainly before any other development is permitted.
- . Kent County Council refused to fund provision of a new primary school to coincide with the 3000 extra population expected with the current expansion in progress as it was not “required.” KCC

knows that it will be cheaper to provide extra Portakabins and another teacher on the existing primary school site and infill at all local primary schools. New schooling will have to be put in early within this proposed development project to improve infrastructure but needs to be funded and developers will not put in funding when houses are not sold.

- . Social Care has been significantly reduced in Paddock Wood, there is no care home for the elderly – Capel Grange is the nearest facility, and other facilities for the elderly are non-existent. The few child-care facilities are full and only one has purpose-built accommodation.
- . Carbon fibre networks are not widely available to existing houses for rapid internet service which will deter anyone working from home and thus put further pressure on the need to commute with over-crowded trains.
- . Fresh water supply will be an issue as it is noticeable that supply line pressure is dropping with the impact of demand from new housing taking its toll. This will require more investment from S.E. Water / Southern Water and / or the developers and they all seem to be extremely reluctant to make any sort of commitment.
- . In summary, infrastructure will be the last thing addressed based on historical performance and all the current residents of Paddock Wood will be made to suffer for many, many years to come.

FOOD SECURITY AND BIO-DIVERSITY

- . We have seen with Brexit, that the trading of goods and vaccine supplies across our borders is very susceptible to disruption. It is essential therefore, for our small island to be more self-sufficient. This proposal removes hundreds of acres of arable land from the food supply chain and that must not be permitted: one of the farms in question was mentioned in the Domesday Book.
- . There are large swathes of wooded areas under this threat and some are ancient woodlands, e.g. Whetsted Wood. Currently we have a wonderfully bio-diverse area with a vast variety of wildlife, from bats to badgers to foxes to hedgehogs to dormice etc. plus a significant array of birdlife including owls, woodpeckers, herons, hawks, buzzards, kingfishers, cuckoos, little egrets, and the more common garden birds regularly seen. The land is home to wood anemones, bluebells, wild garlic, lady's smock and many other plants too numerous to mention. Residents have witnessed the current developers cutting down trees with nesting birds and with preservation orders, demolishing bat habitats and more - Tunbridge Wells Borough Council Officers have not protected these trees and the wildlife, which gives no comfort in their future actions. When commercial interests hold sway, biodiversity is completely ignored, and it must be protected for our future and our children's future.
- . Much of the area earmarked for this development has been used for informal recreation for many decades and it has never been more important than during this last 18 months of the pandemic when it was so important to exercise outside. Areas of open land available for recreation and dog walking are rapidly disappearing. The developers are paying lip-service to "green spaces": we already have delightful green spaces and do not need to have any manufactured spaces, and do not need our current spaces covered in concrete with houses, roads and the like.
- . Housing must be built using methods and materials at low or zero carbon input but there appear to be no clear guidelines for developers. The current new housing developments in Paddock Wood are not incorporating low energy methods of heat pumps and solar cells by decree.

EMPLOYMENT

- . The plans show housing construction but little building for employment; perhaps this is because there is minimal profit in this type of building as opposed to housing which commands a premium. Most of the employment in Paddock Wood is warehousing and storage, with a little light industry, and very little office space. Warehousing offers a very limited number of jobs so where are all these new people going to work? Tunbridge Wells Borough Council are not doing anything to stimulate employment in the Paddock Wood area so why is a huge increase in housing being proposed as there is no demand for people to move here?
- . New buyers may well have to commute to London and hence the development of a thriving community in Paddock Wood may only become another commuter town and part of an ugly urban sprawl.

TRAFFIC

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- . The Office for National Statistics' data for future housing requirements is in error in Coventry, and therefore the numbers planned/required must be seriously questioned for our area.

FLOOD RISK

- . The main objection to the proposals in the Paddock Wood / East Capel area is that land is in designated Flood Zones 2 or 3 and is likely to be inundated by river and water courses, witnessed by many Environmental Agency flood alerts over the last and many previous Winters. The borough council agreed with this information in the last Local Plan 2016 and designated much of the area now proposed for development as "unsuitable for development" because of the flooding risk. No major flood alleviation has been carried out since so the position cannot be reversed now for the sake of expediency.
- . Currently the land in question is largely used for agriculture or is wooded. In this state the land can absorb large quantities of rainwater into the water table above clay, with run-off available into water courses such as Tudeley Brook and streams unnamed when the land is saturated. It is estimated that the construction of 3,500 properties in the area will reduce the capability to drain naturally by at least 75% due to the footprint of the housing, drives, pathways, cycle tracks, parking areas, current industrial sites, and roads to be constructed. The run-off from the developments will have to drain into the existing water courses leading to a significantly increased risk of flooding of all housing in the area to the west and north west of Paddock Wood.
- . Mitigation, such as allowing water to be accommodated in a new lake to take surface water can seem to give an "appealing" environment as a paper exercise; if the lake is not allowed to fill it will be very unsightly in an urban situation, and when that lake becomes full where does the excess water go? Evaporation rates will be minimal, and it is known that severe weather events are likely to become more frequent and to cause much more flooding as Climate Change continues to occur in the future. Developers must indicate examples of similar developments in flood prone areas where mitigation has proved successful by the methods proposed and calculations should be checked by an "independent authority" which is not under the pressure to build housing: a Strategic Flood Risk Assessment must be carried out by an independent person and not one influenced by a desired outcome, as risk assessments are necessarily subjective and therefore potentially biased. The Environmental Agency must update their assessments based on the proposed new developments.
- . "Betterment" of the existing flood risks to property is required before any new schemes are considered.
- . Currently house holders in the areas of this development can get insurance cover, at a premium, based on historical data of flooding, despite the Environmental Agency's area classifications.

After building 3,500 houses in the designated flood zones, houses may well become uninsurable against flooding risk. Has the borough council consulted insurers on this issue?

- . If the development is completed and flooding occurs, as expected, with the losses to property and potentially human life, who will be held responsible for the decision to build in Flood Zones 2 and 3? Will it be the head of Planning at Tunbridge Wells Borough Council? Will it be the developers responsible for the construction? Will it be “consultants” employed by the above to provide the desired answers? Specific people are taking the decisions and those people must be accountable for any future flooding.
- . The Maidstone Road surface water drain is overloaded whenever heavy rain occurs. The solution to the regular flooding of the junction of Nursery Road and Eldon Way was to lay a new relief pipe from the flooding area in a westerly direction to the nearest fluvial take away stream. This will be effective as long as the water level in that stream allows flow and no reverse flow occurs. This was clearly the cheapest option and has been successful to date but not when new housing overloads that stream with substantially more run-off.
- . Very localised flooding has occurred in the past when water courses under roads have become blocked in times of high rainfall. Often there is considerable reduction in flow capability by small pipe diameters and inevitably these will be blocked by floating obstacles carried by the fast water flows. Housing to the north and north west of Paddock Wood is regularly threatened with flooding – I give the Environment Agency warnings as evidence.
- . The wooded area of land absorbs a substantial amount of water – I offer evidence with the Environment Agency’s maps showing where Flood Zone 3 merges into Flood Zone 2 where the land is heavily wooded: crops and trees soak up water, but concrete does not.

INFRASTRUCTURE

- . Paddock Wood has three major housing developments in progress – Mascall’s Court Farm, Mascall’s Farm and Church Road, which will add approximately 800 new houses with the option on these sites of a further 360. There have been no infrastructure changes coming from this current expansion so that the current residents can live their lives without increased difficulties due to the expected population increase. The Borough Council “infrastructure first” political statement has not been followed through, nor will it be as commercial interests are being allowed to dominate. Tunbridge Wells Borough Council has failed to offer any financial support to improve the infrastructure from current developments, with the likely 3,000 extra population.
- . Our bus service to surrounding local towns is woefully inadequate and has been severely cut in recent times and so all the new residents of the current developments will be car users of necessity.
- . The existing medical centre already struggles to cope, with no doctor working a 5- day week from choice. The Borough Council cannot force commercial interests to build another medical centre, despite the Medical Commissioning Team saying that a further centre will be needed. Often only locum doctors are available for residents with no continuity of care and the difficulties for all local residents of getting appointments.
- . Foul effluent capacity has been reached with new housing to the east of the town in some cases having to install cess pit collection. The pumping station has been at capacity for many years and simply limps along. One can foresee in times of high rainfall the effluent treatment plant for Paddock Wood overflowing raw sewage directly into the Medway without substantial investment.
- . Southern Water said some years ago that the Paddock Wood Pumping Station was at capacity: a proposed foul water ring main for Paddock Wood has **not** materialised. Southern Water has recently conducted an “internal review of modelling processes and standards” as an alternative to installing a Pumping Station and Rising Main and decided that their previous model was out of date and that a further 246 properties at Church Road can now be added to the drainage system. Modelling can produce almost whatever outcome the modeller desires, but this solution of course is so much more cost effective than building what is desperately required for Paddock Wood. When it is completely overwhelmed by heavy rainfall, we run the real risk of raw sewage flowing into our homes and streets because of this irresponsible modelling. There has been localised flooding in the Church Road area on several occasions and allowing these properties to connect to the network is a recipe for disaster. To accommodate the other new properties currently being built, Southern Water further propose putting holding tanks for sewage in Ringden Avenue which is archaic in this day and age, but it is a cheap solution. A new Pumping Station is required for all the new properties currently being built and most certainly before any other development is permitted.
- . Kent County Council refused to fund provision of a new primary school to coincide with the 3000 extra population expected with the current expansion in progress as it was not “required.” KCC

knows that it will be cheaper to provide extra Portakabins and another teacher on the existing primary school site and infill at all local primary schools. New schooling will have to be put in early within this proposed development project to improve infrastructure but needs to be funded and developers will not put in funding when houses are not sold.

- . Social Care has been significantly reduced in Paddock Wood, there is no care home for the elderly – Capel Grange is the nearest facility, and other facilities for the elderly are non-existent. The few child-care facilities are full and only one has purpose-built accommodation.
- . Carbon fibre networks are not widely available to existing houses for rapid internet service which will deter anyone working from home and thus put further pressure on the need to commute with over-crowded trains.
- . Fresh water supply will be an issue as it is noticeable that supply line pressure is dropping with the impact of demand from new housing taking its toll. This will require more investment from S.E. Water / Southern Water and / or the developers and they all seem to be extremely reluctant to make any sort of commitment.
- . In summary, infrastructure will be the last thing addressed based on historical performance and all the current residents of Paddock Wood will be made to suffer for many, many years to come.

FOOD SECURITY AND BIO-DIVERSITY

- . We have seen with Brexit, that the trading of goods and vaccine supplies across our borders is very susceptible to disruption. It is essential therefore, for our small island to be more self-sufficient. This proposal removes hundreds of acres of arable land from the food supply chain and that must not be permitted: one of the farms in question was mentioned in the Domesday Book.
- . There are large swathes of wooded areas under this threat and some are ancient woodlands, e.g. Whetsted Wood. Currently we have a wonderfully bio-diverse area with a vast variety of wildlife, from bats to badgers to foxes to hedgehogs to dormice etc. plus a significant array of birdlife including owls, woodpeckers, herons, hawks, buzzards, kingfishers, cuckoos, little egrets, and the more common garden birds regularly seen. The land is home to wood anemones, bluebells, wild garlic, lady's smock and many other plants too numerous to mention. Residents have witnessed the current developers cutting down trees with nesting birds and with preservation orders, demolishing bat habitats and more - Tunbridge Wells Borough Council Officers have not protected these trees and the wildlife, which gives no comfort in their future actions. When commercial interests hold sway, biodiversity is completely ignored, and it must be protected for our future and our children's future.
- . Much of the area earmarked for this development has been used for informal recreation for many decades and it has never been more important than during this last 18 months of the pandemic when it was so important to exercise outside. Areas of open land available for recreation and dog walking are rapidly disappearing. The developers are paying lip-service to "green spaces": we already have delightful green spaces and do not need to have any manufactured spaces, and do not need our current spaces covered in concrete with houses, roads and the like.
- . Housing must be built using methods and materials at low or zero carbon input but there appear to be no clear guidelines for developers. The current new housing developments in Paddock Wood are not incorporating low energy methods of heat pumps and solar cells by decree.

EMPLOYMENT

- . The plans show housing construction but little building for employment; perhaps this is because there is minimal profit in this type of building as opposed to housing which commands a premium. Most of the employment in Paddock Wood is warehousing and storage, with a little light industry, and very little office space. Warehousing offers a very limited number of jobs so where are all these new people going to work? Tunbridge Wells Borough Council are not doing anything to stimulate employment in the Paddock Wood area so why is a huge increase in housing being proposed as there is no demand for people to move here?
- . New buyers may well have to commute to London and hence the development of a thriving community in Paddock Wood may only become another commuter town and part of an ugly urban sprawl.

TRAFFIC

- . A recent inspection of the new development at Mascall's Court Farm (the most advanced) indicates that occupied houses have one and two cars. This means maybe three hundred further cars already into the local traffic systems. The effect therefore of 3,500 new houses in the West Paddock Wood / East Capel could lead to a further 5,000 vehicles. Buses and cycle lanes are good but as soon as substantial supermarket shopping is required a car is essential. People will

slowly change habits and attitudes, but cars will remain essential to buyers of these houses as the distance to the shops is too far to walk with shopping. Our supermarket carpark is always full now and it will be overwhelmed with so many more cars.

- . The nonsensical proposal to close the main east/west through route to all but buses in order to “force” people to walk beggars’ belief! We have an ambulance Make Ready Depot in Eldon Way, north of the railway bridge, and ambulances are regularly dispatched on emergency calls from the depot – despite a planning ruling stating that they must not. For residents north of the railway bridge a short journey into the centre of Paddock Wood would, with this proposal, result in a journey of some many miles and all the resultant particulates being emitted into the air. Heavy goods lorries will be forced to use small and unsuitable roads around the town for access and this will cause untold disruption to the residents of these small lanes. Residents of out-lying villages will all be deterred from coming to Paddock Wood because of the difficulties that this closure would cause and force them to make longer journeys further afield for their shopping.
- . This same document states that Old Kent Road is a “through road” when it is a narrow one-way road, unsuitable for anything other than light traffic.
- . The proposal to remove parking in the centre of Paddock Wood to “make it look more attractive” will effectively kill all the current small business who thrive there. As part of the Covid road closure schemes, Commercial Road was closed to through traffic which resulted in disabled drivers not being able to access shops, delivery vehicles being unable to supply the supermarkets and a marked drop in shoppers to all the local businesses. The Town Council successfully appealed against it to Kent County Council, and it was rescinded.
- . There are many existing pinch points to traffic flow on the Maidstone Road both to the south of the rail bridge by Evernden cycle shop and Tom Bell fish and chip shop and to the north by the Aycliffe dentist and residential properties. The proposed significant developments will have a huge increased traffic load on this vital link to the centre of Paddock Wood. Large articulated lorries currently use the road north of the railway where it is very narrow, to enter the Eldon Way industrial estate and then past the “back” way into Transfesa. Vehicles over 7.5t regularly cross the railway bridge contrary to the road sign. If this Local Plan is given approval, then as part of the infrastructure, a new road must be constructed to take the heavy vehicles away from these narrow pinch-points and residential properties.
- . There are no plans in the proposed Local Plan to improve roads other than a by-pass of Five Oak Green which was the cheapest option by creating a new road from Capel Hill towards Tonbridge, off an already busy road to Pembury. The Health and Safety of the local population is not being considered as young children and adults will be exposed to massive traffic dangers and air pollution which will blight their lives.
- . If there was a presence of Traffic Wardens and PCSOs in Paddock Wood, then motorists who park illegally on pavements and yellow lines could be dealt with properly to enforce the law.
- . We would welcome the 20-mph speed limit as no traffic, other than a very occasional vehicle, keeps within the 30mph limit on Maidstone Road the B2160 and it feels very dangerous waking on the pavement so close to speeding traffic. There has not been a speed check on vehicles by police in recent memory whereas it used to be checked maybe 2-3 times per year and was an effective measure. Police presence is rare unless there is a road accident and a recent attempt to contact a local PCSO proved almost impossible. If there was a presence of Traffic Wardens and PCSOs in Paddock Wood, then motorists who park illegally on pavements and yellow lines could be dealt with properly to enforce the law.
- . The County Police Commissioner states a significant increase in police numbers but they are not being deployed in Paddock Wood/East Capel as there is no evidence of their presence. Our police station has been sold for re-development and we must telephone a station 8 miles away if we need a policeman: Paddock Wood effectively has no police presence.

In conclusion the proposed Local Plan is an unmitigated disaster for Paddock Wood/East Capel residents on so many grounds, and if it is approved our quality of life will suffer greatly over many years. Commercial interests have been allowed to influence the planners to such a degree that there the needs of the residents have been completely subsumed: please do not permit this to happen.

Michèle Sinclair

Paddock Wood residents' Association.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

. No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	James Singleton ([REDACTED])
Email Address	[REDACTED]
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	James Singleton ([REDACTED])
Comment ID	PSLP_1292
Response Date	04/06/21 14:08
Consultation Point	Policy STR 6 Transport and Parking (View)
Status	Processed
Submission Type	Web
Version	0.1

Question 1

Respondent's Name and/or Organisation	James Singleton
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Question 3

To which part of the Local Plan does this representation relate?	Policy
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Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR 6 (Transport and Parking)

Question 4

Do you consider that the Local Plan:

Is legally compliant	Don't know
Is sound	No
Complies with the Duty to Cooperate	Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because: . It is not positively prepared

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

While the objectives in the plan around transport (and also climate change) look good, I believe the plan does not provide the actions necessary to meet the objectives laid out in it. For example, there are no plans to build a new railway station at Tudeley Village, which is essential for development to meet objectives at this site. Otherwise there will simply be many more private cars driving into Tonbridge, Paddock Wood or elsewhere. This will have a negative impact on road safety, local air quality and climate change. There are also no detailed plans for public footpaths or segregated cycleways across the proposed Tudeley Village site.

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan 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.

A legally binding commitment to build a new railway station at Tudeley Village before development begins. Detailed plans for public footpaths (perhaps building on existing routes such as the Tunbridge Wells Circular) and segregated cycleways across the proposed Tudeley Village site, linking Tonbridge and Paddock Wood.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . No, I do not wish to participate in examination hearing session(s)

Question 8

If you have any separate comments you wish to make on the accompanying Sustainability Appraisal, please make them here.

While active travel and public transport are the most important there will inevitably be some private vehicle use and electrification is inevitable. The plans around electric car charging points are light on detail but it is important that they are high-powered and smart so that they can be both fast and flexible to grid demands or generation carbon intensity. A good example is Parc Eirin in Wales (<https://www.parceirin.co.uk/>). Top notch insulation, 3-phase electricity supplies, 22kW+ EV chargers, ground-source heat-pumps, solar panels and not a gas boiler, flue or chimney anywhere on the brownfield site.

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	James Singleton ([REDACTED])
Email Address	[REDACTED]
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	James Singleton ([REDACTED])
Comment ID	PSLP_1303
Response Date	04/06/21 14:28
Consultation Point	Policy STR 7 Climate Change (View)
Status	Processed
Submission Type	Web
Version	0.1
Question 1	

Respondent's Name and/or Organisation	James Singleton
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Question 3

To which part of the Local Plan does this representation relate?	Policy
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Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR 7 (Climate Change)

Question 4

Do you consider that the Local Plan:

Is legally compliant	Don't know
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Is sound	No
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Complies with the Duty to Cooperate	Don't know
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Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because: . It is not positively prepared

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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While the objectives in the plan around climate change (and transport) look good, I believe the plan does not provide the actions necessary to meet the objectives laid out in it. For example, there are no plans to build a new railway station at Tudeley Village, which is essential for development to meet objectives at this site. Otherwise there will simply be many more private cars driving into Tonbridge, Paddock Wood or elsewhere. This will have a negative impact on road safety, local air quality and climate change. There are also no detailed plans for public footpaths or segregated cycleways across the proposed Tudeley Village site.

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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A legally binding commitment to build a new railway station at Tudeley Village before development begins. Detailed plans for off-road public footpaths (perhaps building on existing routes such as the Tunbridge Wells Circular) and segregated cycleways across the proposed Tudeley Village site, linking Tonbridge and Paddock Wood.

Details of the legally binding requirements to be imposed on developers to make the sites carbon negative (generating more clean energy than they consume). Details of smart EVSE (EV charger) requirements to be installed on sites at every parking space.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Hugh Smith [REDACTED]
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	Hugh Smith [REDACTED]
Comment ID	PSLP_1217
Response Date	04/06/21 11:35
Consultation Point	Policy PSTR/LA 1 The Strategy for Lamberhurst parish (View)
Status	Processed
Submission Type	Web
Version	0.1
Question 1	
Respondent's Name and/or Organisation	Hugh & Susanna Smith
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy PSTR/LA1	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Don't know
Is sound	No
Complies with the Duty to Cooperate	Yes
Question 4a	

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because: . It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

We believe that the building of 25-30 housing units on site AL/LA1 could not be compliant with National Planning Policy, as it is in the Area of Outstanding Natural Beauty which requires exceptional circumstances / public interest for such development. No such exceptional circumstances or public interest has been demonstrated.

Question 6

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After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

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Removal of paragraph 2 of the Policy.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box: Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Hugh Smith [REDACTED]
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	Hugh Smith [REDACTED]
Comment ID	PSLP_1224
Response Date	04/06/21 11:39
Consultation Point	Policy AL/LA 1 Land to the west of Spray Hill (View)
Status	Processed
Submission Type	Web
Version	0.2

Question 1

Respondent's Name and/or Organisation	Hugh & Susanna Smith
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Question 3

To which part of the Local Plan does this representation relate?	Policy
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Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

AL/LA1

Question 4

Do you consider that the Local Plan:

Is legally compliant	Don't know
Is sound	No
Complies with the Duty to Cooperate	Yes

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because: . It is not effective

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

If the land to the west of Spray Hill allocation is to be retained:

Policy AL/LA1, opening paragraph: Retention of the landscape buffer to prevent coalescence between Lamberhurst and The Down. The risk of coalescence will be significant unless the retention of the buffer is fully enforced.

Policy AL/LA1, para 2: Whilst there is current vehicle access onto Sand Road as pointed out in para 5.625, this would be inappropriate for access to a development of 25 dwellings. It would severely exacerbate the current issues on Sand Road which is narrow and busy, with pub customer parking and a great deal of conflicting traffic. Access should be to Spray Hill which has good sight lines, light traffic and good capacity.

Policy AL/LA1, paras 4 & 5: Linkages to the two Public Rights of Way mentioned are important and logical. The Policy should however state that provision of additional pedestrian/cycle linkages on the Land should be limited to these two in order to avoid further negative impact on the adjacent conservation area and heritage assets (EN5).

Policy AL/LA1, para 5: The Policy states that "...the location of the PRow that runs through the site and provides a suitable edge to the settlement..." This PRow bisects the part of the land allocated to residential use, so it is unclear that this is referring to a northern edge to the settlement.

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan 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.

If the land to the west of Spray Hill allocation is to be retained:

Policy AL/LA1, opening paragraph: Modify to make it clear that retention of the landscape buffer should be fully enforced - to avoid its erosion and coalescence by future development.

Policy AL/LA1, para 2: Modify to state that vehicle access should be to Spray Hill and not Sand Road - to ensure optimal traffic management.

Policy AL/LA1, paras 4 & 5: Modify to state that provision of additional pedestrian/cycle linkages on the Land should be limited to the two identified - to avoid further negative impact on the adjacent conservation area and heritage assets (EN5).

Policy AL/LA1, para 5: Modify to make it clear that "...the location of the PRow that runs through the site and provides a suitable northern edge to the settlement..." - to avoid confusion.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Comment

Consultee	Rachel Smith ([REDACTED])
Email Address	[REDACTED]
Address	[REDACTED] Paddock Wood TN12 [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Rachel Smith ([REDACTED])
Comment ID	PSLP_2130
Response Date	04/06/21 16:15
Consultation Point	Policy STR/SS 1 The Strategy for Paddock Wood, including land at east Capel (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Rachel Smith
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy STR/SS 1 The Strategy for Paddock Wood, including land at east Capel	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Don't know
Is sound	No

Complies with the Duty to Cooperate

Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not effective
- . It is not justified
- . It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

I have lived in Paddock Wood for over 30 years and am acutely aware of issues that affect the local area as result of development.

We have yet to see the effect of the current new developments around Paddock Wood, amounting to over 900+ homes, so increasing the town by a further 2000+ homes would be significantly detrimental:-

Paddock Wood already suffers from flooding affecting existing properties and a massive increase in the number of homes will exacerbate this problem dreadfully. The area of East Capel to the west of Paddock Wood lies on a flood plain so the idea of locating over 2000 here seems ridiculous!! Mitigation measures may be inadequate, have a detrimental effect on existing properties locally or cause problems downstream in East Peckham, Yalding, Golden Green, Tonbridge and elsewhere. Huge amounts of money spent on flood mitigation could result in diverting funds from other essential infrastructure.

There are problems with foul and surface water drainage in Paddock Wood with the current system unable to cope. A further large growth in the number of homes will require significant improvements to the system which should, in my opinion, involve increasing the capacity of the local treatment works as the current proposal to cope with the expected rise in the volume of waste from the 900+ homes currently being built merely involves expanding the pipe network for holding untreated waste.

There is already congestion on the local roads with some already difficult to negotiate due to on road parking and volume of traffic. The proposal for 2000+ homes in addition to the 900+ already being built will increase the number of vehicles in the local area phenomenally, causing horrendous additional congestion on roads that were not designed to accommodate large volumes of traffic and there would be significant detriment to the air quality from vehicle emissions.

The proposal to close Maidstone Road railway bridge to vehicle traffic (except buses) on page 48 of the LCWIP Local Cycling and Walking Infrastructure Plan (LCWIP) Phase 2 - Final Report is ridiculous as it is a key route into Paddock Wood and re-routing traffic along other roads into the town will cause immense congestion.

The area designated for development is Green Belt land specifically set aside for preventing urban sprawl and protecting the rural environment between existing conurbations. I understand that the Inspector's comments on the Site Allocation Local Plan 2016 referred to not accepting a need to allocate any land within Green Belt for development. Adding so much housing will result in the destruction of woodland, hedgerows, meadows, and farmland that should be maintained. It will spoil the landscape and kill wildlife when we should be protecting our environment and its precious biodiversity for future generations. This area should remain rural with agricultural land that can be used to provide food.

Brownfield sites and alternative locations within the borough should be developed and full use of the existing housing stock (ie occupation of ensure vacant properties) before Green Belt land is lost forever. With the increase in working from home the conversion of vacant office space to dwellings should be considered. Surely it would be more appropriate to focus on regenerating Tunbridge Wells town centre before destroying the beautiful countryside around Paddock Wood.

Tunbridge Wells BC do not appear to have addressed the concerns and objections raised by residents and responders to the Regulation 18 consultation in relation to the extent of housing proposed for Paddock Wood.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Rachel Smith [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] Paddock Wood [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Rachel Smith [REDACTED]
Comment ID	PSLP_1706
Response Date	04/06/21 16:15
Consultation Point	Policy STR/SS 3 The Strategy for Tudeley Village (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Rachel Smith
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy STR/SS 3 The Strategy for Tudeley Village	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Don't know
Is sound	No

Complies with the Duty to Cooperate

Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not effective
- . It is not justified
- . It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

I have lived in Paddock Wood for over 30 years and am acutely aware of issues that affect the local area as result of development.

There is already congestion on the local roads, especially en route through Capel to Tonbridge, and the B2017 at the green in Five Oak Green is particularly difficult to negotiate due to on road parking and volume of traffic. The proposal to create a new settlement, 'Tudeley Village', will increase the number of vehicles in the local area phenomenally, causing horrendous additional congestion on roads that were not designed to accommodate large volumes of traffic and there would be significant detriment to the air quality from vehicle emissions. This would be further exacerbated if the proposals for more quarrying in Capel Parish go ahead with not only lorries and other large vehicles from construction sites but also the long-term activity of heavy vehicles engaged in the movement of sand and gravel. In my opinion the infrastructure cannot cope with this and local roads will be wrecked!!!

Capel parish has suffered from flooding and a massive increase in the number of homes will exacerbate this problem dreadfully.

The building of 2800 homes in a parish that contains less than 1000 dwellings is grossly disproportionate. The area is Green Belt land specifically set aside for preventing urban sprawl and protecting the rural environment between existing conurbations. I understand that the Inspector's comments on the Site Allocation Local Plan 2016 referred to not accepting a need to allocate any land within Green Belt for development. Adding so much housing in Capel Parish will result in the destruction of woodland, hedgerows, meadows, and farmland that should be maintained. It will spoil the landscape and kill wildlife when we should be protecting our environment and its precious biodiversity for future generations. This area should remain rural with agricultural land that can be used to provide food.

Brownfield sites and alternative locations within the borough should be developed and full use of the existing housing stock (ie occupation of ensure vacant properties) before Green Belt land is lost forever. With the increase in working from home the conversion of vacant office space to dwellings should be considered. Surely it would be more appropriate to focus on regenerating Tunbridge Wells town centre before destroying the beautiful countryside of Capel Parish. It cannot be appropriate that Tunbridge Wells BC expect to put more than 50% of new homes for the borough into only one of its 20 wards. I therefore feel that the proposal for a new settlement (Tudeley Village) is NOT justified!!!

Tunbridge Wells BC do not appear to have addressed the concerns and objections raised by residents and responders to the Regulation 18 consultation in relation to the extent of housing proposed for Capel Parish.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Graham Smith-Tilley [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] Tunbridge Wells [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Graham Smith-Tilley [REDACTED]
Comment ID	PSLP_1087
Response Date	03/06/21 13:59
Consultation Point	Policy PSTR/SP 1 The Strategy for Speldhurst parish (View)
Status	Processed
Submission Type	Web
Version	0.1
Question 1	
Respondent's Name and/or Organisation	Graham Smith-Tilley
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
PSTR/SP1	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Don't know
Is sound	No
Complies with the Duty to Cooperate	No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not effective
- . It is not justified
- . It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

Policy PSTR/SP1 is not justified as it will involve development on a site designated as an AONB allowable only in exceptional circumstances, which have not been demonstrated in policy PSTR/SP1. I do not believe the benefits of developing this land outweigh the damage that it will cause to our natural environment. Reference is made in 5.800 to a TPO on six trees located on the eastern frontage of the site, stating the trees are expected to be retained. The continued existence of these trees should be guaranteed. Policy PSTR/SP1 will involve an increase in traffic on a dangerous stretch of road. Policy PSTR/SP1 is ineffective as the strategies proposed to improve youth play areas, allotments and recreation space in AL/SP2 will have little real world benefit to the residents of Speldhurst. Residents would be required to travel by car or cycle down country lanes to access them. Policy PSTR/SP1 is further flawed if reference is made to National Planning Policy documents which state that suitable locations for development should take account of "sufficient access to services and employment opportunities" and that "a sufficient choice of school places is available to meet the needs of existing and new communities" and that the area is "well served by public transport". Speldhurst has very limited employment opportunities and access to services. The village shop is community run and its future is not necessarily guaranteed. Speldhurst CEP School is at full capacity. Speldhurst is a semi rural village with no cycle routes or realistic prospect of them. The village is not well served by public transport as is identified in the overview paragraph 5.788. The current Doctor's practice is housed in a building that would not allow for any expansion. Speldhurst clearly does not have the infrastructure to support this development.

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan 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.

I do not believe any modifications can be made to make this development sound, effective or justified.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box: Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Graham Smith-Tilley [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] Tunbridge Wells [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Graham Smith-Tilley [REDACTED]
Comment ID	PSLP_1088
Response Date	03/06/21 14:02
Consultation Point	Map 75 Site Layout Plan (View)
Status	Processed
Submission Type	Web
Version	0.1
Question 1	
Respondent's Name and/or Organisation	Graham Smith-Tilley
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy AL/SP1	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Don't know
Is sound	No
Complies with the Duty to Cooperate	No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:	.	It is not effective
	.	It is not justified
	.	It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

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The indicative access detailed on this map is on a dangerous stretch of road where cars already routinely ignore speed restrictions, with dangerous overtaking a frequent occurrence. The visibility splays are insufficient and the TPOs on six trees further reduce this. The National Planning Policy Framework states that "transport issues should be considered at the earliest stages of plan making". I do not believe this to have been the case. Any traffic calming measures would urbanise a rural area and have a detrimental effect on the approach to the historic village of Speldhurst.

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

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No modifications can be made to make this justified, sound or effective.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?	.	No, I do not wish to participate in examination hearing session(s)
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Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Graham Smith-Tilley [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] Tunbridge Wells [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Graham Smith-Tilley [REDACTED]
Comment ID	PSLP_1092
Response Date	03/06/21 14:04
Consultation Point	Policy AL/SP 1 Land to the west of Langton Road and south of Ferbies (View)
Status	Processed
Submission Type	Web
Version	0.1
Question 1	
Respondent's Name and/or Organisation	Graham Smith-Tilley
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy AL/SP1	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Don't know
Is sound	No
Complies with the Duty to Cooperate	No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- ☐ It is not effective
- ☐ It is not justified
- ☐ It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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The proposed access to this site is problematic and I do not believe mitigation measures will be able to overcome the dangers caused by accessing the site on a bend, with restricted sight lines. Point 2 refers to traffic calming measures that will be needed. This will urbanise the approach to the historic village of Speldhurst referred to in point 4 which is unacceptable.

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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This policy can not be modified to make it justified, sound or effective.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

- ☐ No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

- ☐ Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Sana Smith-Tilley [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] Tunbridge Wells [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Sana Smith-Tilley [REDACTED]
Comment ID	PSLP_1054
Response Date	03/06/21 13:50
Consultation Point	Policy PSTR/SP 1 The Strategy for Speldhurst parish (View)
Status	Processed
Submission Type	Web
Version	0.2
Question 1	
Respondent's Name and/or Organisation	Sana Smith-Tilley
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy PSTR/SP1	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Don't know
Is sound	No
Complies with the Duty to Cooperate	No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not effective
- . It is not justified
- . It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

Policy PSTR/SP1 is not justified as it will involve development on a site designated as an AONB allowable only in exceptional circumstances, which have not been demonstrated in policy PSTR/SP1. I do not believe the benefits of developing this land outweigh the damage that it will cause to our natural environment. Reference is made in 5.800 to a TPO on six trees located on the eastern frontage of the site, stating the trees are expected to be retained. The continued existence of these trees should be guaranteed.

Policy PSTR/SP1 will involve an increase in traffic on a dangerous stretch of road.

Policy PSTR/SP1 is ineffective as the strategies proposed to improve youth play areas, allotments and recreation space in AL/SP2 will have little real world benefit to the residents of Speldhurst. Residents would be required to travel by car or cycle down country lanes to access them.

Policy PSTR/SP1 is further flawed if reference is made to National Planning Policy documents which state that suitable locations for development should take account of "sufficient access to services and employment opportunities" and that "a sufficient choice of school places is available to meet the needs of existing and new communities" and that the area is "well served by public transport". Speldhurst has very limited employment opportunities and access to services. The village shop is community run and its future is not necessarily guaranteed. Speldhurst CEP School is at full capacity. Speldhurst is a semi rural village with no cycle routes or realistic prospect of them. The village is not well served by public transport as is identified in the overview paragraph 5.788. The current Doctor's practice is housed in a building that would not allow for any expansion. Speldhurst clearly does not have the infrastructure to support this development.

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan 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.

In the case of policy PSTR/SP1 there is no way to make this development sound, justified or effective.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box: Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Sana Smith-Tilley [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] Tunbridge Wells [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Sana Smith-Tilley [REDACTED]
Comment ID	PSLP_1061
Response Date	03/06/21 13:52
Consultation Point	Map 75 Site Layout Plan (View)
Status	Processed
Submission Type	Web
Version	0.2
Question 1	
Respondent's Name and/or Organisation	Sana Smith-Tilley
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy AL/SP1	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Don't know
Is sound	No
Complies with the Duty to Cooperate	No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because: . It is not effective

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

The indicative access detailed on this map is on a dangerous stretch of road where cars already routinely ignore speed restrictions, with dangerous overtaking a frequent occurrence. The visibility splays are insufficient and the TPOs on six trees further reduce this. The National Planning Policy Framework states that "transport issues should be considered at the earliest stages of plan making". I do not believe this to have been the case. Any traffic calming measures would urbanise a rural area and have a detrimental effect on the approach to the historic village of Speldhurst.

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan 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.

I do not believe Policy AL/SP1 can be altered to make it sound, justified or effective.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Sana Smith-Tilley [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] Tunbridge Wells [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Sana Smith-Tilley [REDACTED]
Comment ID	PSLP_1063
Response Date	03/06/21 13:45
Consultation Point	Policy AL/SP 1 Land to the west of Langton Road and south of Ferbies (View)
Status	Processed
Submission Type	Web
Version	0.2
Question 1	
Respondent's Name and/or Organisation	Sana Smith-Tilley
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy AP/SP1	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Don't know
Is sound	No
Complies with the Duty to Cooperate	No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not effective
- . It is not justified
- . It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

The proposed access to this site is problematic and I do not believe mitigation measures will be able to overcome the dangers caused by accessing the site on a bend, with restricted sight lines. Point 2 refers to traffic calming measures that will be needed. This will urbanise the approach to the historic village of Speldhurst referred to in point 4 which is unacceptable.

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan 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.

I do not believe that Policy AL/SP1 can be modified to make it sound, effective or justified.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

- . No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Claire Songhurst [REDACTED]
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	Claire Songhurst [REDACTED]
Comment ID	PSLP_53
Response Date	25/04/21 17:52
Consultation Point	Policy STR/SS 1 The Strategy for Paddock Wood, including land at east Capel (View)
Status	Processed
Submission Type	Web
Version	0.3
Question 1	
Respondent's Name and/or Organisation	Claire Songhurst
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
STR/SS1	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Don't know
Is sound	No
Complies with the Duty to Cooperate	Don't know
Question 4a	

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not effective
- . It is not justified
- . It is not consistent with national policy

Question 5

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Having grown up in Tonbridge, I have lived in Five Oak Green for 27 years with my husband and we raised our two daughters here. Not only is it a wonderful, caring community, but its proximity to countryside and walks make it a wonderful place in which to live.

The plan to build on the land at East Capel seems disastrous to me for the following reasons:

- 1 It is Green Belt land which should only be built on in "exceptional circumstances". TWBC's own assessment in their Sustainability Appraisal show that Paddock Wood can expand and meet most of the plan's aims without using the Green Belt land at East Capel.
- 2 It would effectively mean Five Oak Green merges into Paddock Wood, depriving the village of its own identity and character.
- 3 Whenever we have substantial rain, the sewers in the village cannot cope and pumping lorries are required to try to prevent floods and damage to properties and gardens. The land at East Capel forms part of the flood plain, so this situation would only get worse.
- 4 The plans to build at East Capel, together with the Tudeley village mean that half of the housing needs of Tunbridge Wells borough would be built in this parish of 913 homes.
- 5 Over the years, as the population has increased, the traffic flow has become worse with the village being used as a 'rat run' particularly at peak times. These rural roads would simply not be able to cope with the increased traffic such a development would bring.

There is a huge campaign against these proposals and I do not feel that Tunbridge Wells Borough Council have listened to its residents (the people they are supposed to represent) and the many comments and objections made during Reg 18.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

- . No, I do not wish to participate in examination hearing session(s)

Future Notifications

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- . Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Claire Songhurst [REDACTED]
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	Claire Songhurst [REDACTED]
Comment ID	PSLP_59
Response Date	25/04/21 18:13
Consultation Point	Policy STR/SS 3 The Strategy for Tudeley Village (View)
Status	Processed
Submission Type	Web
Version	0.3
Question 1	
Respondent's Name and/or Organisation	Claire Songhurst
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy STR/SS 3: The Strategy for Tudeley Village	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Don't know
Is sound	No
Complies with the Duty to Cooperate	Don't know
Question 4a	

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:	.	It is not effective
	.	It is not justified
	.	It is not consistent with national policy

Question 5

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Having grown up in Tonbridge, I have lived in Five Oak Green for 27 years with my husband and we raised our two daughters here. Not only is it a wonderful, caring community, but its proximity to countryside and walks makes it a wonderful place in which to live.

For me, part of the beauty of driving out of Tonbridge towards Five Oak Green are the fabulous views over fields and farmland towards Hadlow, the very fields that would disappear if this development went ahead.

The land designated for the Tudeley village is part of the flood plain. Many residents in Five Oak Green have been victim of flooding (last flood February 2020), and have had to move out of their homes whilst they were repaired. Building on the flood plain will only make the situation worse and more frequent. Whenever we have substantial rain, the sewers in the village cannot cope and pumping lorries are required to try to prevent floods and damage to properties and gardens.

Building the Tudeley garden village would effectively mean that Tonbridge/Tudeley/Five Oak Green/Paddock Wood becomes one large urban sprawl and will totally change the character of all these areas. The traffic flow is always congested going into Tonbridge and Tunbridge Wells and this would be exacerbated by these developments and the public transport infrastructure is not equipped to cope with the rise in demand.

The plans, along with those for East Capel mean that half of the housing needs of Tunbridge Wells borough would be built in this parish of 913 homes.

There is a huge campaign against these proposals and I do not feel that Tunbridge Wells Borough Council have listened to its residents (the people they are supposed to represent) and the many comments and objections made during Reg 18.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?	.	No, I do not wish to participate in examination hearing session(s)
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Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:	Yes, I wish to be notified of future stages of the Local Plan
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Comment

Consultee	Richard Songhurst [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] Tonbridge [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Richard Songhurst [REDACTED]
Comment ID	PSLP_607
Response Date	31/05/21 18:25
Consultation Point	Policy STR/SS 3 The Strategy for Tudeley Village (View)
Status	Processed
Submission Type	Web
Version	0.3
Question 1	
Respondent's Name and/or Organisation	Richard Songhurst resident Five Oak Green
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy STR/SS 3	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Don't know
Is sound	No
Complies with the Duty to Cooperate	Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- ☐ It is not effective
- ☐ It is not justified
- ☐ It is not consistent with national policy

Question 5

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I have lived in Five Oak Green with my family for the past 26 years and have been very happy due to the friendliness and community spirit generated by the whole mix of population number and closeness to both town and country. However, it has slowly been getting busier over time especially the road on which we have lived over this time and I feel that this massive increase in population levels can only make it a lot less attractive place to live. Already there are shortages of school places, doctors, dentists and other amenities for only the slight increase of people.

Another reason I object to such a vast increase in houses and people is the fact that the whole area already has serious flooding issues when we have heavy rain and many of these new houses are planned on the flood plain. Also, we frequently have sewerage problems in the village due to the size and poor condition of the infrastructure.

We really enjoy walking through the countryside and seeing all the varied wildlife around our village which is supposed to be protected by the green belt presently and so I am not sure how TWBC can build on this land.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

- ☐ No, I do not wish to participate in examination hearing session(s)

Future Notifications

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- ☐ Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Richard Songhurst [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] Tonbridge [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Richard Songhurst [REDACTED]
Comment ID	PSLP_703
Response Date	31/05/21 18:30
Consultation Point	Policy STR/SS 1 The Strategy for Paddock Wood, including land at east Capel (View)
Status	Processed
Submission Type	Web
Version	0.3
Question 1	
Respondent's Name and/or Organisation	Richard Songhurst
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
STR/SS 1	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Don't know
Is sound	No
Complies with the Duty to Cooperate	Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- ☐ It is not effective
- ☐ It is not justified
- ☐ It is not consistent with national policy

Question 5

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Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

- ☐ No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

- ☐ Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	South East Water
Address	Rocfort Road SNODLAND ME6 5AH
Event Name	Pre-Submission Local Plan
Comment by	South East Water ([REDACTED])
Comment ID	PSLP_1581
Response Date	04/06/21 14:02
Consultation Point	Policy STR/SS 1 The Strategy for Paddock Wood, including land at east Capel (View)
Status	Processed
Submission Type	Email
Version	0.3
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	South East Water
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR/SS 1 The Strategy for Paddock Wood, including land at east Capel

[TWBC: this representation has been input against Policies STR/SS 1, STR/SS 3, EN 2 and EN24 – see Comment Numbers PSLP_1581, PSLP_1587, PSLP_1589 and PSLP_1591]

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

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Proposal: Tunbridge Wells Borough Council Pre-Submission Local Plan

South East Water would like to thank Tunbridge Wells Borough Council for bringing the Tunbridge Wells Borough Council Pre-Submission version of its Local Plan to our attention.

Each water company is legally required to prepare a Water Resources Management Plan (WRMP) every five years. South East Water published our WRMP19 in August 2019. This plan sets out how we intend to maintain the balance between increasing demand for water and available supplies over the next 60 years up to 2080. The plan takes into account planned housing growth as well as the potential impact of climate change and includes our ambitious water efficiency programme. For more information please visit our

website:<https://corporate.southeastwater.co.uk/about-us/our-plans/water-resources-management-plan-2019/>

In South East Water's most recent business plan we have committed to play an active role regionally in relation to the impact of housing growth on water. We will develop a policy together with local stakeholders – appreciating the balance of supplying water, the need for society to ensure environmentally sustainable future water resources, and also the ongoing support of the south east region and its economic development. South East Water aims to respond to 100 per cent of all national, local and regional authority consultations and seeks to co-operate and maintain a good working relationship with local planning authorities in its area and to provide the support they need with regards to the provision of water supply infrastructure. Please see our business

plan:https://corporate.southeastwater.co.uk/media/2901/sew_five_year_business_plan_2020-2025.pdf

We are also committed partners in the Water Resources in the South East (WRSE) Group that works for the collective good of customers and the environment in the wider south east region and are nationally represented in the Water UK water resources long-term planning. Our aim of reducing demand requires the use of new approaches and technology. Although there is some uncertainty on the level of savings that can be achieved we are seeing a development of new technologies and we are committed to reduce personal water usage and leakage levels in order to be more sustainable for next generations.

Our preferred plan for the period 2020 to 2025 includes a mix of demand management initiatives such as leakage reductions and an ambitious water efficiency programme. During the period 2025 to 2045 we will continue our demand management initiatives to achieve further leakage and water efficiency savings. However, by this stage we will need additional water supply options to meet the increase in shortfall of our supply demand balance.

Several of the options within our preferred plan come directly from our engagement with third parties, for instance the regional transfers that resulted from our participation in WRSE. Other options, such as catchment management, rely upon our ability to work with stakeholders, or as with our water efficiency option, we rely on our ability to engage and influence customers' water use behaviour.

In our water resource zone 1 (Tunbridge Wells) we are developing regional water transfer schemes such as importing water from Sutton and East Surrey Water (2042) to our WRZ1 area (Tunbridge Wells) and a targeted catchment management interventions programme in the Pembury area (2034).

South East Water have now reviewed the plan and would like to comment that it is important and agree with Tunbridge Wells Borough Council on the points raised as part of the Local Plan strategic objectives

and would like to add that water efficiency should be a key aspect to be promoted to existing buildings and new buildings, either residential or non-residential across the Council as part of these objectives.

We welcome the changes and the introduction of a new target of 110 litres per person per day instead of the current mandatory target of 125 litres per person per day within Policy EN 24 -Water Supply, Quality, and Conservation. We recommend the Council to be ambitious and try to achieve lower targets as soon as regulation permits and to include a lower optional standard which could be trialled in selected new developments. South East Water fully support this policy as we are keen to collaborate with Tunbridge Wells Borough Council and understand how this policy will be implemented, monitored and the potential benefits of it. South East Water consider that it is important that the Council and developers liaise with South East Water to ensure the timely delivery of water supply infrastructure that is adequate to meet future demand.

South East Water support the introduction of sustainable design standards in Policy EN 2 - Sustainable Design Standards for all residential and non-residential developments where water use standards should be a main focus for developers as well as the monitoring responsibility from the Council.

Our main areas of concern are Capel Tudeley followed by Paddock Wood. South East Water would need to supply the bulk of the water for these sites from the north, from our water resource zone 6 (Maidstone) to our water resource zone 1 (Tunbridge Wells). Our preferred plan for the period 2020 to 2025 includes a new water supply option in WRZ6 to construct a new water treatment works at the former Aylesford Newsprint site. We are planning to increase the transfer capacity from AylesfordNP to Kingshill first (Water Resources Mains scheme) but will also require reinforcement from Beech reservoir down to Paddock Wood.

We would then connect across to the Tudeley development from there by laying new mains. The development in East and Central Paddock Wood will be easier to support from the existing network but a shorter length of main may be required for those on the East. This will require early confirmation that development is progressing.

South East Water will work with local authorities and developers to ensure that any necessary infrastructure reinforcement is delivered ahead of the occupation of development. Where there are infrastructure constraints, it is important not to under estimate the time required to deliver necessary infrastructure.

South East Water would like to reiterate that our primary concern is the water that we abstract and treat for public supply purposes and ensuring that the surface and groundwater abstracted does not fall below the tolerances of our water treatment works or the drinking water standards set by our regulators.

South East Water would like to be kept updated with any developments relating to the Tunbridge Wells Borough Council Local Plan and we welcome the collaboration with the Council. We look forward to working with Tunbridge Wells Borough Council to ensure that drinking water supplies remain protected in the area in the future.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

For office use only

If responder hasn't ticked an option on this box, data inputter to tick 'not stated' box. Not Stated

Future Notifications

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Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	South East Water
Address	Rocfort Road SNODLAND ME6 5AH
Event Name	Pre-Submission Local Plan
Comment by	South East Water [REDACTED]
Comment ID	PSLP_1587
Response Date	04/06/21 14:02
Consultation Point	Policy STR/SS 3 The Strategy for Tudeley Village (View)
Status	Processed
Submission Type	Email
Version	0.3
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	South East Water
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR/SS 3 The Strategy for Tudeley Village

[TWBC: this representation has been input against Policies STR/SS 1, STR/SS 3, EN 2 and EN24 – see Comment Numbers PSLP_1581, PSLP_1587, PSLP_1589 and PSLP_1591]

Question 4a

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Do you consider that the Local Plan is not sound because:

Question 5

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plan:https://corporate.southeastwater.co.uk/media/2901/sew_five_year_business_plan_2020-2025.pdf

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Our preferred plan for the period 2020 to 2025 includes a mix of demand management initiatives such as leakage reductions and an ambitious water efficiency programme. During the period 2025 to 2045 we will continue our demand management initiatives to achieve further leakage and water efficiency savings. However, by this stage we will need additional water supply options to meet the increase in shortfall of our supply demand balance.

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We would then connect across to the Tudeley development from there by laying new mains. The development in East and Central Paddock Wood will be easier to support from the existing network but a shorter length of main may be required for those on the East. This will require early confirmation that development is progressing.

South East Water will work with local authorities and developers to ensure that any necessary infrastructure reinforcement is delivered ahead of the occupation of development. Where there are infrastructure constraints, it is important not to under estimate the time required to deliver necessary infrastructure.

South East Water would like to reiterate that our primary concern is the water that we abstract and treat for public supply purposes and ensuring that the surface and groundwater abstracted does not fall below the tolerances of our water treatment works or the drinking water standards set by our regulators.

South East Water would like to be kept updated with any developments relating to the Tunbridge Wells Borough Council Local Plan and we welcome the collaboration with the Council. We look forward to working with Tunbridge Wells Borough Council to ensure that drinking water supplies remain protected in the area in the future.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

For office use only

If responder hasn't ticked an option on this box, data inputter to tick 'not stated' box. Not Stated

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	South East Water
Address	Rocfort Road SNODLAND ME6 5AH
Event Name	Pre-Submission Local Plan
Comment by	South East Water [REDACTED]
Comment ID	PSLP_1589
Response Date	04/06/21 14:02
Consultation Point	Policy EN 2 Sustainable Design Standards (View)
Status	Processed
Submission Type	Email
Version	0.3
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	South East Water
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy EN 2 Sustainable Design Standards

[TWBC: this representation has been input against Policies STR/SS 1, STR/SS 3, EN 2 and EN24 – see Comment Numbers PSLP_1581, PSLP_1587, PSLP_1589 and PSLP_1591]

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

Proposal: Tunbridge Wells Borough Council Pre-Submission Local Plan

South East Water would like to thank Tunbridge Wells Borough Council for bringing the Tunbridge Wells Borough Council Pre-Submission version of its Local Plan to our attention.

Each water company is legally required to prepare a Water Resources Management Plan (WRMP) every five years. South East Water published our WRMP19 in August 2019. This plan sets out how we intend to maintain the balance between increasing demand for water and available supplies over the next 60 years up to 2080. The plan takes into account planned housing growth as well as the potential impact of climate change and includes our ambitious water efficiency programme. For more information please visit our

website:<https://corporate.southeastwater.co.uk/about-us/our-plans/water-resources-management-plan-2019/>

In South East Water's most recent business plan we have committed to play an active role regionally in relation to the impact of housing growth on water. We will develop a policy together with local stakeholders – appreciating the balance of supplying water, the need for society to ensure environmentally sustainable future water resources, and also the ongoing support of the south east region and its economic development. South East Water aims to respond to 100 per cent of all national, local and regional authority consultations and seeks to co-operate and maintain a good working relationship with local planning authorities in its area and to provide the support they need with regards to the provision of water supply infrastructure. Please see our business

plan:https://corporate.southeastwater.co.uk/media/2901/sew_five_year_business_plan_2020-2025.pdf

We are also committed partners in the Water Resources in the South East (WRSE) Group that works for the collective good of customers and the environment in the wider south east region and are nationally represented in the Water UK water resources long-term planning. Our aim of reducing demand requires the use of new approaches and technology. Although there is some uncertainty on the level of savings that can be achieved we are seeing a development of new technologies and we are committed to reduce personal water usage and leakage levels in order to be more sustainable for next generations.

Our preferred plan for the period 2020 to 2025 includes a mix of demand management initiatives such as leakage reductions and an ambitious water efficiency programme. During the period 2025 to 2045 we will continue our demand management initiatives to achieve further leakage and water efficiency savings. However, by this stage we will need additional water supply options to meet the increase in shortfall of our supply demand balance.

Several of the options within our preferred plan come directly from our engagement with third parties, for instance the regional transfers that resulted from our participation in WRSE. Other options, such as catchment management, rely upon our ability to work with stakeholders, or as with our water efficiency option, we rely on our ability to engage and influence customers' water use behaviour.

In our water resource zone 1 (Tunbridge Wells) we are developing regional water transfer schemes such as importing water from Sutton and East Surrey Water (2042) to our WRZ1 area (Tunbridge Wells) and a targeted catchment management interventions programme in the Pembury area (2034).

South East Water have now reviewed the plan and would like to comment that it is important and agree with Tunbridge Wells Borough Council on the points raised as part of the Local Plan strategic objectives

and would like to add that water efficiency should be a key aspect to be promoted to existing buildings and new buildings, either residential or non-residential across the Council as part of these objectives.

We welcome the changes and the introduction of a new target of 110 litres per person per day instead of the current mandatory target of 125 litres per person per day within Policy EN 24 -Water Supply, Quality, and Conservation. We recommend the Council to be ambitious and try to achieve lower targets as soon as regulation permits and to include a lower optional standard which could be trialled in selected new developments. South East Water fully support this policy as we are keen to collaborate with Tunbridge Wells Borough Council and understand how this policy will be implemented, monitored and the potential benefits of it. South East Water consider that it is important that the Council and developers liaise with South East Water to ensure the timely delivery of water supply infrastructure that is adequate to meet future demand.

South East Water support the introduction of sustainable design standards in Policy EN 2 - Sustainable Design Standards for all residential and non-residential developments where water use standards should be a main focus for developers as well as the monitoring responsibility from the Council.

Our main areas of concern are Capel Tudeley followed by Paddock Wood. South East Water would need to supply the bulk of the water for these sites from the north, from our water resource zone 6 (Maidstone) to our water resource zone 1 (Tunbridge Wells). Our preferred plan for the period 2020 to 2025 includes a new water supply option in WRZ6 to construct a new water treatment works at the former Aylesford Newsprint site. We are planning to increase the transfer capacity from AylesfordNP to Kingshill first (Water Resources Mains scheme) but will also require reinforcement from Beech reservoir down to Paddock Wood.

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Question 7

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Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	South East Water
Address	Rocfort Road SNODLAND ME6 5AH
Event Name	Pre-Submission Local Plan
Comment by	South East Water [REDACTED]
Comment ID	PSLP_1591
Response Date	04/06/21 14:02
Consultation Point	Policy EN 24 Water Supply, Quality, and Conservation (View)
Status	Processed
Submission Type	Email
Version	0.3
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	South East Water
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy EN 24 Water Supply, Quality, and Conservation

[TWBC: this representation has been input against Policies STR/SS 1, STR/SS 3, EN 2 and EN24 – see Comment Numbers PSLP_1581, PSLP_1587, PSLP_1589 and PSLP_1591]

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

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Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

For office use only

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Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Alain Lewis ([REDACTED])
Email Address	[REDACTED]
Company / Organisation	Southborough and High Brooms Labour Party
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Southborough and High Brooms Labour Party (Alain Lewis - [REDACTED])
Comment ID	PSLP_1297
Response Date	04/06/21 14:11
Consultation Point	Policy AL/RTW 5 Land to the south of Speldhurst Road and west of Reynolds Lane at Caenwood Farm, Speldhurst Road (View)
Status	Processed
Submission Type	Web
Version	0.4
Question 1	
Respondent's Name and/or Organisation	Alain Lewis, Southborough and High Brooms Labour Party
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy AL/RTW 5 Land to the south of Speldhurst Road and west of Reynolds Lane at Caenwood Farm, Speldhurst Road	
Question 4	
Do you consider that the Local Plan:	

Is legally compliant	Yes
Is sound	No
Complies with the Duty to Cooperate	Yes

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because: . It is not effective

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

Due to the inclusion of the Caenwood development which would cause untold damage to the environment, to traffic and air quality

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan 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.

We are encouraged that there is a commitment to more affordable housing in the borough. We believe however that there should be more genuinely affordable housing made available across the borough. There should as well be more social housing in the borough, as there is a dire need for this.

Our other major concern is the Caenwood development in Speldhurst Road. These 100 houses will have a detrimental effect on everyone in Southborough and the effect could potentially reach far into Tunbridge Wells. There will be around 100 to 200 extra cars on the road in Speldhurst Road, the A26 and Yew Tree Road. This will also be in addition to the extra cars on the road from the Spectrum development by the Civic Centre.

We are also none to happy about lines blurring between Southborough and Tunbridge Wells in the Caenwood development and how they have been so in this plan as well.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box: Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Mr Brian Dury [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Southborough Environmental Action Movement (SEAM)
Address	[REDACTED] ROYAL TUNBRIDGE WELLS [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Southborough Environmental Action Movement [REDACTED]
Comment ID	PSLP_947
Response Date	01/06/21 19:54
Consultation Point	Policy AL/RTW 5 Land to the south of Speldhurst Road and west of Reynolds Lane at Caenwood Farm, Speldhurst Road (View)
Status	Processed
Submission Type	Email
Version	0.3
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Southborough Environmental Action Movements
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy AL/RTW 5 Land to the south of Speldhurst Road and west of Reynolds Lane at Caenwood Farm, Speldhurst Road

Paragraph No(s) 5.47 – 5.51

Question 4

Do you consider that the Local Plan:

Is sound No

Complies with the Duty to Cooperate No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not positively prepared
- . It is not effective
- . It is not justified

Question 5

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Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

The proposals contained in policy AL/RTW 5 – removal of Caenwood Farm from the Green Belt to provide for the development of 100 homes is clearly **UNSOUND**.

The policy in paragraph 4.124 states “Green Belt boundaries should only be altered in exceptional circumstances and should be fully evidenced and justified” – yet no evidence for its removal is provided – other than glib words “improvements to the remaining Green Belt to justify the changes to the boundary in this location.” However, no improvements are detailed – only warm words.

The policy tries to justify this green belt removal by stating “The area to the south of the site, although included within the allocation area, should not be developed but rather retained and enhanced”. However, it is not evident that thought has been given to the North Side of the site – i.e., Southborough – that place that it appears TWBC likes to forget about. This land, with its current Green Belt status already provides an essential buffer zone between the Village of Southborough and the Town of Tunbridge Wells. This will now be lost forever.

Then the proposal to build homes on this land is again clearly **UNSOUND** because of lack of infrastructure. Speldhurst Road is a busy, narrow through road, linking Southborough with Rusthall and Speldhurst; together with being used as a “rat run” for traffic avoiding the A26 via Kibbles Lane. There is no evidence that it is capable of supporting the additional traffic generated by the homes. The lack of a detailed traffic analysis adds to the inadequacies of the proposal.

Furthermore, the junctions of Reynolds Lane with Speldhurst Road and the junction of Speldhurst Road with the A26 are extremely busy and congested at peak times – again making the provision of 100 homes close by **UNSOUND**. There are hundreds of school children crossing the roads at these points to attend the many secondary schools around the location – there is no evidence that any thought has been given to the safety of these children or the increased danger to them from the extra traffic generated by the proposed homes

Furthermore, there is no evidence in the policy that consideration had been given to the provision of school places for children from the proposed homes – where will junior school children attend - Southborough? Yet there is no mention of this or what the additional requirements will be.

Again, there is no evidence that consideration has been given to the medical needs of residents in the proposed homes and the impact on GP practices in Southborough.

The policy to develop Caenwood Farm is therefore totally **UNSOUND** as it – fails on unjustified loss of Green Belt, failure to take into account existing the inadequate roads infrastructure, failure to consider schools and GP provision.

Duty to Co-operate – Southborough is an independent community and in fact a significantly older Community than Tunbridge Wells. Whilst it appears that TWBC feels it can, as the Planning Authority, do just as it wishes – it would have been nice. It would have been considerate. It would have been caring and appropriate – if TWBC had talked seriously to Southborough Town Council regarding the removal of Caenwood from the Green Belt and the proposal to build 100 homes on the land. The development of Caenwood will have no impact on the Town of Tunbridge Wells, yet considerable impact on the Village of Southborough. There are already homes on the North Side of Speldhurst Road – Southborough homes. The development of Caenwood will have a substantial and detrimental impact to the lives of people in the area. Yet the land appears to have been removed from the Green Belt very late in the process and with no evidence of thought for the people and the effect on the infrastructure of Southborough. But no surprises there – just the usual disappointment with TWBC.

Question 6

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Keep Caenwood Farm as Green Belt and halt proposed development.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Future Notifications

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Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Michael Dunn [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Southborough Society
Address	[REDACTED] Southborough Tunbridge Wells [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Southborough Society (Michael Dunn - [REDACTED])
Comment ID	PSLP_329
Response Date	24/05/21 08:05
Consultation Point	Policy STR 7 Climate Change (View)
Status	Processed
Submission Type	Email
Version	0.4
Data inputter to enter their initials here	KJ
Question 1	
Respondent's Name and/or Organisation	Southborough Society
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR 7 Climate Change

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

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The Society questions achievability of the Borough's objective of carbon neutrality by 2030, given that in 2018 35% of CO2 emissions were from roads and 34% from domestic gas/electricity. Such elements will require enormous and rapid change, beyond the Borough's powers of action/influence.

Question 7

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Comment

Consultee	Michael Dunn [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Southborough Society
Address	[REDACTED] Southborough Tunbridge Wells [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Southborough Society (Michael Dunn - [REDACTED])
Comment ID	PSLP_334
Response Date	24/05/21 08:05
Consultation Point	Policy AL/RTW 5 Land to the south of Speldhurst Road and west of Reynolds Lane at Caenwood Farm, Speldhurst Road (View)
Status	Processed
Submission Type	Email
Version	0.6
Data inputter to enter their initials here	KJ
Question 1	
Respondent's Name and/or Organisation	Southborough Society
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy AL/RTW 5 Land to the south of Speldhurst Road and west of Reynolds Lane at Caenwood Farm, Speldhurst Road

Question 4

Do you consider that the Local Plan:

Is legally compliant	Don't know
Is sound	No
Complies with the Duty to Cooperate	Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because: . It is not justified

Question 5

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It is unsound because it removes Green Belt land without proper public consultation

This was not included in the previous Draft Plan.

Although this site between Speldhurst Road and Reynolds Lane lies just outside the Southborough Town Council boundary, its development would have considerable effect on adjacent areas of the town. That has been recognised by the creation of the Speldhurst Road Community Action Group (SRCAG) which is opposed to the proposal. The Society has the following concerns:

- 1 Removal of Green Belt status of 5-6 hectares. This was the result of a Borough Council decision in February 2021, and SRCAG has sought a Judicial Review to allow democratic scrutiny before taking the matter back to Full Council. The Caenwood Farm site is the only green barrier between Tunbridge Wells and Southborough to the west of the A26: its diminution as a result of this proposal could lead to further similar reductions.
- 1 Increased traffic. Construction of some 100 residential dwellings of varying sizes will create more problems for an already difficult stretch of Speldhurst Road. It is highly unlikely that each new dwelling will have only one vehicle per household.
- 1 Site access. Policy AL/RTW5 provides for access from Speldhurst Road. At present the only such access is directly opposite the beginning of Prospect Road, which has significant traffic to/from the Primary School and a bus route. Reynolds Lane is both narrow and congested at peak times with children walking and school runs to/from St Gregory's School.
- 1 Widening of Speldhurst Road. This would only be possible on its southern edge, but at the expense of Tree Preservation Order 26/1984 along the entire northern edge of the Caenwood Farm site. A possible consequence is -
- 1 Parking for existing residents. At present their parking takes place on both sides of Speldhurst Road. If "an appropriate level" of such residents' parking is provided within the new site, they will have to cross back across a very busy road to access their properties.

For these reasons the Southborough Society is opposed to any development on the Caenwood Farm land.

Policy AL/RTW5 is not justified because it would remove Green Belt land without proper consultation with local residents, and therefore should be removed from the Local Plan as being unsound.

Question 6

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Policy AL/RTWS should be removed from the Local Plan.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . Yes, I wish to participate in hearing session(s)

Question 7a

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If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Concern at possible reduction in nearby Green Belt.

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box: Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Michael Dunn [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Southborough Society
Address	[REDACTED] Southborough Tunbridge Wells [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Southborough Society (Michael Dunn - [REDACTED])
Comment ID	PSLP_332
Response Date	24/05/21 08:05
Consultation Point	Policy STR/SO 1 The Strategy for Southborough (View)
Status	Processed
Submission Type	Email
Version	0.4
Data inputter to enter their initials here	KJ
Question 1	
Respondent's Name and/or Organisation	Southborough Society
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR/SO 1: The Strategy for Southborough

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

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The Society has no comments on the general development strategy, which it regards as comprehensively covering future social and economic development of the Town.

Nor does it have any further comment on Policies AL/S01 (Speldhurst Road former allotments) and AL/S03 (Baldwins Lane), both of which have current planning permissions.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

Future Notifications

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Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Michael Dunn [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Southborough Society
Address	[REDACTED] Southborough Tunbridge Wells [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Southborough Society (Michael Dunn - [REDACTED])
Comment ID	PSLP_333
Response Date	24/05/21 08:05
Consultation Point	Policy AL/SO 2 Land at Mabledon House (View)
Status	Processed
Submission Type	Email
Version	0.6
Data inputter to enter their initials here	KJ
Question 1	
Respondent's Name and/or Organisation	Southborough Society
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy AL/SO 2: land at Mabledon House

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

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The concept of a luxury hotel with up to 200 rooms and spa/conference facilities would require substantial alteration to the listed Grade II mansion. There have been previous proposals for conversion to an hotel, none of which came to fruition. The viability of such significant private investment therefore must be debatable despite the opportunities for additional local jobs.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

Future Notifications

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Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Michael Dunn [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Southborough Society
Address	[REDACTED] Southborough Tunbridge Wells [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Southborough Society (Michael Dunn - [REDACTED])
Comment ID	PSLP_330
Response Date	24/05/21 08:05
Consultation Point	Policy H 3 Affordable Housing (View)
Status	Processed
Submission Type	Email
Version	0.5
Data inputter to enter their initials here	KJ
Question 1	
Respondent's Name and/or Organisation	Southborough Society
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy H3: Affordable Housing

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

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Whilst the objective of significantly boosting the supply of affordable housing is welcomed, priority should be given to use of brownfield sites with good access to services, rather than utilise greenfield land.

Question 7

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Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Sir/Madam [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Southborough Town Council
Address	Council Offices 137 London Road ROYAL TUNBRIDGE WELLS TN4 0ND
Event Name	Pre-Submission Local Plan
Comment by	Southborough Town Council [REDACTED]
Comment ID	PSLP_1368
Response Date	03/06/21 16:28
Consultation Point	Policy AL/RTW 5 Land to the south of Speldhurst Road and west of Reynolds Lane at Caenwood Farm, Speldhurst Road (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Southborough Town Council
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy AL/RTW 5 Land to the south of Speldhurst Road and west of Reynolds Lane at Caenwood Farm, Speldhurst Road

[TWBC: for further comments relating to STR/SO 1 - please see Comment Number PSLP_1358]

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

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We do object also to the proposals AL/RTW 5 – removal of Caenwood Farm from the Green Belt providing for the development of 100 homes.

We do not see how and why the removal of Green Belt boundaries, especially as they 'should only be altered in exceptional circumstances and should be fully evidenced and justified'. Improving the remaining Green Belt does not justify this. Especially as there is no detail as to how this will be improved and where. We only see it being detrimental when placed alongside the blurring of lines between Southborough and RTW.

Speldhurst Road would not, as well, be able to cope with car traffic from an extra 100 homes on it. And the A26 junction and Yew Tree Road would not as well, with the current addition of 67 dwellings alongside the Southborough Civic Centre.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

For office use only

If responder hasn't ticked an option on this box, Not Stated
data inputter to tick 'not stated' box.

Comment

Consultee	Sir/Madam [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Southborough Town Council
Address	Council Offices 137 London Road ROYAL TUNBRIDGE WELLS TN4 0ND
Event Name	Pre-Submission Local Plan
Comment by	Southborough Town Council [REDACTED]
Comment ID	PSLP_1358
Response Date	03/06/21 16:28
Consultation Point	Policy STR/SO 1 The Strategy for Southborough (View)
Status	Processed
Submission Type	Email
Version	0.4
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Southborough Town Council
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

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Policy STR/SO 1 The Strategy for Southborough

[TWBC: relevant parts of this representation have been input against Policies STR/SO 1, AL/SO 2 and AL/RTW 5 - please see Comment Numbers PSLP_3158, PSLP_1375 and PSLP_3168]

Question 4a

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Question 5

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TUNBRIDGE WELLS BOROUGH COUNCIL –LOCAL PLAN COMMENTS

Please find below the comments raised by STC Chairman of Planning and Transportation Councillor Alain Lewis:

The way the Local Plan is organised it appears that the town of Southborough has become an unparished area of RTW. This therefore diminishes the status of Southborough as being a separate entity to RTW.

- In the introduction to Place Shaping Policies para 5.1. "This section is arranged by non-parished and parished areas..." and list in para 5.3 has Southborough immediately after RTW, before strategic sites, not with the parished areas

- Not clear what areas of Southborough are included in the 'the town' and which are 'parished' and therefore what the policy covers.

We question why the plan designates the 'town of Southborough (as being) mainly urban in character and forms what is referred to as the Main Urban Area of the borough alongside RTW'. Also, the Southborough Common Conservation Area is described as being 'to the north of the parished area' and High Brooms is 'within the parished area' and High Brooms Station is 'just outside the parished area'

Therefore, as a result a perspective for Southborough and High Brooms is missing from the Policy as a result in relation to;

- Point 2: Providing additional housing (windfall developments)
- Point 3: making the best use of previously developed land
- Point 5: Retention of Key Employment Area – specifically for Southborough/High Brooms Industrial Area
- Point 8: Support active travel (for the mass of walking and cycling improvements in Southborough set out in the LCWIP).
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- Point 10: Deliver measures to reduce congestion on A26 – through Southborough
- Point 11: Plan for the expansion of electric vehicle charging points

In the existing policy for the non-urban Southborough as well, we make the following comments.

- Point 1: Set LBD for Southborough - Inset map 3 does not show an LBD boundary between Southborough and adjoining unparished areas of RTW.

- Point 2: Developments: No mention of AL/SO 2 Mabledon House (although the allocation policy is included in the Southborough Policies section) – the only hotel development in the whole plan and meets the identified need for a luxury hotel in the borough (see Hotel Capacity Study).

- Point 3: Identify Southborough hub as a local sports hub recreation – the policy should include words about future enhancements that are in RTW 1 point 15. Also, should this not be designated as a sport and recreation area?
- Point 4: Protect and retain public car parks as shown on Policies Map. Yew Tree Road car park is marked on map (TP4) but Pennington Road does not appear.
- Point 5: Appropriate mix of uses within town centre – maybe this could cover neighbourhood centres (Southborough North Parade, High Brooms) also?
- Point 6: We believe that any developer contributions from Southborough and High Brooms should go to Southborough and High Brooms facilities

In the Overview:

- . AQMA should be mentioned in relation to Southborough and the A26.
- . Our Conservation Area is more than Southborough Common and covers other green spaces such as Barnetts and Brokes Woods as well as ancient woodland and local wildlife sites. These are hugely valued by our local community which should attract developer contributions to pay for enhancements.
- . Southborough North Parade gets a mention in preamble to policy EN6 Shop Fronts and as a neighbourhood centre in ED8, but not in the Southborough Overview.
- Rural diversification – Mabledon and Honnington farms both offer alternative leisure and tourism activities.
- There are a number of listed buildings and sites of significant interest including the Railway Viaduct and Salomons Estate.

We do object also to the proposals AL/RTW 5 – removal of Caenwood Farm from the Green Belt providing for the development of 100 homes.

We do not see how and why the removal of Green Belt boundaries, especially as they 'should only be altered in exceptional circumstances and should be fully evidenced and justified'. Improving the remaining Green Belt does not justify this. Especially as there is no detail as to how this will be improved and where. We only see it being detrimental when placed alongside the blurring of lines between Southborough and RTW.

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Comment

Consultee	Sir/Madam [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Southborough Town Council
Address	Council Offices 137 London Road ROYAL TUNBRIDGE WELLS TN4 0ND
Event Name	Pre-Submission Local Plan
Comment by	Southborough Town Council [REDACTED]
Comment ID	PSLP_1375
Response Date	03/06/21 16:28
Consultation Point	Policy AL/SO 2 Land at Mabledon House (View)
Status	Processed
Submission Type	Email
Version	0.3

Data inputter to enter their initials here HB

Question 1

Respondent's Name and/or Organisation Southborough Town Council

Question 3

To which part of the Local Plan does this representation relate? Policy

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy AL/SO 2 Land at Mabledon House

[TWBC: relevant parts of this representation have been input against Policies STR/SO 1, AL/SO 2 and AL/RTW 5 - please see Comment Numbers PSLP_3158, PSLP_1375 and PSLP_3168]

Question 4a

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Question 5

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Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

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Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Southern Water Services Plc
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Southern Water Services Plc [REDACTED]
Comment ID	PSLP_1195
Response Date	03/06/21 15:31
Consultation Point	Policy AL/RTW 1 Former Cinema Site, Mount Pleasant Road (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Southern Water
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy AL/RTW 1 Former Cinema Site, Mount Pleasant Road	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes

Is sound	Yes
Complies with the Duty to Cooperate	Yes

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

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Southern Water is the statutory wastewater undertaker for Tunbridge Wells. Our assessment has revealed that Southern Water's underground infrastructure crosses this site. This needs to be taken into account when designing the site layout. Easements would be required, which may affect the site layout or require diversion. Easements should be clear of all proposed buildings and substantial tree planting.

Question 6

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Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan 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.

In consideration of the above, we recommend the following criterion for Policy AL/RTW 1

Layout is planned to ensure future access to existing wastewater infrastructure for maintenance and upsizing purposes.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Future Notifications

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Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Southern Water Services Plc
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Southern Water Services Plc [REDACTED]
Comment ID	PSLP_1194
Response Date	03/06/21 15:31
Consultation Point	Policy AL/RTW 3 Land at Lifestyle Ford, Mount Ephraim/Culverden Street/Rock Villa Road (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Southern Water
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy AL/RTW 3 Land at Lifestyle Ford, Mount Ephraim/Culverden Street/Rock Villa Road	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes

Is sound	Yes
Complies with the Duty to Cooperate	Yes

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

Southern Water is the statutory wastewater undertaker for Tunbridge Wells. Our assessment has revealed that Southern Water's underground infrastructure crosses this site. This needs to be taken into account when designing the site layout. Easements would be required, which may affect the site layout or require diversion. Easements should be clear of all proposed buildings and substantial tree planting.

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan 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.

In consideration of the above, we recommend the following criterion for Policy AL/RTW 3

Layout is planned to ensure future access to existing wastewater infrastructure for maintenance and upsizing purposes.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Southern Water Services Plc
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Southern Water Services Plc [REDACTED]
Comment ID	PSLP_1196
Response Date	03/06/21 15:31
Consultation Point	Policy AL/RTW 4 Land at 36-46 St John's Road (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Southern Water
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy AL/RTW 4 Land at 36-46 St John's Road	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes

Is sound	Yes
Complies with the Duty to Cooperate	Yes

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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Southern Water is the statutory wastewater undertaker for Tunbridge Wells. Our assessment has revealed that Southern Water's underground infrastructure crosses this site. This needs to be taken into account when designing the site layout. Easements would be required, which may affect the site layout or require diversion. Easements should be clear of all proposed buildings and substantial tree planting.

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan 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.

In consideration of the above, we recommend the following criterion for Policy AL/RTW 4

Layout is planned to ensure future access to existing wastewater infrastructure for maintenance and upsizing purposes.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Southern Water Services Plc
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Southern Water Services Plc [REDACTED]
Comment ID	PSLP_1203
Response Date	03/06/21 15:31
Consultation Point	Policy AL/RTW 5 Land to the south of Speldhurst Road and west of Reynolds Lane at Caenwood Farm, Speldhurst Road (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Southern Water
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy AL/RTW 5 Land to the south of Speldhurst Road and west of Reynolds Lane at Caenwood Farm, Speldhurst Road

Question 4

Do you consider that the Local Plan:

Is legally compliant	Yes
Is sound	Yes
Complies with the Duty to Cooperate	Yes

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

Southern Water is the statutory wastewater undertaker for Tunbridge Wells. As such, we have undertaken a preliminary assessment of the capacity of our existing infrastructure and its ability to meet the forecast demand for this proposal. Our previous assessment of the site was only valid for 12 months due to our sewer network constantly evolving as new development connects upstream which will affect the available capacity downstream. The assessment reveals that existing local sewerage infrastructure to the site has limited capacity to accommodate the proposed development. Limited capacity is not a constraint to development provided that planning policy and subsequent conditions ensure that occupation of the development is phased to align with the delivery of new wastewater infrastructure.

Proposals for 100 dwellings at this site will generate a need for reinforcement of the wastewater network in order to provide additional capacity to serve the development. This reinforcement will be provided through the New Infrastructure charge to developers, and Southern Water will need to work with site promoters to understand the development program and to review whether the delivery of network reinforcement aligns with the occupation of the development. Connection of new development at this site ahead of new infrastructure delivery could lead to an increased risk of flooding unless the requisite works are implemented in advance of occupation.

Southern Water has limited powers to prevent connections to the sewerage network, even when capacity is limited. Planning policies and conditions, therefore, play an important role in ensuring that development is coordinated with the provision of necessary infrastructure, and does not contribute to pollution of the environment, in line with paragraph 170(e) of the revised National Planning Policy Framework (NPPF) (2019).

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

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In consideration of the above, we recommend the following criterion for Policy AL/RTW 5

Occupation of development will be phased to align with the delivery of sewerage infrastructure, in liaison with the service provider.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Southern Water Services Plc
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Southern Water Services Plc [REDACTED]
Comment ID	PSLP_1205
Response Date	03/06/21 15:31
Consultation Point	Policy AL/RTW 7 Land at former Gas Works, Sandhurst Road (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Southern Water
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy AL/RTW 7 Land at former Gas Works, Sandhurst Road	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes

Is sound	Yes
Complies with the Duty to Cooperate	Yes

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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Southern Water is the statutory wastewater undertaker for Tunbridge Wells. As such, we have undertaken a preliminary assessment of the capacity of our existing infrastructure and its ability to meet the forecast demand for this proposal. Our previous assessment of the site was only valid for 12 months due to our sewer network constantly evolving as new development connects upstream which will affect the available capacity downstream. The assessment reveals that existing local sewerage infrastructure to the site has limited capacity to accommodate the proposed development. Limited capacity is not a constraint to development provided that planning policy and subsequent conditions ensure that occupation of the development is phased to align with the delivery of new wastewater infrastructure.

Proposals for 200 dwellings at this site will generate a need for reinforcement of the wastewater network in order to provide additional capacity to serve the development. This reinforcement will be provided through the New Infrastructure charge to developers, and Southern Water will need to work with site promoters to understand the development program and to review whether the delivery of network reinforcement aligns with the occupation of the development. Connection of new development at this site ahead of new infrastructure delivery could lead to an increased risk of flooding unless the requisite works are implemented in advance of occupation.

Southern Water has limited powers to prevent connections to the sewerage network, even when capacity is limited. Planning policies and conditions, therefore, play an important role in ensuring that development is coordinated with the provision of necessary infrastructure, and does not contribute to pollution of the environment, in line with paragraph 170(e) of the revised National Planning Policy Framework (NPPF) (2019).

Our assessment has revealed that Southern Water's underground infrastructure crosses this site. This needs to be taken into account when designing the site layout. Easements would be required, which may affect the site layout or require diversion. Easements should be clear of all proposed buildings and substantial tree planting.

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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In consideration of the above, we recommend the following criterion for Policy AL/RTW 7

Occupation of development will be phased to align with the delivery of sewerage infrastructure, in liaison with the service provider.

Layout is planned to ensure future access to existing wastewater infrastructure for maintenance and upsizing purposes.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Southern Water Services Plc
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Southern Water Services Plc [REDACTED]
Comment ID	PSLP_1199
Response Date	03/06/21 15:31
Consultation Point	Policy AL/RTW 10 Montacute Gardens (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Southern Water
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy AL/RTW 10 Montacute Gardens	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes

Is sound	Yes
Complies with the Duty to Cooperate	Yes

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

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Question 6

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In consideration of the above, we recommend the following criterion for Policy AL/RTW 10

Layout is planned to ensure future access to existing wastewater infrastructure for maintenance and upsizing purposes.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Southern Water Services Plc
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Southern Water Services Plc [REDACTED]
Comment ID	PSLP_1206
Response Date	03/06/21 15:31
Consultation Point	Policy AL/RTW 11 Former Plant & Tool Hire, Eridge Road (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Southern Water
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy AL/RTW 11 Former Plant & Tool Hire, Eridge Road	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes

Is sound	Yes
Complies with the Duty to Cooperate	Yes

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

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Question 6

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In consideration of the above, we recommend the following criterion for Policy AL/RTW 11

Layout is planned to ensure future access to existing wastewater infrastructure for maintenance and upsizing purposes.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Southern Water Services Plc
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Southern Water Services Plc [REDACTED]
Comment ID	PSLP_1202
Response Date	03/06/21 15:31
Consultation Point	Policy AL/RTW 12 Land at Tunbridge Wells Telephone Engineering Centre, Broadwater Down (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Southern Water
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy AL/RTW 12 Land at Tunbridge Wells Telephone Engineering Centre, Broadwater Down

Question 4

Do you consider that the Local Plan:

Is legally compliant	Yes
Is sound	Yes
Complies with the Duty to Cooperate	Yes

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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Southern Water is the statutory wastewater undertaker for Tunbridge Wells. Our assessment has revealed that Southern Water's underground infrastructure crosses this site. This needs to be taken into account when designing the site layout. Easements would be required, which may affect the site layout or require diversion. Easements should be clear of all proposed buildings and substantial tree planting.

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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In consideration of the above, we recommend the following criterion for Policy AL/RTW 12

Layout is planned to ensure future access to existing wastewater infrastructure for maintenance and upsizing purposes.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Future Notifications

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Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Southern Water Services Plc
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Southern Water Services Plc [REDACTED]
Comment ID	PSLP_1207
Response Date	03/06/21 15:31
Consultation Point	Policy AL/RTW 13 Turners Pie Factory, Broadwater Lane (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Southern Water
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy AL/RTW 13 Turners Pie Factory, Broadwater Lane	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes

Is sound	Yes
Complies with the Duty to Cooperate	Yes

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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In consideration of the above, we recommend the following criterion for Policy AL/RTW 13

Layout is planned to ensure future access to existing wastewater infrastructure for maintenance and upsizing purposes.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Southern Water Services Plc
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Southern Water Services Plc [REDACTED]
Comment ID	PSLP_1197
Response Date	03/06/21 15:31
Consultation Point	Policy AL/RTW 14 Land at Tunbridge Wells Garden Centre (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Southern Water
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy AL/RTW 14 Land at Tunbridge Wells Garden Centre	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes

Is sound	Yes
Complies with the Duty to Cooperate	Yes

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

Southern Water is the statutory wastewater undertaker for Tunbridge Wells. Our assessment has revealed that Southern Water's underground infrastructure crosses this site. This needs to be taken into account when designing the site layout. Easements would be required, which may affect the site layout or require diversion. Easements should be clear of all proposed buildings and substantial tree planting.

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan 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.

In consideration of the above, we recommend the following criterion for Policy AL/RTW 14

Layout is planned to ensure future access to existing wastewater infrastructure for maintenance and upsizing purposes.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Southern Water Services Plc
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Southern Water Services Plc [REDACTED]
Comment ID	PSLP_1221
Response Date	03/06/21 15:31
Consultation Point	Policy AL/RTW 15 Land at Showfields Road and Rowan Tree Road (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Southern Water
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy AL/RTW 15 Land at Showfields Road and Rowan Tree Road	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes

Is sound	Yes
Complies with the Duty to Cooperate	Yes

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

Southern Water is the statutory wastewater undertaker for Tunbridge Wells. As such, we have undertaken a preliminary assessment of the capacity of our existing infrastructure and its ability to meet the forecast demand for this proposal. Our previous assessment of the site was only valid for 12 months due to our sewer network constantly evolving as new development connects upstream which will affect the available capacity downstream. The assessment reveals that existing local sewerage infrastructure to the site has limited capacity to accommodate the proposed development. Limited capacity is not a constraint to development provided that planning policy and subsequent conditions ensure that occupation of the development is phased to align with the delivery of new wastewater infrastructure.

Proposals for 155 dwellings at this site will generate a need for reinforcement of the wastewater network in order to provide additional capacity to serve the development. This reinforcement will be provided through the New Infrastructure charge to developers, and Southern Water will need to work with site promoters to understand the development program and to review whether the delivery of network reinforcement aligns with the occupation of the development. Connection of new development at this site ahead of new infrastructure delivery could lead to an increased risk of flooding unless the requisite works are implemented in advance of occupation.

Southern Water has limited powers to prevent connections to the sewerage network, even when capacity is limited. Planning policies and conditions, therefore, play an important role in ensuring that development is coordinated with the provision of necessary infrastructure, and does not contribute to pollution of the environment, in line with paragraph 170(e) of the revised National Planning Policy Framework (NPPF) (2019).

Our assessment has revealed that Southern Water's underground infrastructure crosses this site. This needs to be taken into account when designing the site layout. Easements would be required, which may affect the site layout or require diversion. Easements should be clear of all proposed buildings and substantial tree planting.

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan 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.

In consideration of the above, we recommend the following criterion for Policy AL/RTW 15

Occupation of development will be phased to align with the delivery of sewerage infrastructure, in liaison with the service provider.

Layout is planned to ensure future access to existing wastewater infrastructure for maintenance and upsizing purposes.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Southern Water Services Plc
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Southern Water Services Plc [REDACTED]
Comment ID	PSLP_1209
Response Date	03/06/21 15:31
Consultation Point	Policy AL/RTW 21 Land at Colebrook Sports Field, Liptraps Lane (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Southern Water
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy AL/RTW 21 Land at Colebrook Sports Field, Liptraps Lane	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes

Is sound	Yes
Complies with the Duty to Cooperate	Yes

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

Southern Water is the statutory wastewater undertaker for Tunbridge Wells. Our assessment has revealed that Southern Water's underground infrastructure crosses this site. This needs to be taken into account when designing the site layout. Easements would be required, which may affect the site layout or require diversion. Easements should be clear of all proposed buildings and substantial tree planting.

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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In consideration of the above, we recommend the following criterion for Policy AL/RTW 21

Layout is planned to ensure future access to existing wastewater infrastructure for maintenance and upsizing purposes.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Southern Water Services Plc
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Southern Water Services Plc [REDACTED]
Comment ID	PSLP_1223
Response Date	03/06/21 15:31
Consultation Point	Policy AL/SO 3 Land at Baldwins Lane, North Farm Road (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Southern Water
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
<p>Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.</p> <p>Policy AL/SO 3 Land at Baldwins Lane, North Farm Road</p>	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes

Is sound	Yes
Complies with the Duty to Cooperate	Yes

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

Southern Water is the statutory wastewater undertaker for Southborough. Our assessment has revealed that Southern Water's underground infrastructure crosses this site. This needs to be taken into account when designing the site layout. Easements would be required, which may affect the site layout or require diversion. Easements should be clear of all proposed buildings and substantial tree planting.

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan 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.

In consideration of the above, we recommend the following criterion for Policy AL/SO 3

Layout is planned to ensure future access to existing wastewater infrastructure for maintenance and upsizing purposes.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Southern Water Services Plc
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Southern Water Services Plc [REDACTED]
Comment ID	PSLP_1216
Response Date	03/06/21 15:31
Consultation Point	Policy STR/SS 1 The Strategy for Paddock Wood, including land at east Capel (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Southern Water
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy STR/SS 1 The Strategy for Paddock Wood, including land at east Capel	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes

Is sound	Yes
Complies with the Duty to Cooperate	Yes

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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Southern Water is the statutory wastewater undertaker for Paddock Wood and Capel. As such, we have undertaken a preliminary assessment of the capacity of our existing infrastructure and its ability to meet the forecast demand for this proposal. The assessment reveals that local sewerage infrastructure in closest proximity to the site has limited capacity to accommodate the proposed development. Limited capacity is not a constraint to development provided that planning policy and subsequent conditions ensure that occupation of the development is phased to align with the delivery of wastewater infrastructure.

Proposals for 3,490-3,590 dwellings at this site will generate a need for reinforcement of the wastewater network in order to provide additional capacity to serve the development. This reinforcement will be provided through the New Infrastructure charge to developers, and Southern Water will need to work with site promoters to understand the development program and to review whether the delivery of network reinforcement aligns with the occupation of the development. Connection of new development at this site ahead of new infrastructure delivery could lead to an increased risk of flooding unless the requisite works are implemented in advance of occupation.

Southern Water has limited powers to prevent connections to the sewerage network, even when capacity is limited. Planning policies and conditions, therefore, play an important role in ensuring that development is coordinated with the provision of necessary infrastructure, and does not contribute to pollution of the environment, in line with paragraph 170(e) of the revised National Planning Policy Framework (NPPF) (2019).

In addition, our assessments have revealed that Southern Water's underground infrastructure crosses the site. This needs to be taken into account when designing the site layout. Easements would be required, which may affect the site layout or require diversion. Easements should be clear of all proposed buildings and substantial tree planting.

This site incorporates a few of Southern Water's Pumping Station (WPS). In order to mitigate any noise and/or vibration generated by their essential operation, a 15 metre gap between the pumping station and any residential dwelling would be required. This will also help ensure Policy EN27 bullet 2 of the Tonbridge Wells Local Plan is adhered to.

In addition, we note that this site is incorporates Paddock Wood Wastewater Treatment Works (WTW), which is owned and operated by Southern Water.

Southern Water endeavours to operate its sewage and sludge treatment works efficiently and in accordance with best practice to prevent pollution. However, unpleasant odours inevitably arise as a result of the treatment processes that occur. New development must be adequately separated from WTWs to safeguard the amenity of future occupiers. This is in line with paragraph 180 of the National

Planning Policy Framework (NPPF, 2018), which states that 'Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on [...] living conditions' and Paragraph 182 which states 'Planning policies and decisions should ensure that new development can be integrated effectively with existing businesses and community facilities [...] Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established.'

In addition, paragraph 7.6.5 of the Kent Waste & Minerals Local Plan 2016 (p106) states that 'certain types of development which require a high quality amenity environment (e.g. residential) may not always be compatible with [...] waste management activities which are industrial in nature.' Policy DM 8 further stipulates 'Planning applications for development within 250m of safeguarded facilities need to demonstrate that impacts, e.g. noise, dust, light and air emissions, that may legitimately arise from the activities taking place at the safeguarded sites would not be experienced to an unacceptable level by occupants of the proposed development and that vehicle access to and from the facility would not be constrained by the development proposed.'

Southern Water believe that development that is sensitive to odour should only be permitted if the distance to the works is sufficient to allow adequate odour dispersion. We would expect an assessment to be carried out that would demonstrate that there would not be a detrimental impact on amenity by reason of odour.

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan 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.

In consideration of the above, we recommend the following criterion is added to Policy STR/SS 1

Occupation of development will be phased to align with the delivery of sewerage infrastructure, in liaison with the service provider.

Layout is planned to ensure future access to existing water and/or wastewater infrastructure for maintenance and upsizing purposes

A 15 metre gap between the pumping station and any sensitive development (such as housing) should be taken into consideration in the site layout.

The development layout must provide sufficient distance between Paddock Wood Wastewater Treatment Works and sensitive land uses, such as residential units, schools and recreational areas, to allow adequate odour dispersion, on the basis of an odour assessment to be undertaken in consultation with Southern Water.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Southern Water Services Plc
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Southern Water Services Plc [REDACTED]
Comment ID	PSLP_1191
Response Date	03/06/21 15:31
Consultation Point	Policy STR/SS 2 The Strategy for Paddock Wood Town Centre (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Southern Water
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy STR/SS 2 The Strategy for Paddock Wood Town Centre	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes

Is sound	Yes
Complies with the Duty to Cooperate	Yes

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

Southern Water is the statutory wastewater undertaker for Paddock Wood. Our assessment has revealed that Southern Water's underground infrastructure crosses this site. This needs to be taken into account when designing the site layout. Easements would be required, which may affect the site layout or require diversion. Easements should be clear of all proposed buildings and substantial tree planting.

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan 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.

In consideration of the above, we recommend the following criterion for Policy STR/SS 2

Layout is planned to ensure future access to existing wastewater infrastructure for maintenance and upsizing purposes.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

For office use only

If responder hasn't ticked an option on this box, data inputter to tick 'not stated' box. Not Stated

Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Southern Water Services Plc
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Southern Water Services Plc [REDACTED]
Comment ID	PSLP_1234
Response Date	03/06/21 15:31
Consultation Point	Policy AL/PW 1 Land at Mascalls Farm (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Southern Water
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy AL/PW 1 Land at Mascalls Farm	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes

Is sound	Yes
Complies with the Duty to Cooperate	Yes

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

Southern Water is the statutory wastewater undertaker for Paddock Wood. As such, we have undertaken a preliminary assessment of the capacity of our existing infrastructure and its ability to meet the forecast demand for this proposal. Our previous assessment of the site was only valid for 12 months due to our sewer network constantly evolving as new development connects upstream which will affect the available capacity downstream. The assessment reveals that existing local sewerage infrastructure to the site has limited capacity to accommodate the proposed development. Limited capacity is not a constraint to development provided that planning policy and subsequent conditions ensure that occupation of the development is phased to align with the delivery of new wastewater infrastructure.

Proposals for 413 dwellings at this site will generate a need for reinforcement of the wastewater network in order to provide additional capacity to serve the development. This reinforcement will be provided through the New Infrastructure charge to developers, and Southern Water will need to work with site promoters to understand the development program and to review whether the delivery of network reinforcement aligns with the occupation of the development. Connection of new development at this site ahead of new infrastructure delivery could lead to an increased risk of flooding unless the requisite works are implemented in advance of occupation.

Southern Water has limited powers to prevent connections to the sewerage network, even when capacity is limited. Planning policies and conditions, therefore, play an important role in ensuring that development is coordinated with the provision of necessary infrastructure, and does not contribute to pollution of the environment, in line with paragraph 170(e) of the revised National Planning Policy Framework (NPPF) (2019).

This site incorporates Southern Water's Badsell Road Paddock Wood Pumping Station (WPS). In order to mitigate any noise and/or vibration generated by its essential operation, a 15 metre gap between the pumping station and any residential dwelling would be required.

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

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In consideration of the above, we recommend the following criterion be added to Policy AL/PW 1

Occupation of development will be phased to align with the delivery of sewerage infrastructure, in liaison with the service provider.

A 15 metre gap between the pumping station and any sensitive development (such as housing) should be taken into consideration in the site layout.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Southern Water Services Plc
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Southern Water Services Plc [REDACTED]
Comment ID	PSLP_1215
Response Date	03/06/21 15:31
Consultation Point	Policy AL/CRS 3 Turnden Farm, Hartley Road, Cranbrook (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Southern Water
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy AL/CRS 3 Turnden Farm, Hartley Road, Cranbrook	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes

Is sound	Yes
Complies with the Duty to Cooperate	Yes

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

Southern Water is the statutory wastewater undertaker for Cranbrook. As such, we have undertaken a preliminary assessment of the capacity of our existing infrastructure and its ability to meet the forecast demand for this proposal. Our previous assessment of the site was only valid for 12 months due to our sewer network constantly evolving as new development connects upstream which will affect the available capacity downstream. The assessment reveals that existing local sewerage infrastructure to the site has limited capacity to accommodate the proposed development. Limited capacity is not a constraint to development provided that planning policy and subsequent conditions ensure that occupation of the development is phased to align with the delivery of new wastewater infrastructure.

Proposals for 204 dwellings at this site will generate a need for reinforcement of the wastewater network in order to provide additional capacity to serve the development. This reinforcement will be provided through the New Infrastructure charge to developers, and Southern Water will need to work with site promoters to understand the development program and to review whether the delivery of network reinforcement aligns with the occupation of the development. Connection of new development at this site ahead of new infrastructure delivery could lead to an increased risk of flooding unless the requisite works are implemented in advance of occupation.

Southern Water has limited powers to prevent connections to the sewerage network, even when capacity is limited. Planning policies and conditions, therefore, play an important role in ensuring that development is coordinated with the provision of necessary infrastructure, and does not contribute to pollution of the environment, in line with paragraph 170(e) of the revised National Planning Policy Framework (NPPF) (2019).

Our assessment has revealed that Southern Water's underground infrastructure crosses this site. This needs to be taken into account when designing the site layout. Easements would be required, which may affect the site layout or require diversion. Easements should be clear of all proposed buildings and substantial tree planting.

This site incorporates Southern Water's Turnden Cranbrook Pumping Station (WPS). In order to mitigate any noise and/or vibration generated by its essential operation, a 15 metre gap between the pumping station and any residential dwelling would be required.

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan 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.

In consideration of the above, we recommend the following criterion to Policy AL/CRS 3

Occupation of development will be phased to align with the delivery of sewerage infrastructure, in liaison with the service provider.

Layout is planned to ensure future access to existing wastewater infrastructure for maintenance and upsizing purposes.

A 15 metre gap between the pumping station and any sensitive development (such as housing) should be taken into consideration in the site layout.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Southern Water Services Plc
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Southern Water Services Plc [REDACTED]
Comment ID	PSLP_1214
Response Date	03/06/21 15:31
Consultation Point	Policy AL/CRS 6 Land south of The Street, Sissinghurst (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Southern Water
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy AL/CRS 6 Land south of The Street, Sissinghurst	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes

Is sound	Yes
Complies with the Duty to Cooperate	Yes

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

Southern Water is the statutory wastewater undertaker for Sissinghurst. As such, we have undertaken a preliminary assessment of the capacity of our existing infrastructure and its ability to meet the forecast demand for this proposal. Our previous assessment of the site was only valid for 12 months due to our sewer network constantly evolving as new development connects upstream which will affect the available capacity downstream. The assessment reveals that existing local sewerage infrastructure to the site has limited capacity to accommodate the proposed development. Limited capacity is not a constraint to development provided that planning policy and subsequent conditions ensure that occupation of the development is phased to align with the delivery of new wastewater infrastructure.

Proposals for 204 dwellings at this site will generate a need for reinforcement of the wastewater network in order to provide additional capacity to serve the development. This reinforcement will be provided through the New Infrastructure charge to developers, and Southern Water will need to work with site promoters to understand the development program and to review whether the delivery of network reinforcement aligns with the occupation of the development. Connection of new development at this site ahead of new infrastructure delivery could lead to an increased risk of flooding unless the requisite works are implemented in advance of occupation.

Southern Water has limited powers to prevent connections to the sewerage network, even when capacity is limited. Planning policies and conditions, therefore, play an important role in ensuring that development is coordinated with the provision of necessary infrastructure, and does not contribute to pollution of the environment, in line with paragraph 170(e) of the revised National Planning Policy Framework (NPPF) (2019).

Our assessment has revealed that Southern Water's underground infrastructure crosses this site. This needs to be taken into account when designing the site layout. Easements would be required, which may affect the site layout or require diversion. Easements should be clear of all proposed buildings and substantial tree planting.

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan 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.

In consideration of the above, we recommend the following criterion to be added to Policy AL/CRS 6

Occupation of development will be phased to align with the delivery of sewerage infrastructure, in liaison with the service provider.

Layout is planned to ensure future access to existing wastewater infrastructure for maintenance and upsizing purposes.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Southern Water Services Plc
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Southern Water Services Plc [REDACTED]
Comment ID	PSLP_1190
Response Date	03/06/21 15:31
Consultation Point	Policy AL/HA 1 Land at the White House, Highgate Hill (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Southern Water
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy AL/HA 1 Land at the White House, Highgate Hill	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes

Is sound	Yes
Complies with the Duty to Cooperate	Yes

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

Southern Water is the statutory wastewater undertaker for Hawkhurst. As such, we have undertaken a preliminary assessment of the capacity of our existing infrastructure and its ability to meet the forecast demand for this proposal. Our previous assessment of the site was only valid for 12 months due to our sewer network constantly evolving as new development connects upstream which will affect the available capacity downstream. The assessment reveals that existing local sewerage infrastructure to the site has limited capacity to accommodate the proposed development. Limited capacity is not a constraint to development provided that planning policy and subsequent conditions ensure that occupation of the development is phased to align with the delivery of new wastewater infrastructure.

Proposals for 43 dwellings at this site will generate a need for reinforcement of the wastewater network in order to provide additional capacity to serve the development. This reinforcement will be provided through the New Infrastructure charge to developers, and Southern Water will need to work with site promoters to understand the development program and to review whether the delivery of network reinforcement aligns with the occupation of the development. Connection of new development at this site ahead of new infrastructure delivery could lead to an increased risk of flooding unless the requisite works are implemented in advance of occupation.

Southern Water has limited powers to prevent connections to the sewerage network, even when capacity is limited. Planning policies and conditions, therefore, play an important role in ensuring that development is coordinated with the provision of necessary infrastructure, and does not contribute to pollution of the environment, in line with paragraph 170(e) of the revised National Planning Policy Framework (NPPF) (2019).

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan 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.

In consideration of the above, we recommend the following criterion for Policy AL/HA 1

Occupation of development will be phased to align with the delivery of sewerage infrastructure, in liaison with the service provider.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Southern Water Services Plc
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Southern Water Services Plc [REDACTED]
Comment ID	PSLP_1245
Response Date	03/06/21 15:31
Consultation Point	Policy AL/HA 2 Brook House, Cranbrook Road (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Southern Water
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy AL/HA 2 Brook House, Cranbrook Road	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes

Is sound	Yes
Complies with the Duty to Cooperate	Yes

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

Southern Water is the statutory wastewater undertaker for Hawkhurst. As such, we have undertaken a preliminary assessment of the capacity of our existing infrastructure and its ability to meet the forecast demand for this proposal. Our previous assessment of the site was only valid for 12 months due to our sewer network constantly evolving as new development connects upstream which will affect the available capacity downstream. The assessment reveals that existing local sewerage infrastructure to the site has limited capacity to accommodate the proposed development. Limited capacity is not a constraint to development provided that planning policy and subsequent conditions ensure that occupation of the development is phased to align with the delivery of new wastewater infrastructure.

Proposals for 25 dwellings at this site will generate a need for reinforcement of the wastewater network in order to provide additional capacity to serve the development. This reinforcement will be provided through the New Infrastructure charge to developers, and Southern Water will need to work with site promoters to understand the development program and to review whether the delivery of network reinforcement aligns with the occupation of the development. Connection of new development at this site ahead of new infrastructure delivery could lead to an increased risk of flooding unless the requisite works are implemented in advance of occupation.

Southern Water has limited powers to prevent connections to the sewerage network, even when capacity is limited. Planning policies and conditions, therefore, play an important role in ensuring that development is coordinated with the provision of necessary infrastructure, and does not contribute to pollution of the environment, in line with paragraph 170(e) of the revised National Planning Policy Framework (NPPF) (2019).

Our assessment has also revealed that Southern Water's underground infrastructure crosses this site. This needs to be taken into account when designing the site layout. Easements would be required, which may affect the site layout or require diversion. Easements should be clear of all proposed buildings and substantial tree planting.

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan 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.

In consideration of the above, we recommend the following criterion for policy AL/HA 2

Occupation of development will be phased to align with the delivery of sewerage infrastructure, in liaison with the service provider.

Layout is planned to ensure future access to existing wastewater infrastructure for maintenance and upsizing purposes.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Southern Water Services Plc
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Southern Water Services Plc [REDACTED]
Comment ID	PSLP_1225
Response Date	03/06/21 15:31
Consultation Point	Policy AL/HA 3 Former site of Springfield Nurseries, Cranbrook Road, Hawkhurst (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Southern Water
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy AL/HA 3 Former site of Springfield Nurseries, Cranbrook Road, Hawkhurst	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes

Is sound	Yes
Complies with the Duty to Cooperate	Yes

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

Southern Water is the statutory wastewater undertaker for Hawkhurst. As such, we have undertaken a preliminary assessment of the capacity of our existing infrastructure and its ability to meet the forecast demand for this proposal. Our previous assessment of the site was only valid for 12 months due to our sewer network constantly evolving as new development connects upstream which will affect the available capacity downstream. The assessment reveals that existing local sewerage infrastructure to the site has limited capacity to accommodate the proposed development. Limited capacity is not a constraint to development provided that planning policy and subsequent conditions ensure that occupation of the development is phased to align with the delivery of new wastewater infrastructure.

Proposals for 24 dwellings at this site will generate a need for reinforcement of the wastewater network in order to provide additional capacity to serve the development. This reinforcement will be provided through the New Infrastructure charge to developers, and Southern Water will need to work with site promoters to understand the development program and to review whether the delivery of network reinforcement aligns with the occupation of the development. Connection of new development at this site ahead of new infrastructure delivery could lead to an increased risk of flooding unless the requisite works are implemented in advance of occupation.

Southern Water has limited powers to prevent connections to the sewerage network, even when capacity is limited. Planning policies and conditions, therefore, play an important role in ensuring that development is coordinated with the provision of necessary infrastructure, and does not contribute to pollution of the environment, in line with paragraph 170(e) of the revised National Planning Policy Framework (NPPF) (2019).

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan 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.

In consideration of the above, we recommend the following criterion for Policy AL/HA 3

Occupation of development will be phased to align with the delivery of sewerage infrastructure, in liaison with the service provider.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?	<input type="checkbox"/> No, I do not wish to participate in examination hearing session(s)
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Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:	<input type="checkbox"/> Yes, I wish to be notified of future stages of the Local Plan
--	--

Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Southern Water Services Plc
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Southern Water Services Plc [REDACTED]
Comment ID	PSLP_1229
Response Date	03/06/21 15:31
Consultation Point	Policy AL/HA 4 Land off Copthall Avenue and Highgate Hill (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Southern Water
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy AL/HA 4 Land off Copthall Avenue and Highgate Hill	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes

Is sound	Yes
Complies with the Duty to Cooperate	Yes

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

Southern Water is the statutory wastewater undertaker for Hawkhurst. Our assessment has revealed that Southern Water's underground infrastructure crosses this site. This needs to be taken into account when designing the site layout. Easements would be required, which may affect the site layout or require diversion. Easements should be clear of all proposed buildings and substantial tree planting.

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan 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.

In consideration of the above, we recommend the following criterion for Policy AL/HA 4

Layout is planned to ensure future access to existing wastewater infrastructure for maintenance and upsizing purposes.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Southern Water Services Plc
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Southern Water Services Plc [REDACTED]
Comment ID	PSLP_1242
Response Date	03/06/21 15:31
Consultation Point	Policy AL/BE 1 Land adjacent to New Pond Road (known as Uphill), Benenden (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Southern Water
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy AL/BE 1 Land adjacent to New Pond Road (known as Uphill), Benenden	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes

Is sound	Yes
Complies with the Duty to Cooperate	Yes

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

Southern Water is the statutory wastewater undertaker for Benenden. As such, we have undertaken a preliminary assessment of the capacity of our existing infrastructure and its ability to meet the forecast demand for this proposal. Our previous assessment of the site was only valid for 12 months due to our sewer network constantly evolving as new development connects upstream which will affect the available capacity downstream. The assessment reveals that existing local sewerage infrastructure to the site has limited capacity to accommodate the proposed development. Limited capacity is not a constraint to development provided that planning policy and subsequent conditions ensure that occupation of the development is phased to align with the delivery of new wastewater infrastructure.

Proposals for 20 dwellings at this site will generate a need for reinforcement of the wastewater network in order to provide additional capacity to serve the development. This reinforcement will be provided through the New Infrastructure charge to developers, and Southern Water will need to work with site promoters to understand the development program and to review whether the delivery of network reinforcement aligns with the occupation of the development. Connection of new development at this site ahead of new infrastructure delivery could lead to an increased risk of flooding unless the requisite works are implemented in advance of occupation.

Southern Water has limited powers to prevent connections to the sewerage network, even when capacity is limited. Planning policies and conditions, therefore, play an important role in ensuring that development is coordinated with the provision of necessary infrastructure, and does not contribute to pollution of the environment, in line with paragraph 170(e) of the revised National Planning Policy Framework (NPPF) (2019).

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan 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.

In consideration of the above, we recommend the following criterion to be added to Policy AL/BE 1
Occupation of development will be phased to align with the delivery of sewerage infrastructure, in liaison with the service provider.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Southern Water Services Plc
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Southern Water Services Plc [REDACTED]
Comment ID	PSLP_1247
Response Date	03/06/21 15:31
Consultation Point	Policy AL/BE 2 Feoffee Cottages and land, Walkhurst Road, Benenden (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Southern Water
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy AL/BE 2 Feoffee Cottages and land, Walkhurst Road, Benenden	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes

Is sound	Yes
Complies with the Duty to Cooperate	Yes

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

Southern Water is the statutory water and wastewater undertaker for Benenden. As such, we have undertaken a preliminary assessment of the capacity of our existing infrastructure and its ability to meet the forecast demand for this proposal. Our previous assessment of the site was only valid for 12 months due to our sewer network constantly evolving as new development connects upstream which will affect the available capacity downstream. The assessment reveals that existing local sewerage infrastructure to the site has limited capacity to accommodate the proposed development. Limited capacity is not a constraint to development provided that planning policy and subsequent conditions ensure that occupation of the development is phased to align with the delivery of new wastewater infrastructure.

Proposals for 25 dwellings at this site will generate a need for reinforcement of the wastewater network in order to provide additional capacity to serve the development. This reinforcement will be provided through the New Infrastructure charge to developers, and Southern Water will need to work with site promoters to understand the development program and to review whether the delivery of network reinforcement aligns with the occupation of the development. Connection of new development at this site ahead of new infrastructure delivery could lead to an increased risk of flooding unless the requisite works are implemented in advance of occupation.

Southern Water has limited powers to prevent connections to the sewerage network, even when capacity is limited. Planning policies and conditions, therefore, play an important role in ensuring that development is coordinated with the provision of necessary infrastructure, and does not contribute to pollution of the environment, in line with paragraph 170(e) of the revised National Planning Policy Framework (NPPF) (2019).

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at

examination). You will need to say why each modification will make the Local Plan 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.

In consideration of the above, we recommend the following criterion to policy AL/BE 2

Occupation of development will be phased to align with the delivery of sewerage infrastructure, in liaison with the service provider.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Southern Water Services Plc
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Southern Water Services Plc [REDACTED]
Comment ID	PSLP_1212
Response Date	03/06/21 15:31
Consultation Point	Policy AL/GO 1 Land east of Balcombes Hill and adjacent to Tiddymotts Lane (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Southern Water
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy AL/GO 1 Land east of Balcombes Hill and adjacent to Tiddymotts Lane	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes

Is sound	Yes
Complies with the Duty to Cooperate	Yes

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

Southern Water is the statutory wastewater undertaker for Goudhurst. Our assessment has revealed that Southern Water's underground infrastructure crosses this site. This needs to be taken into account when designing the site layout. Easements would be required, which may affect the site layout or require diversion. Easements should be clear of all proposed buildings and substantial tree planting.

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan 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.

In consideration of the above, we recommend the following criterion for Policy AL/GO 1

Layout is planned to ensure future access to existing wastewater infrastructure for maintenance and upsizing purposes.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Southern Water Services Plc
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Southern Water Services Plc [REDACTED]
Comment ID	PSLP_1198
Response Date	03/06/21 15:31
Consultation Point	Policy AL/HO 2 Land south of Brenchley Road and west of Fromandez Drive (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Southern Water
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy AL/HO 2 Land south of Brenchley Road and west of Fromandez Drive	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes

Is sound	Yes
Complies with the Duty to Cooperate	Yes

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

Southern Water is the statutory water and wastewater undertaker for Horsmonden. Our assessment has revealed that Southern Water's underground infrastructure crosses this site. This needs to be taken into account when designing the site layout. Easements would be required, which may affect the site layout or require diversion. Easements should be clear of all proposed buildings and substantial tree planting.

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

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In consideration of the above, we recommend the following criterion for Policy AL/HO 2

Layout is planned to ensure future access to existing wastewater infrastructure for maintenance and upsizing purposes.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Southern Water Services Plc
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Southern Water Services Plc [REDACTED]
Comment ID	PSLP_1257
Response Date	03/06/21 15:31
Consultation Point	Policy AL/LA 1 Land to the west of Spray Hill (View)
Status	Processed
Submission Type	Email
Version	0.3
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Southern Water
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy AL/LA 1 Land to the west of Spray Hill	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes

Is sound	Yes
Complies with the Duty to Cooperate	Yes

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

Southern Water is the statutory wastewater undertaker for Lamberhurst. As such, we have undertaken a preliminary assessment of the capacity of our existing infrastructure and its ability to meet the forecast demand for this proposal. Our previous assessment of the site was only valid for 12 months due to our sewer network constantly evolving as new development connects upstream which will affect the available capacity downstream. The assessment reveals that existing local sewerage infrastructure to the site has limited capacity to accommodate the proposed development. Limited capacity is not a constraint to development provided that planning policy and subsequent conditions ensure that occupation of the development is phased to align with the delivery of new wastewater infrastructure.

Proposals for 30 dwellings at this site will generate a need for reinforcement of the wastewater network in order to provide additional capacity to serve the development. This reinforcement will be provided through the New Infrastructure charge to developers, and Southern Water will need to work with site promoters to understand the development program and to review whether the delivery of network reinforcement aligns with the occupation of the development. Connection of new development at this site ahead of new infrastructure delivery could lead to an increased risk of flooding unless the requisite works are implemented in advance of occupation.

Southern Water has limited powers to prevent connections to the sewerage network, even when capacity is limited. Planning policies and conditions, therefore, play an important role in ensuring that development is coordinated with the provision of necessary infrastructure, and does not contribute to pollution of the environment, in line with paragraph 170(e) of the revised National Planning Policy Framework (NPPF) (2019).

Our assessment has also revealed that Southern Water's underground infrastructure crosses this site. This needs to be taken into account when designing the site layout. Easements would be required, which may affect the site layout or require diversion. Easements should be clear of all proposed buildings and substantial tree planting.

In addition, we note that this site incorporates Lamberhurst Wastewater Treatment Works (WTW), which is owned and operated by Southern Water.

Southern Water endeavours to operate its sewage and sludge treatment works efficiently and in accordance with best practice to prevent pollution. However, unpleasant odours inevitably arise as a result of the treatment processes that occur. New development must be adequately separated from WTWs to safeguard the amenity of future occupiers. This is in line with paragraph 180 of the National Planning Policy Framework (NPPF, 2018), which states that 'Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on [...] living conditions' and Paragraph 182 which states

'Planning policies and decisions should ensure that new development can be integrated effectively with existing businesses and community facilities [...] Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established.'

In addition, paragraph 7.6.5 of the Kent Waste & Minerals Local Plan 2016 (p106) states that 'certain types of development which require a high quality amenity environment (e.g. residential) may not always be compatible with [...] waste management activities which are industrial in nature.' Policy DM 8 further stipulates 'Planning applications for development within 250m of safeguarded facilities need to demonstrate that impacts, e.g. noise, dust, light and air emissions, that may legitimately arise from the activities taking place at the safeguarded sites would not be experienced to an unacceptable level by occupants of the proposed development and that vehicle access to and from the facility would not be constrained by the development proposed.'

Southern Water believe that development that is sensitive to odour should only be permitted if the distance to the works is sufficient to allow adequate odour dispersion. We would expect an assessment to be carried out that would demonstrate that there would not be a detrimental impact on amenity by reason of odour.

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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In consideration of the above, we recommend the following criterion for Policy AL/BE 2 [TWBC: this modification was likely intended for Policy AL/LA 1 given the references to Lamberhurst]

Occupation of development will be phased to align with the delivery of sewerage infrastructure, in liaison with the service provider.

Layout is planned to ensure future access to existing wastewater infrastructure for maintenance and upsizing purposes.

The development layout must provide sufficient distance between Lamberhurst Wastewater Treatment Works and sensitive land uses, such as residential units, schools and recreational areas, to allow adequate odour dispersion, on the basis of an odour assessment to be undertaken in consultation with Southern Water.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Southern Water Services Plc
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Southern Water Services Plc [REDACTED]
Comment ID	PSLP_1230
Response Date	03/06/21 15:31
Consultation Point	Policy AL/PE 2 Land at Hubbles Farm and south of Hastings Road (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Southern Water
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy AL/PE 2 Land at Hubbles Farm and south of Hastings Road	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes

Is sound	Yes
Complies with the Duty to Cooperate	Yes

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

Southern Water is the statutory wastewater undertaker for Pembury. As such, we have undertaken a preliminary assessment of the capacity of our existing infrastructure and its ability to meet the forecast demand for this proposal. Our previous assessment of the site was only valid for 12 months due to our sewer network constantly evolving as new development connects upstream which will affect the available capacity downstream. The assessment reveals that existing local sewerage infrastructure to the site has limited capacity to accommodate the proposed development. Limited capacity is not a constraint to development provided that planning policy and subsequent conditions ensure that occupation of the development is phased to align with the delivery of new wastewater infrastructure.

Proposals for 80 dwellings at this site will generate a need for reinforcement of the wastewater network in order to provide additional capacity to serve the development. This reinforcement will be provided through the New Infrastructure charge to developers, and Southern Water will need to work with site promoters to understand the development program and to review whether the delivery of network reinforcement aligns with the occupation of the development. Connection of new development at this site ahead of new infrastructure delivery could lead to an increased risk of flooding unless the requisite works are implemented in advance of occupation.

Southern Water has limited powers to prevent connections to the sewerage network, even when capacity is limited. Planning policies and conditions, therefore, play an important role in ensuring that development is coordinated with the provision of necessary infrastructure, and does not contribute to pollution of the environment, in line with paragraph 170(e) of the revised National Planning Policy Framework (NPPF) (2019).

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan 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.

In consideration of the above, we recommend the following criterion for Policy AL/PE 2

Occupation of development will be phased to align with the delivery of sewerage infrastructure, in liaison with the service provider.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Southern Water Services Plc
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Southern Water Services Plc [REDACTED]
Comment ID	PSLP_1240
Response Date	03/06/21 15:31
Consultation Point	Policy AL/PE 3 Land north of the A21, south and west of Hastings Road (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Southern Water
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy AL/PE 3 Land north of the A21, south and west of Hastings Road	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes

Is sound	Yes
Complies with the Duty to Cooperate	Yes

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

Southern Water is the statutory wastewater undertaker for Pembury. As such, we have undertaken a preliminary assessment of the capacity of our existing infrastructure and its ability to meet the forecast demand for this proposal. Our previous assessment of the site was only valid for 12 months due to our sewer network constantly evolving as new development connects upstream which will affect the available capacity downstream. The assessment reveals that existing local sewerage infrastructure to the site has limited capacity to accommodate the proposed development. Limited capacity is not a constraint to development provided that planning policy and subsequent conditions ensure that occupation of the development is phased to align with the delivery of new wastewater infrastructure.

Proposals for 80 dwellings at this site will generate a need for reinforcement of the wastewater network in order to provide additional capacity to serve the development. This reinforcement will be provided through the New Infrastructure charge to developers, and Southern Water will need to work with site promoters to understand the development program and to review whether the delivery of network reinforcement aligns with the occupation of the development. Connection of new development at this site ahead of new infrastructure delivery could lead to an increased risk of flooding unless the requisite works are implemented in advance of occupation.

Southern Water has limited powers to prevent connections to the sewerage network, even when capacity is limited. Planning policies and conditions, therefore, play an important role in ensuring that development is coordinated with the provision of necessary infrastructure, and does not contribute to pollution of the environment, in line with paragraph 170(e) of the revised National Planning Policy Framework (NPPF) (2019).

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

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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.

In consideration of the above, we recommend the following criterion for Policy AL/PE 3

Occupation of development will be phased to align with the delivery of sewerage infrastructure, in liaison with the service provider.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?	<input type="checkbox"/> No, I do not wish to participate in examination hearing session(s)
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Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:	<input type="checkbox"/> Yes, I wish to be notified of future stages of the Local Plan
--	--

Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Southern Water Services Plc
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Southern Water Services Plc [REDACTED]
Comment ID	PSLP_1210
Response Date	03/06/21 15:31
Consultation Point	Policy AL/PE 4 Land at Downingbury Farm, Maidstone Road (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Southern Water
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy AL/PE 4 Land at Downingbury Farm, Maidstone Road	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes

Is sound	Yes
Complies with the Duty to Cooperate	Yes

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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Southern Water is the statutory wastewater undertaker for Pembury. As such, we have undertaken a preliminary assessment of the capacity of our existing infrastructure and its ability to meet the forecast demand for this proposal. Our previous assessment of the site was only valid for 12 months due to our sewer network constantly evolving as new development connects upstream which will affect the available capacity downstream. The assessment reveals that existing local sewerage infrastructure to the site has limited capacity to accommodate the proposed development. Limited capacity is not a constraint to development provided that planning policy and subsequent conditions ensure that occupation of the development is phased to align with the delivery of new wastewater infrastructure.

Proposals for 80 dwellings at this site will generate a need for reinforcement of the wastewater network in order to provide additional capacity to serve the development. This reinforcement will be provided through the New Infrastructure charge to developers, and Southern Water will need to work with site promoters to understand the development program and to review whether the delivery of network reinforcement aligns with the occupation of the development. Connection of new development at this site ahead of new infrastructure delivery could lead to an increased risk of flooding unless the requisite works are implemented in advance of occupation.

Southern Water has limited powers to prevent connections to the sewerage network, even when capacity is limited. Planning policies and conditions, therefore, play an important role in ensuring that development is coordinated with the provision of necessary infrastructure, and does not contribute to pollution of the environment, in line with paragraph 170(e) of the revised National Planning Policy Framework (NPPF) (2019).

Our assessment has also revealed that Southern Water's underground infrastructure crosses this site. This needs to be taken into account when designing the site layout. Easements would be required, which may affect the site layout or require diversion. Easements should be clear of all proposed buildings and substantial tree planting.

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan 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.

In consideration of the above, we recommend the following criterion for Policy AL/PE 4

Occupation of development will be phased to align with the delivery of sewerage infrastructure, in liaison with the service provider.

Layout is planned to ensure future access to existing wastewater infrastructure for maintenance and upsizing purposes.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Southern Water Services Plc
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Southern Water Services Plc [REDACTED]
Comment ID	PSLP_1239
Response Date	03/06/21 15:31
Consultation Point	Policy AL/SA 1 Land on the south side of Sayville, Rye Road and west of Marsh Quarter Lane, Sandhurst (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Southern Water
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy AL/SA 1 Land on the south side of Sayville, Rye Road and west of Marsh Quarter Lane, Sandhurst

Question 4

Do you consider that the Local Plan:

Is legally compliant	Yes
Is sound	Yes
Complies with the Duty to Cooperate	Yes

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

Southern Water is the statutory wastewater undertaker for Sandhurst. Our assessment has revealed that Southern Water's underground infrastructure crosses this site. This needs to be taken into account when designing the site layout. Easements would be required, which may affect the site layout or require diversion. Easements should be clear of all proposed buildings and substantial tree planting.

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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In consideration of the above, we recommend the following criterion for Policy AL/SA 1

Layout is planned to ensure future access to existing wastewater infrastructure for maintenance and upsizing purposes.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Southern Water Services Plc
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Southern Water Services Plc [REDACTED]
Comment ID	PSLP_1218
Response Date	03/06/21 15:31
Consultation Point	Policy EN 24 Water Supply, Quality, and Conservation (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Southern Water
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy EN 24 Water Supply, Quality, and Conservation	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes

Is sound Yes

Complies with the Duty to Cooperate Yes

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

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Southern Water welcomes the inclusion of a policy aimed at supporting the delivery of the utilities infrastructure required to meet the needs of current and future residents and businesses within Tunbridge Wells Borough. It's essential to ensure that development occurs in tandem with infrastructure delivery, we believe Policy EN 24 will support strategic infrastructure delivery where this is required.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box: Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Southern Water Services Plc
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Southern Water Services Plc [REDACTED]
Comment ID	PSLP_1189
Response Date	03/06/21 15:31
Consultation Point	Policy EN 26 Sustainable Drainage (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Southern Water
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy EN 26 Sustainable Drainage	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes

Is sound Yes

Complies with the Duty to Cooperate Yes

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

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Southern Water welcomes the inclusion of a policy aimed at supporting the delivery of sustainable drainage, the use of the sustainable urban drainage hierarchy and the statement 'It will not be acceptable for surface water runoff to enter the foul water system' in policy EN26, will minimise the impact of new developments on the sewerage system and the environment.

Southern Water supports the use of sustainable urban drainage as part of the approach set out in Policy EN26 as it is in line with section H3 of the Governments Building Regulations 2010 for the drainage of surface waters. Southern Water will be adopting many of these systems in line with national guidance within the SuDs Manual (CIRIA), Guidance on the Construction of SuDS (Ciria) and Sewers for Adoption in England as.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Future Notifications

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Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Southern Water Services Plc
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Southern Water Services Plc [REDACTED]
Comment ID	PSLP_1187
Response Date	03/06/21 15:31
Consultation Point	Policy EN 27 Noise (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Southern Water
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy EN 27 Noise	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes

Is sound	Yes
Complies with the Duty to Cooperate	Yes

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

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Southern Water welcomes the inclusion of a policy aimed at Noise. Southern Water endeavours to operate its sewage and sludge treatment works efficiently and in accordance with best practice to prevent pollution. However, noise inevitably arise as a result of the equipment used. New development must be adequately separated from WTWs and WPSs to safeguard the amenity of future occupiers. This is in line with paragraph 180 of the National Planning Policy Framework (NPPF, 2018), which states that '*Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on [...] living conditions*' and Paragraph 182 which states '*Planning policies and decisions should ensure that new development can be integrated effectively with existing businesses and community facilities [...] Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established.*'

In addition, paragraph 7.6.5 of the Kent Waste & Minerals Local Plan 2016 (p106) states that '*certain types of development which require a high quality amenity environment (e.g. residential) may not always be compatible with [...] waste management activities which are industrial in nature.*' Policy DM 8 further stipulates '*Planning applications for development within 250m of safeguarded facilities need to demonstrate that impacts, e.g. noise, dust, light and air emissions, that may legitimately arise from the activities taking place at the safeguarded sites would not be experienced to an unacceptable level by occupants of the proposed development and that vehicle access to and from the facility would not be constrained by the development proposed.*'

We believe Policy EN27 bullet 2 '*For residential and other noise-sensitive development, users and occupiers will not be exposed to unacceptable noise disturbance from existing or planned uses*' adequately covers any issues that may arise from placing sensitive development near to our existing equipment and treatment works.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Mr Paul Spedding [REDACTED]
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	Mr Paul Spedding [REDACTED]
Comment ID	PSLP_419
Response Date	26/05/21 10:08
Consultation Point	Policy STR 6 Transport and Parking (View)
Status	Processed
Submission Type	Email
Version	0.3

Data inputter to enter their initials here HB

Question 1

Respondent's Name and/or Organisation Stephen Paul Spedding

Question 3

To which part of the Local Plan does this representation relate? Policy

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR 6 Transport and Parking

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

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My name is Stephen Paul Spedding and I am a resident of Matfield. (xxxx, Matfield, Tonbridge, xxxx)
[TWBC: Full address redacted for data protection purposes]

I would like to comment on policy STR6

I appreciate the intent of the enhancement of public footpaths but I would like to make some comments specific to Matfield.

1) Although there is a large network of footpaths and bridleways in the parish, the interconnectivity is poor. This policy should reference improved interconnectivity by minimising the need to use roads without pavements.

2) Several of the sites mentioned in the call for sites in the parish have no footpaths (or no safe footpaths). To encourage foot traffic, sites should be encourage to install new all weather paths within their boundaries. Installing new hard surface pavements is an alternative but would detract from the rural qualities of the parish. A good example would be the site that adjoins Maycotts Lane/Chestnut Lane. This site was in the call for sites and has put forward for planning permission but is not in the Local Plan. (Call for sites reference: Reference: 18 Matfield House orchards and land, The Green, Matfield TN12 7JT.). I mention it as an example only.

Chestnut Lane and especially Maycotts Lane are used by residents to get to the village shop and by walkers to transit from WT268 to 284. An all weather path inside the boundary of this site along Maycotts Lane (and Chestnut Lane) would enhance its safety and encourage its use.

I think STR6 should be strengthened to emphasise improved connectivity wherever feasible. I think all site specific policies should encourage new pedestrian paths wherever feasible to improve safety and encourage foot traffic (sustainability)

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

For office use only

If responder hasn't ticked an option on this box, data inputter to tick 'not stated' box. Not Stated

Comment

Consultee	Mr Christopher May [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Speldhurst Parish Council
Address	Speldhurst Parish Council Langton Green Recreation Ground Langton Green TN3 0JJ
Event Name	Pre-Submission Local Plan
Comment by	Speldhurst Parish Council [REDACTED] [REDACTED]
Comment ID	PSLP_1548
Response Date	04/06/21 12:23
Consultation Point	Policy AL/SP 1 Land to the west of Langton Road and south of Ferbies (View)
Status	Processed
Submission Type	Email
Version	0.4
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Speldhurst Parish Council
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy AL/SP 1 Land to the west of Langton Road and south of Ferbies

Paragraph No(s) 5.797 to 5.806

Policies Map (Inset Map No(s)) 75

Question 4

Do you consider that the Local Plan:

Is legally compliant	Don't know
Is sound	Don't know
Complies with the Duty to Cooperate	Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

Speldhurst Parish Council does not consider itself qualified to comment on the soundness or legal compliance of the Regulation 19 consultation, and therefore remains neutral on this aspect of the consultation.

However, we would like to take this opportunity to comment in relation to the allocated sites in our parish, as follows:

Site AL/SP1 (site 231)

Our concerns regarding the following have strengthened in light of changes since and proposals made following the Regulation 18 consultation:-

- . loss of green belt, building outside village environs/limits to build;
- . safety of access to/egress from this site, particularly, given the Tree Preservation Orders that were made subsequent to the Regulation 18 consultation and which further impact the safety aspects;
- . potential overspill parking on local roads, including the main road into the village passing the local primary school close by;
- . effect on travel, including the lack of regular local bus services or safe cycling provision. In particular, we would like reinstatement of the mention of irregular/lacking bus services in the comments on the site as this is an important local consideration;
- . allocation of developer's contributions, which the council feels strongly should solely benefit the village affected by the development. Speldhurst Parish Council objects in the strongest possible way developer contributions being allocated towards a development in a different village that is vehemently opposed by both this and the neighbouring parish council and their residents.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Mr Christopher May [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Speldhurst Parish Council
Address	Speldhurst Parish Council Langton Green Recreation Ground Langton Green TN3 0JJ
Event Name	Pre-Submission Local Plan
Comment by	Speldhurst Parish Council [REDACTED] [REDACTED]
Comment ID	PSLP_1547
Response Date	04/06/21 12:23
Consultation Point	Policy AL/SP 2 Land at and adjacent to Rusthall Recreation Ground, Southwood Road (View)
Status	Processed
Submission Type	Email
Version	0.3
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Speldhurst Parish Council
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy AL/SP 2 Land at and adjacent to Rusthall Recreation Ground, Southwood Road

Paragraph No(s) 5.807 to 5.815

Policies Map (Inset Map No(s)) 76

Question 4

Do you consider that the Local Plan:

Is legally compliant	Yes
Is sound	No
Complies with the Duty to Cooperate	Yes

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

It is not positively prepared
It is not justified

Question 5

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Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

The plan is not positively prepared for the following reasons:

Meeting local needs:

We do not consider that the local need underpinning the policy has been adequately identified. The policy is based upon insufficient evidence that is not up-to-date. The Playing Pitch Strategy was published in 2017, and no further update has been made since. There are no teams registered as having Southwood Road as their home ground. The Jockey Farm pitch, not part of the proposed allocation, is owned by the Rusbridge family and is where the Rusthall teams play.

We are advised by the club that it is not the lack of facilities that is creating an issue, rather the quality of the pitches available. This is the case at the proposed development site: the quality of the existing pitches at the recreation ground is poor due to lack of adequate drainage. This means that they are not fully utilised in the winter months. It is considered that simply building more pitches, on equally waterlogged land, would not be the most efficient way to increase usage. Rather the existing pitches should be upgraded first to maximise their usage across the year.

This would conform to the Football Association's "SURVIVE. REVIVE. THRIVE. THE FA GRASSROOTS FOOTBALL STRATEGY 2020-24", published in March 2021, which promotes the need for "quality pitches", based on the Performance Quality Standard (PQS), where a key criteria is the ability to drain water.

A further assessment of demand could then be undertaken to ascertain how many additional pitches, of similar quality, would be required. Should a demand be identified, the prioritisation of a 3G (all-weather) pitch, may be a more prudent investment and would also reduce the amount of land required for provision.

Achieving sustainable development

We do not consider that the policy is consistent with achieving sustainable development for the reasons provided below:

Environmental sustainability:

1 Biodiversity

The site comprises two fields, divided by a mature hedgerow and the site lies within a larger Biodiversity Opportunity Area – it is unclear how development of the site would benefit this.

Furthermore, since the planning permission for the site was reapproved, a very large badger sett has been identified on the boundary of the proposed land. The Badger Trust has confirmed that this is currently in use.

Badgers are protected species and Paragraph 175(a) of the National Planning Policy Framework states, *“if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused”*.

A survey of the site should therefore be undertaken; whilst surveys can be undertaken at any time of the year, the Badger Trust recommend that the best time to survey is in early spring or late autumn when badgers are active but there is less vegetation to hide the signs.

The Badger Trust recommend an approach to assessing and mitigating impacts of development on badgers. Negative impacts should be avoided and mitigation measures (if considered suitable) would require, among other things, a 30-metre buffer zone. If not feasible, a licence to move the sett would be required.

1 Existing community uses

Rusthall Football Club currently lease land at Jockey Farm and have heavily invested in the Club and facilities over the last 35 years. This has included draining the pitch, at significant cost (circa £100,000), and provision of a club house. This has been supported by volunteers, the landowner and with grants from sporting foundations and TWBC.

The pitch is well-used by the local community and hosts a variety of football events. There is concern that by developing the land at Jockey Farm to provide additional pitches, this could jeopardise the existing Jockey Farm pitch, should the landowner consider it necessary to reutilise the land to enable the continued viability of the land. This important and much-valued facility could be lost.

1 Economic sustainability:

Two of the fields proposed for development belong to Jockey Farm, which has been in the Rusbridge family since 1925 and operates as a free range egg enterprise and a pedigree Sussex Beef Suckler herd.

The two fields proposed are surrounded on two sides by other fields that are in constant use by Jockey Farm and this will make it more difficult for the farm to continue to trade.

We understand that the landowner has a particular need in the short term for the land comprising the southern field, therefore the ability to safeguard this land from development would be paramount.

The Plan is not Justified

Within the Strategic Environment Assessment (p.192), the site itself has been scored as having no impact on ‘biodiversity’, despite the site lying within the AONB and a wider area recognised as a Biodiversity Opportunity Area. As noted above, the site also houses mature hedgerows and a badger sett.

Furthermore, the site is scored as having a neutral impact on ‘business growth’, in spite of it requiring the compulsory purchase of farmland, which is critical to the viability of Jockey Farm.

The site is considered to have neutral / slightly positive effect on services and facilities, defined as ‘improved access and range of key services and facilities’. Whilst the site would extend the existing recreation ground facilities, there is a concern, as noted above, on the potential impact on the existing football pitch owned by Jockey Farm, should that require reutilising as a result of lessened viability of the overall farm business. This well-used facility could be lost

It is also not clear to what extent reasonable alternatives to this site have been evaluated against other sites that would be capable of addressing the suggested need for additional playing pitch space. Within the SEA, for instance, the site is considered against other sites in Speldhurst Parish, but not against other sites suitable for this particular use. All of the other sites within the Parish had been put forward for residential / business / education development and not for recreational development.

Question 6

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A comparison of alternative sites suitable for recreational use (as a sports hub) should be undertaken, to ascertain if the site at Speldhurst remains the most appropriate.

Assessments on the impacts on biodiversity should be undertaken, in particular the impact on the badger set. Any proposal for development must be supported by a biodiversity appraisal, which must demonstrate how negative impacts would be minimised and biodiversity net gain achieved.

The appraisal should demonstrate that where significant harm cannot be avoided, proposed development and other changes should adequately mitigate or, as a last resort, compensate for the harm. The appraisal must demonstrate a measurable biodiversity net gain of 10% by utilising the Defra biodiversity metric (or as amended). Where this is not demonstrated, we consider that the development should be refused.

Measures to achieve biodiversity net gain, mitigation or compensation involving the creation of habitat and/or relocation of species, must be agreed by the Local Planning Authority and include sufficient funding to support at least 30 years of post-development habitat management or land use change. This would be in line with the emerging Environment Bill.

A review of the current facilities at the recreation ground should be undertaken to ascertain the extent to which upgrading the existing pitches – which are currently under-used as a result of poor drainage, particularly in the winter months – would address demand. The prioritisation of a 3G pitch could assist this and would require only the northern field of Jockey Farm, retaining the southern field for economic use by the farm.

Should the additional evidence continue to point to a need for recreational use at this particular site, as the demand for the facilities has been calculated to the end of the Local Plan period, i.e. once the quantum of development has been delivered, it would appear sensible to incorporate a staged approach into the policy itself, informed by demand, for instance:

Phase 1:

- Investment to upgrade the existing pitches to bring them up to the required quality in terms of drainage; and
- Upgrading of the changing facilities to enable unisex use.

Phase 2:

- Development of a 3G pitch on the northern field

Phase 3:

- Consider need to expand further into the southern field.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Supporting Information File Ref No: SI_94

Comment

Agent	Ms Polly Canning [REDACTED]
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Company / Organisation	Kember Loudon Williams
Address	[REDACTED] [REDACTED] ROYAL TUNBRIDGE WELLS [REDACTED]
Consultee	Mr Kevin Spencer [REDACTED]
Address	[REDACTED] [REDACTED] Langton Green -
Event Name	Pre-Submission Local Plan
Comment by	Mr Kevin Spencer [REDACTED]
Comment ID	PSLP_1695
Response Date	03/06/21 16:10
Consultation Point	Policy STR 1 The Development Strategy (View)
Status	Processed
Submission Type	Email
Version	0.5
Files	PSLP_1695_KLW for K Spencer - full representation Policy STR 1.pdf
Data inputter to enter their initials here	KJ
Question 1	
Respondent's Name and/or Organisation	Mr Kevin Spencer
Question 2	
Agent's Name and Organisation (if applicable)	Kember Loudon Williams
Question 3	

To which part of the Local Plan does this representation relate?

Policy

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR 1 The Development Strategy

Question 4

Do you consider that the Local Plan:

Is legally compliant

No

Is sound

No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not effective
- . It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

Summary

Policy STR1 is not legally compliant because insufficient consideration has been given towards the meeting of housing needs in adjoining authority areas. As such it has resulted in a Plan which is unsound and does not properly comply with the duty to cooperate. As a result of the lack of housing allocations (see below) the Plan cannot be said to be effective or consistent with National Policy.

Furthermore, the distribution of development as currently set out in Policy STR1 is not balanced, and in particular Langton Green should be required to grow.

Background

The purpose of these representations is to examine closely the housing need and Green Belt policies in order to put forward for allocation a housing site. The site is known as land at High View, Langton Road Langton Green and was considered under site reference 42 of the Site Assessment Sheets for Speldhurst Parish - Strategic Housing & Economic Land Availability Assessment SHELAA– Regulation 19 Consultation January 2021.

Housing Need

The housing need for the authority in the draft Local Plan is premised upon the standard method for the 15 year period which requires 678 dwellings per year, or 12,200 dwellings over the period. At the time of drafting this Plan the development plan situation in Sevenoaks District Council was unclear. However, following the failure of their High Court challenge, Sevenoaks District Council is now required

to begin the preparation of their Local Plan again. Since NPPF expects any unmet housing needs within the adjoining Districts to be addressed by neighbouring authorities, it would be unreasonable for Tunbridge Wells not to accept that some additional housing must be found to alleviate the pressure for new homes within Sevenoaks District. Not to do so would be contrary to NPPF policy and in our view this suggests that additional housing sites must be identified.

Given the stage reached in the Tunbridge Wells Local Plan process, it would be unreasonable for this Council to not assist Sevenoaks District in meeting part of its housing need. Paragraph 4.16 of the draft Local Plan postulates that Sevenoaks may have an unmet need of 1900 dwellings. Paragraph 4.18 also notes that sites may need to be greater in size to enable delivery of the numbers predicted. Paragraph 4.53-4.54 then explains that sites and other supply with sufficient capacity for 13,059 to 13,444 dwellings has been found. The mid point gives a buffer of 1,000 dwellings above the 12,200 requirement.

Notwithstanding the buffer and the situation in Sevenoaks, it is the case that Wealden District Council has fallen short of providing its required housing need and is some way off producing a new Local Plan. It is a neighbouring authority and subject to constraints relating to Ashdown Forest and the Habitat Regulations. Since it is within the same housing market area, it may be necessary for Tunbridge Wells to consider meeting some of its unmet housing need. In fact, following the rejection by the Local Plan Inspector of Wealden's Submission Plan, Wealden have re-wound their Plan preparation process and started from the beginning with an issues and options consultation. It is likely that this Plan is several years from fruition.

There is also sufficient uncertainty with Tonbridge and Malling's Local Plan and this Plan seems likely to follow in the footsteps of the Sevenoaks Plan. A shock to the local housing market seems likely with supply side constraint pushing up house prices and hindering access to homes. In the circumstances, it is considered that additional housing allocations are required to be identified within the Tunbridge Wells Local Plan area and these should go beyond the 1,000 dwelling buffer currently identified.

Delivery of Homes

In relation to delivery of new homes, we are of the view that additional smaller housing sites are also required to ensure a sustainable delivery from early in the Plan period. The Council is relying on a number of very large strategic sites (Policy STR/SS1 and Policy STR/SS3). Together these total around 6,390 dwellings although it is acknowledged that delivery will spill beyond the Local Plan period. Such reliance upon strategic sites will inevitably take a long time to deliver the required housing and when they do start delivery, the housing market will only be able to sustain a certain volume of new homes per annum – otherwise the market is flooded in specific localities and homes take longer to sell. Consequently, additional smaller housing sites should be allocated in different locations. Since NPPF seeks to boost the supply of housing and there is nothing in the guidance preventing local authorities from providing more housing land than meets the standard methodology, it is entirely appropriate for additional sites to be identified.

Identifying additional sites should not be considered harmful where they are sustainable and the additional quantum will help meet a need early in the Plan period. If over provision occurs, it will simply enable the Council to offset this against future calculated housing needs – this is delivery in front of the curve.

Figure 9 of the draft Local Plan (page 477 of the draft Local Plan) sets out the Council's planned housing trajectory. However, the completions rate identified in Table 1 of the Housing Supply and Trajectory Topic Paper for Draft Local Plan (September 2019, see extract below) explains that in a 3 year period (2016-19) 1552 dwellings were built or 517 per annum – much lower than the annual trajectory predictions of the draft Local Plan. Whilst it is accepted that more allocations may help improve this figure, in our view the historic trends do not suggest delivery will be as positive as the Council imagines, which is why more smaller sites are needed.

The Settlement Hierarchy

No new sites are proposed in Langton Green which is surprising given its size and role in the settlement hierarchy. The Settlement Role and Function Study (February 2021) ranks 21 different settlements in a hierarchy according to the level of services and facilities available. Langton Green is number 8 on the list. The Study also groups settlements in terms of their characteristics, focusing on the range of services and facilities they provide (Table 6, page 24)

[TWBC: to view Table 6: Revised settlement groupings see full representation attached]

It seems unreasonable that Langton Green is not proposed to grow at all whilst other settlements in the same settlement category as Langton Green are due to grow significantly. Take for example, Horsmonden, which is expected to deliver 240 – 320 units. A more balanced approach should be adopted, and growth should be shared amongst settlements in order for the plan to be sustainable and in line with the National Planning Policy Framework.

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan 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.

It is necessary to Modify STR1 to increase housing numbers to meet the unmet needs of Sevenoaks DC and other adjoining authorities. It is likely that this will require an addition 2000-3,000 more dwellings.

Langton Green should be required to accommodate some level of growth. 20 dwellings should come forward at Land at High View in Langton Green.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . Yes, I wish to participate in hearing session(s)

Question 7a

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

In order for the Plan to be found sound.

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box: Yes, I wish to be notified of future stages of the Local Plan

Supporting Information File Ref No: SI_93

Comment

Agent	Ms Polly Canning [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Kember Loudon Williams
Address	[REDACTED] [REDACTED] ROYAL TUNBRIDGE WELLS [REDACTED]
Consultee	Mr Kevin Spencer [REDACTED]
Address	[REDACTED] [REDACTED] Langton Green -
Event Name	Pre-Submission Local Plan
Comment by	Mr Kevin Spencer [REDACTED]
Comment ID	PSLP_1693
Response Date	03/06/21 16:10
Consultation Point	Policy STR 9 Green Belt (View)
Status	Processed
Submission Type	Email
Version	0.4
Files	PSLP_1693_KLW for K Spencer - full representation Policy STR 9.pdf
Data inputter to enter their initials here	KJ
Question 1	
Respondent's Name and/or Organisation	Mr Kevin Spencer
Question 2	
Agent's Name and Organisation (if applicable)	Kember Loudon Williams
Question 3	

To which part of the Local Plan does this representation relate?

Policy

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR 9 Green Belt

Question 4

Do you consider that the Local Plan:

Is legally compliant No

Is sound No

Complies with the Duty to Cooperate No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not effective
- . It is not justified
- . It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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Summary

The Plan is not legally compliant because insufficient consideration has been given towards the meeting of housing needs in adjoining authority areas and delivering sufficient small sites to ensure the housing trajectory can be delivered. As such it has resulted in a Plan which is unsound and does not properly comply with the duty to cooperate.

As a result of the lack of housing allocations (see below) the Plan cannot be said to be effective or consistent with National Policy. Further housing allocations in the Green Belt are required in order for the Plan to be justified.

Background

The purpose of these representations is to put forward for allocation a housing site which is currently in the Green Belt. The site is known as land at High View, Langton Road Langton Green and was considered under site reference 42 of the Site Assessment Sheets for Speldhurst Parish - Strategic Housing and Economic Land Availability Assessment – Regulation 19 Consultation January 2021.

Green Belt and Landscape

The individual SHELAA assessment for site 42, notes that the site included two structures and that existing housing adjoins the site to the north and west. Field boundaries were acknowledged to comprise

hedgerows to the south. In some respects this description doesn't fully express the context of the site since to the south is a wooded area spanning the entire southern boundary of the site. There is also built development to the east, north and west as noted on the aerial image of the site below together with a wide footway running alongside the northern boundary.. As a consequence, the landscape setting and effect on Green Belt are not as clear cut as the Council suggest.

TWBC: see full representation attached to view aerial image of site]

The Council rejected the site on Green Belt and Landscape grounds connected with the AONB. However, the site is visually contained by existing built development and the wooded setting of the site to the south.

In the NPPF great weight is attached to AONB's but the advice is that the scale and extent of development within designated areas should be limited. It is only major development which is guided against and given the scale of the site and the way in which the Council has defined other AONB sites, it is considered that the land would not constitute a major site.

Major developments will need to comply with three tests. Consequently, if the site is not defined as 'major' then its suitability is one of effect on the AONB. As noted the site is visually very well contained with strong woodland copses providing limited wider views from the south. The southern side of Langton Road comprises various houses and large gardens and would be typically described as suburban in character. The site has a greater association with the settlement of Langton Green than it does with the open landscape setting of the AONB and so its release for housing would not undermine the objectives of this landscape.

Green Belts are designed to serve 5 purposes – the check the unrestricted sprawl of large settlements, prevent the merging of settlements, safeguarding the countryside from encroachment, preserving the setting and character of historic towns and to assist with urban regeneration.

Given the position of the site and its shape – hugging the Langton Road, it would not result in the same level of encroachment as Hither Chantlers to the west or The Midway and Nevill Court to the east. The allocation of this site would be so visually contained and seen against the back cloth of existing buildings not to contribute towards unrestricted sprawl.

Directly to the south are no settlements for several miles and so there can be no conflict with the merging of towns or villages criteria. The small character of the site would have no material effect upon Tunbridge Wells and its historic character, particularly as Langton Green is considered a separate village settlement.

Where a housing need is confirmed, removal of a site from the Green Belt through a Local Plan Review is entirely reasonable.

In considering this Green Belt site, the Inspector would need to consider paragraph 139 of the NPPF which sets the parameters for identifying Green belts. Importantly, the policy guidance is that boundaries can be defined according to the development plan's strategy for sustainable development. If more housing sites are needed then site's can be identified even if they are within the Green Belt. Similarly it is important to consider whether this site needs to be kept permanently open given the surrounding built characteristics and the wooded enclosure afforded by the landscape to the south. Green belt boundaries are likely to be necessary in the longer term and so carefully considering where the boundary should be is important for addressing future development needs. Given the above characteristics of the site and the limited way in which it complies with the purposes for including land in the Green belt, the release of this land from Green Belt and allocation for housing is considered reasonable. Policy STR9 and the Proposals Map (Inset Map 33) should be altered accordingly.

Question 6

Please note: *In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.*

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

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Modify Policy STR9, inset map 33, paragraph 4.128 and Table 6 to include the site as a housing allocation for 20 dwellings and to remove the site from the Green Belt.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . Yes, I wish to participate in hearing session(s)

Question 7a

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If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

In order for the Plan to be found sound.

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box: Yes, I wish to be notified of future stages of the Local Plan

Supporting Information File Ref No: SI_92

Comment

Agent	Ms Polly Canning [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Kember Loudon Williams
Address	[REDACTED] [REDACTED] ROYAL TUNBRIDGE WELLS [REDACTED]
Consultee	Mr Kevin Spencer [REDACTED]
Address	[REDACTED] [REDACTED] Langton Green -
Event Name	Pre-Submission Local Plan
Comment by	Mr Kevin Spencer [REDACTED]
Comment ID	PSLP_1691
Response Date	03/06/21 16:10
Consultation Point	Policy PSTR/SP 1 The Strategy for Speldhurst parish (View)
Status	Processed
Submission Type	Email
Version	0.3
Files	PSLP_1691_KLW for K Spencer - full representation PSTRSP1.pdf
Data inputter to enter their initials here	KJ
Question 1	
Respondent's Name and/or Organisation	Mr Kevin Spencer
Question 2	
Agent's Name and Organisation (if applicable)	Kember Loudon Williams
Question 3	

To which part of the Local Plan does this representation relate?

Policy

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy PSTR/SP 1 The Strategy for Speldhurst parish

Question 4

Do you consider that the Local Plan:

Is sound

No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not effective
- . It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

Summary

Policy PSTR/SP1 does not enable the delivery of sustainable development. The lack of housing allocations in this Parish means that the Plan is unsound - it is not consistent with national policy and cannot be said to be effective.

Speldhurst Parish

Speldhurst is a large parish comprising of 4 villages: Ashurst, Langton Green, Old Groombridge and Speldhurst. The map provided below (taken from the Speldhurst Parish Council Parish Plan -September 2016) is a useful tool to appreciate the scale of the Parish and its proximity to nearby Tunbridge Wells.

[TWBC: see full representation to view image of map of Site 42 - Land at High View]

The Parish of Speldhurst is a highly desirable and thriving place to live. The Parish has two excellent primary schools (one at Langton Green and one at Speldhurst), local shops, pubs and restaurants and good public transport links and connections to Tunbridge Well to the east and East Grinstead to the west. It is therefore a sustainable community with good access to services and employment opportunities.

Despite the sustainable credentials of the parish, surprisingly, the Regulation 19 version of the plan only sets out a requirement to deliver 10-12 dwellings over the plan period (15 years plus). This is considered far too low and more units should be delivered in the Parish during the plan period.

Furthermore, no new sites are proposed in Langton Green which is surprising given its size and role in the settlement hierarchy. The Settlement Role and Function Study (February 2021) ranks the 21 settlements in Tunbridge Wells and Langton Green comes up as number 8 on the list. The Study also

groups settlements in terms of their characteristics, focusing on the range of services and facilities they provide (Table 6, page 24)

[TWBC: see full representation attached to view Table 6: Revised settlement groupings]

It seems unreasonable that Langton Green is not proposed to grow at all whilst other settlements in the same settlement category as Langton Green are due to grow significantly. Take for example, Horsmonden, which is expected to deliver 240 – 320 units. A more balanced approach should be adopted, and growth should be shared amongst settlements in order for the plan to be sustainable and in line with the National Planning Policy Framework.

Land at High View, Langton Road

Our client owns land known as 'Land at High View, Langton Road' (Site 42 of the Strategic Housing and Economic Land Availability Assessment January 2021) which is considered entirely suitable to deliver 20 new dwellings in the Parish. It is also available now and is deliverable.

Land at High View is in a highly sustainable location adjacent to the built-up edge of Langton Green/Tunbridge Wells. It is situated along a bus routes and is within easy walking distance of a range of facilities including a primary school, children's nursery, private school, dentist, church, village hall, shops and pubs. It is suitable, available and deliverable and should be identified as an allocation.

The SHELAA found that the site was unsuitable because of "landscape concerns and concerns about the release of the site from the Green Belt" which if released would cause "very high harm". We believe this level of harm has been exaggerated particularly given the fact that the site benefits from a strong and defensible wooded area spanning the entire southern boundary of the site (something that is just not mentioned at all in the SHELAA). This wooded boundary is clearly demonstrated in the aerial image below.

[TWBC: see full representation to view aerial image]

Furthermore, it is clear from draft Policy STR9 that the Council considers that there are exceptional circumstances to alter the boundaries of the Green Belt for other site allocations, particularly on sites which represent a logical extension the existing development boundary of a settlement or as 'rounding off' small local adjustments to the Green Belt boundary.

The subject site fulfils these criteria. It represents a logical extension to the limits to built development of Langton Green. It should be reconsidered and included as a housing allocation for 20 dwellings.

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan 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.

Modify PSTR/SP1, and include Land at High View, Langton Road (Site 42 SHELAA) as a housing allocation for 20 dwellings and to increase the housing numbers for Speldhurst to 30-32 dwellings. Remove the site from the Green Belt.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

. Yes, I wish to participate in hearing session(s)

Question 7a

***Please note** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.*

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

In order for the Plan to be found sound.

Comment

Consultee	Christine Spicer [REDACTED]
Email Address	[REDACTED]
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Christine Spicer [REDACTED]
Comment ID	PSLP_809
Response Date	01/06/21 12:13
Consultation Point	Section 2: Setting the Scene (View)
Status	Processed
Submission Type	Web
Version	0.2
Question 1	
Respondent's Name and/or Organisation	Mrs Christine Spicer
Question 2	
Agent's Name and Organisation (if applicable)	N/A
Question 3	
To which part of the Local Plan does this representation relate?	Paragraph(s)
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Key issues in the PSLP:

Page 26 paragraph 2.33

Also

SFRA

2016s4793 - Appendix C - Flood Zones (A3 tiles - 31 to 38) – RevB

Pages 1,2, 6, 7 & 8 in particular (composite picture shown below)

Compare the proposed development area with the flood zones:

Question 4

Do you consider that the Local Plan:

Is legally compliant Don't know

Is sound No

Complies with the Duty to Cooperate Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not effective
- . It is not justified
- . It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

Under key issues in the PSLP:

Page 26 section 2.33

SFRA

2016s4793 - Appendix C - Flood Zones (A3 tiles - 31 to 38) – RevB

Pages 1,2, 6, 7 & 8 in particular (composite picture shown below)

Compare the proposed development area with the flood zones:

Of particular concern are the dark blue and lilac areas, flood zones 3a and 3b. In the PSLP it rightly notes that the key issue/challenge is “ensuring growth can be accommodated without further risk to areas vulnerable to flooding and, to provide **betterment**.”

Mitigation against flooding has been poor in the area in the past. Parts of Paddock Wood continue to flood regularly, with surface water flooding particularly an issue. Flood mitigation wasn't sufficient in the recent Persimmon development off Green Lane to stop the field earmarked for a new school to flood this January. It wasn't even a very wet winter. Drainage across Paddock Wood is inadequate, but it also has to be said that with the water table so high, there is nowhere for water to go. You can dig a pond as deep as you like. The water will fill it and the water table will not decrease. It may be possible to mitigate against flooding but at what cost? The inspector needs to look very carefully about the financial viability of building on this land, including careful examination of the green field runoff rates. In particular, the land to the West of Paddock Wood (that is East Capel plots 309, 141, 142), south of railway (the northern parts of plots 79 and 20 in Paddock Wood) and north of the railway (plots 51, 315, 316, 318, 319, 340, 347, 402, 216 and 218) is not suitable for building on, in my opinion. Thus this part of the plan is not sound. I call on the inspector to pay particular attention to this aspect of the plan. Regarding flooding, there has to be **betterment** or no building at all.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Christine Spicer [REDACTED]
Email Address	[REDACTED]
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Christine Spicer [REDACTED]
Comment ID	PSLP_983
Response Date	02/06/21 19:15
Consultation Point	Policy STR/SS 1 The Strategy for Paddock Wood, including land at east Capel (View)
Status	Processed
Submission Type	Web
Version	0.3
Question 1	
Respondent's Name and/or Organisation	Christine Spicer
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
STR/SS1	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Don't know
Is sound	No
Complies with the Duty to Cooperate	Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not effective
- . It is not justified
- . It is not consistent with national policy

Question 5

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Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

Paragraph 1

I question the need for so much building on Green Belt land.

Paragraph 2a

The table on page 24, paragraph 2.16 of the PSLP shows that between 2020 and 2038, the projected increase in population is from 118848 to 125003 people. This is an increase in population of 6155 people. So why, on page 36, paragraph 4.16 does the table say at the top that the housing need is 12204 dwellings? Specifically for Paddock Wood and east Capel, why are 3490-3590 dwellings allocated?

Paragraph 2c

With fewer houses built, there would be no need for two further primary schools.

Paragraph 2d

The location of this hub is unsuitable due to poor access by active travel. It's not even in Paddock Wood!

Paragraph 3 and 12

The houses being built already are not affordable to local people. How can you ensure that local people can afford these new houses? New houses being built are not being built to high standards. How will the council enforce green building?

Paragraph 13

Flooding is a very important consideration, with Paddock Wood having suffered years of flooding misery at the hands of council and water company's inaction. Page 139 para 5.165 says

"Surface water flooding risk is not considered particularly elevated, although the local network of urban surface water drains and foul water drains has flooded in recent rainfall events"

I disagree.

I have lived in Paddock Wood for nearly 30 years and there has been regular flooding here over that time, not just recent events, particularly in Church Rd, Maidstone Rd and the houses in the Allington Road area. Many of these are flash floods and have been exacerbated by further development since the mid 1990s. Any plan needs to specify flood mitigation to be better than for a "one-in-100-year-plus-climate-change-allowance" flood event.

Question 6

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Paragraph 1

Fully examine the potential of all existing and potential brownfield sites and reduce building on the Green Belt

Paragraph 2a

Reduce the housing allocation for Paddock Wood specifically where flood risk is greatest. See below.

Paragraph 2c

Only build one school

Paragraph 2d

Locate sports hub elsewhere, possibly on the eastern side

Paragraphs 3 and 12

More social housing. Also the plan needs to be much clearer about demanding that all housing be constructed as green buildings. This particularly applies to developers such as Persimmon, whose poor handiwork and disregard for green principles can already be seen in the estate off Green Lane.

Paragraph 13

Any plan needs to specify flood mitigation to be better than for a "one-in-100-year-plus-climate-change-allowance" flood event. Thorough consultation with the EA before any consideration to build on the western parcel and land just south of the railway line.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Mr Patrick Sprague [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] Cranbrook [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Mr Patrick Sprague [REDACTED]
Comment ID	PSLP_1049
Response Date	02/06/21 16:43
Consultation Point	Policy STR/HA 1 The Strategy for Hawkhurst parish (View)
Status	Processed
Submission Type	Email
Version	0.5
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Patrick Sprague
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy STR/HA 1 The Strategy for Hawkhurst parish	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes

Is sound Yes

Complies with the Duty to Cooperate Yes

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

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I am fully supportive of the removal of the Hawkhurst Golf Course Development.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

For office use only

If responder hasn't ticked an option on this box, data inputter to tick 'not stated' box. Not Stated

Future Notifications

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Comment

Consultee	Pauline Hawker [REDACTED]
Email Address	[REDACTED]
Company / Organisation	St Peter's Church Pembury
Address	- Pembury -
Event Name	Pre-Submission Local Plan
Comment by	St Peter's Church Pembury [REDACTED] [REDACTED]
Comment ID	PSLP_906
Response Date	01/06/21 21:16
Consultation Point	Policy PSTR/PE 1 The Strategy for Pembury parish (View)
Status	Processed
Submission Type	Email
Version	0.3
Data inputter to enter their initials here	KJ
Question 1	
Respondent's Name and/or Organisation	Pauline Hawker, St Peter's Church Pembury
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy PSTR/PE 1 The Strategy for Pembury parish

Question 4a

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Do you consider that the Local Plan is not sound because:

Question 5

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Local Plan Pre-Planning submission – Pembury

The Local Plan does not appear to include an S106 agreement to provide funds to support any new community facilities such as a new Community Hall in respect of which planning permission has already been granted or any development levy for this purpose for the benefit of the wider community.

Proposed Community Hall at St Peter's Pembury- Ref 20/02674/Full

St Peter's church, Hastings Road, Pembury, one of the Anglican Churches serving the village of Pembury (population 6,500 and growing) , has obtained planning permission for a community hall attached to the rear of the Church . the proposed building will be a light, airy, modern, carbon neutral building with its own independent entrance, heating, toilets kitchen facilities and parking. It will have a capacity for approximately 80 people, which meets the needs in the village for a medium sized facility, and is intended for use 95% by the community and 5% by St Peter's church, mainly on a Sunday.

Consultations with other community halls in the village has shown that, in normal non-covid times, all the other facilities are over subscribed at popular times. An ongoing survey of residents in the community has revealed an overwhelming need for opportunities to alleviate loneliness across all age ranges, for instance, older people have expressed a wish for a second lunch club (the Baptist Church organise one) and young mothers want a second Mums and Tots group or children's Centre, together with opportunities for all ages to join in activities that will enable greater social interaction, support those with mental health difficulties and provide more groups for young people to enjoy, such as an active youth club.. With more development planned for the village, the need for more community facilities will be all the greater and the proposed new community hall in Hastings Road, will be well within walking distance of most of the proposed new development.

The Purpose of this New Community Hall, is to provide physical infrastructure for a range of initiatives to help address some of the key Wellbeing concerns identified in the growing Pembury Community.

These initiatives will be driven by church, faith and other secular partners, working with specialist charities or statutory providers as appropriate, to utilise the proposed space to support the needs of the community as highlighted by village surveys, such as:

- . those with mental health challenges, particularly forms of dementia, depression and anxiety, or physical disabilities, through more social contact and engagement in relevant activities;
- . those carers of the house bound through a meeting place and social contact;
- . alleviation of loneliness across all age groups through social and activity groups;
- . social engagement and activity challenges tailored to age groups, including school holiday playschemes, parents of younger children, Youth groups and senior residents;
- . cultural events, including concerts and exhibitions, as a village centre that the local community can engage with to both deliver and experience;
- . provision of 'hospitality' facilities for key community services at the Church, including Funerals, Weddings, Baptisms and the popular Christmas services for local Schools and the wider community.

We understand there is no provision in the local plan for extending medical services. The new community hall would be ideal for medical clinics such as antenatal clinics if needed.

The congregation of St Peters has raised approximately £100,000 to date , which has enabled the appointment of a professional team to draw up the plans and take the project to planning permission. Thanks to the financial support of Kent County Councillor Paul Barrington-King, we have been able to appoint a design team to study the site , draw up more detailed plans, and obtain a Quantity Surveyor valuation of the project cost, which is anticipated to be in the region of £925,000.

Approximately half of this amount needs to be raised before we can approach Grant Making Trusts.

Further fundraising for the community hall has been hampered by covid restrictions and the fact that the church itself is currently having to fundraise to repair urgently the church tower and replace its AV system.

We request consideration for any S106 support for this facility that will benefit the people of Pembury for many years to come.

The need for this new building should be a priority for S106 agreements linked to the grant of any future development permissions and provision for this should be included in the Local Plan which recognises the need for enhanced facilities in the village over the immediate and longer term future.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

Comment

Consultee	Mrs Marguerita Morton [REDACTED]
Email Address	[REDACTED]
Company / Organisation	St. John's Road Residents association
Address	[REDACTED] Tunbridge Wells [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	St. John's Road Residents association [REDACTED] [REDACTED]
Comment ID	PSLP_921
Response Date	02/06/21 14:40
Consultation Point	Policy STR 7 Climate Change (View)
Status	Processed
Submission Type	Web
Version	0.1
Question 1	

Respondent's Name and/or Organisation Marguerita Morton

Question 3

To which part of the Local Plan does this representation relate? Policy

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Vision and Strategic Objectives 1 and 2 Development should help achieve the Council's goal of carbon neutrality for the borough by 2030. It should also help to conserve and enhance the borough's recognised heritage and environmental assets. All development should be of high-quality design that respects local identity and character.

Para 10

To support the goal to make the borough carbon neutral by 2030, and minimise the impact of climate change on communities, the economy, and the environment.

Question 4

Do you consider that the Local Plan:

Is legally compliant	Yes
Is sound	No
Complies with the Duty to Cooperate	Yes

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

It is not positively prepared
It is not consistent with national policy

Question 5

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In the specific cases of AL/RTW5 and AL/RTW17 and proposed development at Benenden East End How will the Council fulfil its goal by building on the Green Belt or AONB to help mitigate the effects of greenhouse gas if more and more housing is built on green open countryside. The Council should ensure that its plans and strategies including the Local Plan do not contribute to the degradation of the environment and/or increase CO2 emissions.

It should take into consideration a Tunbridge Wells Town Centre Action Plan before we know what opportunities there would be for building on previously developed land (PDL). Instead the Council have only now commissioned a Report from Nexus to provide an update on the current work in relation to town centres and retailing.

This is in response to the continuing work on the emerging Pre-Submission Local Plan, the comments received through the Draft Local Plan Regulation 18 consultation at the end of last year and in recognition of the need to formulate a new corporate strategy for Royal Tunbridge Wells town centre following the demise of the Calverley Square project.

This research is taking place to help the work of a Cross-Party group on Town Centre Development in connection with an Economic Development Strategy and the Five Year Plan. It will also help to understand the longer term consequences of the Covid-19 pandemic on the economic health and welfare of Tunbridge Wells. The consequent loss of office accommodation and retail could bring advantages if we use this space wisely. We should build affordable and environmentally sound new housing units for the young and the elderly who are locked out of decent, affordable homes. By concentrating on the urban town centre, we could find enough residential provision that would negate the need to build on Green Belt land.

Question 6

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The purpose of the planning system is to achieve sustainable development. CPRE believes that the NPPF tilts our Local Authorities towards development and *"they find it harder and harder to refuse planning permission even if they know that they should not."* A spokesman said *"We recognise the need to address the affordability gap...and to deliver it in a way that is consistent with our commitment to tackling the climate emergency"*.

An Appeal Court Decision on 29 January 2021 backed the disapplication of the NPPF sustainable development presumption when refusing a proposed housing scheme in an AONB area in the Monkhill Limited Case No. C1/2019/1955/QBACF

I believe that by abandoning the aforementioned development on the sites mentioned in Question 5, we would be able to meet our climate emergency objectives.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Question 8

If you have any separate comments you wish to make on the accompanying Sustainability Appraisal, please make them here.

EN9 BIODIVERSITY NET GAIN

The policy states that development will only be permitted where it can be demonstrated that there will be a measurable long term net gain for biodiversity

We think that by building on these Green Belt sites it would result in a net loss of biodiversity contrary to Paragraph 170 of the Framework which says that planning decisions should minimise impacts on and provide net gains for biodiversity, which requires that opportunities and locations for biodiversity enhancements will be identified.

EN 11- Net Gains for Nature: biodiversity

There is an abundance of wildlife, flora and fauna as evidenced in photos from residents. They would be at risk if the north east corner of the open field were to be built on that piece of land forming part of the larger habitat and providing a buffer from urban sprawl or encroachment.

EN14: Trees, Woodlands, Hedges and Development

Policies EN1 and EN14 will not allow development if it would damage or destroy one or more trees protected by a TPO. Furthermore, Para 170 NPPF states that planning decisions and policies should contribute to and enhance the natural and local environment. There will be a presumption in favour of the retention and enhancement of existing trees, woodland and hedgerow cover on site.

AIR QUALITY AT THE AL/RTW5 SITE

The Assessment says nothing about air quality due to its proximity to the A26 which is an AQMA zone and suffers moderate to severe air pollution during certain parts of the day, especially during morning and afternoon commuter travel hours. A new development is likely to add to this existing poor air quality and to traffic congestion at the Speldhurst Road access point as stated above.

Supporting Information File Ref No: SI_17

Comment

Consultee	Mrs Marguerita Morton ()
Email Address	
Company / Organisation	St. John's Road Residents association
Address	 Tunbridge Wells TN4
Event Name	Pre-Submission Local Plan
Comment by	St. John's Road Residents association (Mrs Marguerita Morton)
Comment ID	PSLP_260
Response Date	02/06/21 14:25
Consultation Point	Policy AL/RTW 5 Land to the south of Speldhurst Road and west of Reynolds Lane at Caenwood Farm, Speldhurst Road (View)
Status	Processed
Submission Type	Web
Version	0.5
Files	image00001.jpeg
Question 1	
Respondent's Name and/or Organisation	Marguerita Morton
Question 2	
Agent's Name and Organisation (if applicable)	N/A
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy AL/RTW5 paragraph nos.5.47 to 5.51

Question 4

Do you consider that the Local Plan:

Is legally compliant Yes

Is sound No

Complies with the Duty to Cooperate Yes

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not positively prepared
- . It is not consistent with national policy

Question 5

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Development on previously designated Green Belt Land is inconsistent with Para 137 and 139 NPPF and Para 4.73 and 4.74 of the PSLP Appendix 1

The land at Speldhurst Road and Reynolds Lane was included in a document known as Strategic Housing Land Availability Assessment (SHELAA) 2019. According to the sustainability assessment "This is a large site that would make a significant positive contribution to the housing objective. However, **the substantial use of private vehicles in this location causes the noise and air objectives to score very negatively. The site also has sensitive biodiversity, heritage and landscape features.**"

the Site Assessment Sheet states that **the site is unsuitable as a site allocation** due to landscape impact concerns as well as significant highway concerns so there is a contradiction in the assessment where it was previously described as appropriate for limited development, particularly the north and north eastern part of the site adjacent to existing residential development.

We do not accept that this is in accordance with Item 4, Appendix 1, para 4.73 of the PSLP which is not in favour of piecemeal development on a land ownership basis. Para 4.74 says that there should be overarching strategic framework such that the development taken as a whole provides a community with areas for housing, education, employment uses, retail, open space and so on. It emphasises the importance of habitat retention, improvement, and creating net gains for biodiversity. because the site lays predominantly within the Green Belt and Special Landscape Area, and contains ancient hedgerows and woodland, partly in special flood zone 3 and a landfill quarry, it is considered then as being **constrained**.

The Plan should ensure strategic transport corridors, shared infrastructure and meet cohesive design principles. None of these have been evidenced or justified in accordance with Para 139 NPPF. We believe that due to lack of traffic studies or biodiversity studies the Tunbridge Wells Borough Council has not made a sufficient case for "exceptional circumstances".

Para 109 of the NPPF and Policies TP1, Para 6.546 PSLP

No development must compromise the safe and free flow of traffic or the safe use of the road by others.

Section 4: Development Strategy and Strategic Policies

Para 4.46 In contrast, while the Main Urban Area of Royal Tunbridge Wells, along with Southborough, would be a prime candidate, it is wholly surrounded by the High Weald AONB and, where the AONB does not come up to the urban edge, mainly to the west and north, those areas are designated Green Belt. They are also reliant on the A26 and A264 for access, which are both observably congested for extended periods at peak times, with no obvious scope for significant relief, to the detriment of local amenities and the town's historic character.

The location of this proposed allocation would create a severe impact on Speldhurst Road which is narrow at the proposed access site. There is no footway on the adjacent road which is bordered by trees, hedges and only one gate into the field. That leads to a public footpath that runs south across Caenwood Farm and then turns east towards Reynolds Lane. Therefore, any traffic emerging from the Caenwood development site would be impeded by traffic using Speldhurst Road and contribute to that heavy traffic flow. Traffic comes to a virtual standstill during peak commuter times now without the addition of potentially hundreds of vehicles wishing to join in order to get to the A26 junction where there are now two sets of traffic lights with very complicated sequencing for pedestrian and vehicle crossing. The A26 coming from the south (the Town Centre of RTW) is a two lane carriageway enabling left turns into Speldhurst Road at the junction but continues as a single carriageway into Southborough London Road after the second set of lights. This causes heavy congestion during peak travelling hours.

Furthermore, traffic continuing north on the A26 is then joined by a second junction with Yew Tree Road on the right (and a third set of traffic lights) carrying heavy traffic from the Industrial Estate.

I would like the Inspector to consider the Traffic Modelling Appeals APP/U2235/W/20/3254134 and 3256952 relating to PINS Inquiry November 2020 Appeals A & B Bellway Homes -v- Maidstone Borough Council.

Para 50 of the report said amongst other things "*There is no national definition of what may constitute a severe impact in the context of Para.109 NPPF. No contrary evidence was provided by the Council as to how a severe impact should be considered or any quantification or threshold that should be applied in the context of these appeals to assess at what point, if any, an increase in congestion would amount to a severe residual impact on the road network.*"

Commentary by the Inspector on the efficient operation of the local highway

The effect of development of the Local Plan, **will generate additional traffic and could contribute to an increase in congestion, particularly at peak hours, even after mitigation in the form of road improvements and other measures to make sustainable travel more attractive and effective. However the concentration of development close to the town does allow alternative and more sustainable means of travel to be made available. That is less likely to be the case were the housing to be located away from the town in another part of the Borough where residents would still need access to employment and services in the town.**

[TWBC: Following comments moved from Question 3a]

We object specifically to the removal of the parcel of land from the Green Belt known as SO1a identified in the Green Belt Study 2 (GBS 2) of 2017. This site was considered at the time as part of the larger parcel, BA10, and was judged "too sensitive" to release.

The GBS2 judged SO1a made a "Moderate to Weak" contribution to Green Belt purposes (GBS 2 pg. 120 and 121) but the remainder of the land to the west designated as SO1b made a "Strong/Relatively Strong" contribution for GB purposes and not proposed for release (pages 122 to 123).

The most recent Green Belt Study Stage 3 (GBS3) confers a finding of "Low to Moderate" saying that "The impact of its release on the adjacent GB will be negligible. The proposed site was not even allocated a development reference at this stage. That was done in the PSLP dated 4 November 2020. We submit that due to the late allocation, it does not allow for full public consultation as would have been possible under Reg.18 Consultation and, therefore, deprives the public of adequate presentation or scrutiny. This is exacerbated by Reg. 19 Consultation being conducted under Covid-19 isolation or partial isolation conditions.

We do not accept this judgment as sound in that the evidence base from GBS2 had described the whole of the Caenwood Farm parcel as being too sensitive to release and we believe that GBS 3 was provided to support the change of use and cannot be justified to support the Local Plan on a strategic basis. Therefore, the removal of AL/RTW5 from the GB cannot be justified and therefore, the Plan is unsound.

We submit that the land at this site is clearly more connected to the countryside and the adjoining open fields and its loss will have a much greater impact than "negligible".

Question 6

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We believe that allocation AL/RTW5 should be removed from the Pre-Submission Local Plan.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Question 7a

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Question 8

If you have any separate comments you wish to make on the accompanying Sustainability Appraisal, please make them here.

Sustainability Appraisal Consultation Document

Appendix E Cumulative Impact Assessment for Green Belt page 165

Site AL/RTW5 appears on the impact assessment for allocated sites in the Green Belt. It was assessed as Site No.30 including 100, 199 and 205 described as Caenwood Farm and Whitegates Farm stating "This is a large site that would make a significant positive contribution to the housing objective. However, the substantial use of private vehicles in this location causes the noise and air objectives to score very negatively. The site also has sensitive biodiversity, heritage and landscape features."

The Assessment says nothing about air quality due to its proximity to the A26 which is an AQMA zone and suffers moderate to severe air pollution during certain parts of the day, especially during morning and afternoon commuter times. A new development is likely to add to this existing poor air quality and to traffic congestion at the Speldhurst Road access point.

EN 11- Net Gains for Nature: biodiversity

There is an abundance of wildlife, flora and fauna as evidenced in photos from residents. They would be at risk if the north east corner of the open field were to be built on that piece of land forming part of the larger habitat and providing a buffer from urban sprawl or encroachment.

EN14: Trees, Woodlands, Hedges and Development

Policies EN1 and EN14 will not allow development if it would damage or destroy one or more trees protected by a TPO. Furthermore, Para 170 NPPF states that planning decisions and policies should contribute to and enhance the natural and local environment. There will be a presumption in favour of the retention and enhancement of existing trees, woodland and hedgerow cover on site.

If a planning application does go forward providing for unavoidable loss of trees on site, the developer will be required to implement appropriate management measures. It will be necessary to obtain a tree survey in accordance with the current recommendations of BS5837. The tree survey information should include protection, mitigation and management measures including arboricultural site supervision where required.

If you would like to attach a file in support of your comments, please upload it here. [image00001.jpeg](#)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Mrs Marguerita Morton [REDACTED]
Email Address	[REDACTED]
Company / Organisation	St. John's Road Residents association
Address	[REDACTED] Tunbridge Wells [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	St. John's Road Residents association [REDACTED] [REDACTED]
Comment ID	PSLP_954
Response Date	02/06/21 14:49
Consultation Point	Policy AL/RTW 16 Land to the west of Eridge Road at Spratsbrook Farm (View)
Status	Processed
Submission Type	Web
Version	0.1
Question 1	
Respondent's Name and/or Organisation	Marguerita Morton
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy AL/RTW16

How will the Council fulfil its goal by building on the Green Belt or AONB to help mitigate the effects of greenhouse gas if more and more housing is built on green open countryside. The Council should ensure that its plans and strategies including the Local Plan do not contribute to the degradation of the environment and/or increase CO2 emissions.

It should take into consideration a Tunbridge Wells Town Centre Action Plan before we know what opportunities there would be for building on previously developed land (PDL). Instead the Council

have only now commissioned a Report from Nexus to provide an update on the current work in relation to town centres and retailing.

This is in response to the continuing work on the emerging Pre-Submission Local Plan, the comments received through the Draft Local Plan Regulation 18 consultation at the end of last year and in recognition of the need to formulate a new corporate strategy for Royal Tunbridge Wells town centre following the demise of the Calverley Square project.

This research is taking place to help the work of a Cross-Party group on Town Centre Development in connection with an Economic Development Strategy and the Five Year Plan. It will also help to understand the longer term consequences of the Covid-19 pandemic on the economic health and welfare of Tunbridge Wells. The consequent loss of office accommodation and retail could bring advantages if we use this space wisely. We should build affordable and environmentally sound new housing units for the young and the elderly who are locked out of decent, affordable homes. By concentrating on the urban town centre, we could find enough residential provision that would negate the need to build on Green Belt land.

Question 4

Do you consider that the Local Plan:

Is legally compliant	Yes
Is sound	No
Complies with the Duty to Cooperate	Yes

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:	<input type="checkbox"/> It is not positively prepared
	<input type="checkbox"/> It is not consistent with national policy

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan 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.

Delete the Allocation Site from the Local Plan.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?	<input type="checkbox"/> No, I do not wish to participate in examination hearing session(s)
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Question 8

If you have any separate comments you wish to make on the accompanying Sustainability Appraisal, please make them here.

EN 11- Net Gains for Nature: biodiversity

There is an abundance of wildlife, flora and fauna as evidenced in photos from residents. They would be at risk if the north east corner of the open field were to be built on that piece of land forming part of the larger habitat and providing a buffer from urban sprawl or encroachment.

EN14: Trees, Woodlands, Hedges and Development

Policies EN1 and EN14 will not allow development if it would damage or destroy one or more trees protected by a TPO. Furthermore, Para 170 NPPF states that planning decisions and policies should contribute to and enhance the natural and local environment. There will be a presumption in favour of the retention and enhancement of existing trees, woodland and hedgerow cover on site.

If a planning application does go forward providing for unavoidable loss of trees on site, the developer will be required to implement appropriate management measures. It will be necessary to obtain a tree survey in accordance with the current recommendations of BS5837. The tree survey information should include protection, mitigation and management measures including arboricultural site supervision where required.

AIR QUALITY

The Assessment says nothing about air quality due to its proximity to the A26 which is an AQMA zone and suffers moderate to severe air pollution during certain parts of the day, especially during morning and afternoon commuter travel hours. A new development is likely to add to this existing poor air quality and to traffic congestion at the Speldhurst Road access point as stated above.

CLIMATE CHANGE AND NEW CORPORATE STRATEGY FOR A TUNBRIDGE WELLS TOWN CENTRE ACTION PLAN

Tunbridge Wells Borough Council has passed a Motion that declared that the Council recognises global climate change and committed to reduce its carbon emissions towards becoming carbon neutral by 2030.

How will the Council fulfil its goal by building on the Green Belt to help mitigate the effects of greenhouse gas if more and more housing is built on green open countryside. The Council should ensure that its plans and strategies including the Local Plan do not contribute to the degradation of the environment and/or increase CO2 emissions.

We could mitigate against CO2 emissions by the increased use of Brownfield Sites. There are 37 sites registered on the 2020/21 Brownfield Site Register with a capacity of 805 homes, of these 3 are located in Green Belt, 4 in AONB and 1 partly within the Green Belt and AONB. If we had a Tunbridge Wells Town Centre Action Plan in place, we would know what opportunities there would be for building on previously developed land (PDL). Instead the Council have only now commissioned a Report from Nexus to provide an update on the current work in relation to town centres and retailing.

This is in response to the continuing work on the emerging Pre-Submission Local Plan, the comments received through the Draft Local Plan Regulation 18 consultation at the end of last year and in recognition of the need to formulate a new corporate strategy for Royal Tunbridge Wells town centre following the demise of the Calverley Square project.

This research is taking place to help the work of a Cross-Party group on Town Centre Development in connection with an Economic Development Strategy and the Five Year Plan. It will also help to understand the longer term consequences of the Covid-19 pandemic on the economic health and welfare of Tunbridge Wells. The consequent loss of office accommodation and retail could bring advantages if we use this space wisely. We should build affordable and environmentally sound new housing units for the young and the elderly who are/may be locked out of decent, affordable homes. By concentrating on the urban town centre, we could find enough residential provision that would negate the need to build on Green Belt or AONB land.

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Supporting Information File Ref No: SI_128

Comment

Agent	Miss Louise Darch ([REDACTED])
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Company / Organisation	Tetra Tech Planning
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Consultee	([REDACTED])
Company / Organisation	Standard Life Investments UK Real Estate Fund
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Standard Life Investments UK Real Estate Fund (- [REDACTED])
Comment ID	PSLP_1960
Response Date	04/06/21 07:54
Consultation Point	Policy STR 1 The Development Strategy (View)
Status	Processed
Submission Type	Email
Version	0.5
Files	<u>PSLP_1954-1970_TetraTech for Standard Life SI (not inclusive).pdf</u>
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Standard Life Investment UK Real Estate Fund
Question 2	
Agent's Name and Organisation (if applicable)	Tetra Tech Planning
Question 3	

To which part of the Local Plan does this representation relate?

Policy

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR 1 The Development Strategy

Proposed Limit to Build Development (Policy STR10)

Inset Map 01 - RTW and Southborough

[TWBC: this representation has been input against Policies PSTR/RTW 1, ED 10, STR 1, ED 1, STR/RTW 1, AL/RTW 18, STR 5, EN 2, EN 7, TP 1 and TP 3 – see Comment Numbers PSLP_1954, PSLP_1959, PSLP_1960, PSLP_1961, PSLP_1963, PSLP_1965, PSLP_1966, PSLP_1967, PSLP_1968, PSLP_1969 and PSLP_1970]

Question 4

Do you consider that the Local Plan:

Is legally compliant

Yes

Is sound

No

Complies with the Duty to Cooperate

Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not effective
- . It is not justified
- . It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

On behalf of Standard Life Investments UK Real Estate Fund, Tetra Tech Planning **object** to the current alignment of the Limit to Built Development identified on the proposed Policies Map in respect of land at Knights Park. The definitive boundary to the Limit to Built Development which runs along the Parks' eastern extent is presently difficult to establish on the Policies Map due to thickness of red line. Moreover, the proposed Limit to Built Development appears to be too close to the rear elevations of the main leisure terrace and omits areas of the existing service yard and emergency escape routes. It is felt that the Limit to Built Development should follow route identified below on the former Draft Local Plan Policy AL/RTW 15 Land at Knights Park allocation, to allow appropriate servicing space to the rear of the leisure development. On the basis of the current alignment, the Policies Map is neither considered to be 'justified' or 'effective' and therefore remains 'unsound'.

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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Proposed Modifications

The proposed modification is:

- . Amend Limits to Built Development on Policies Map - It is recommended that the Policies Map should be amended to reflect the eastern boundary of the former Draft Local Plan Policy AL/RTW 15 Land at Knights Park allocation seen below. [TWBC: See supporting document for map]

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . Yes, I wish to participate in hearing session(s)

Question 7a

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

It is deemed that the consideration of Limits to Built Development matters relating to Knights Park requires our attendance at the public examination of the Tunbridge Wells Borough Local Plan up to 2038.

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box: Yes, I wish to be notified of future stages of the Local Plan

Supporting Information File Ref No: SI_128

Comment

Agent	Miss Louise Darch ([REDACTED])
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Address	5th Floor, Longcross Court 47 Newport Road Cardiff DF24 0AD
Consultee	([REDACTED])
Company / Organisation	Standard Life Investments UK Real Estate Fund
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Standard Life Investments UK Real Estate Fund (- [REDACTED])
Comment ID	PSLP_1966
Response Date	04/06/21 07:54
Consultation Point	Policy STR 5 Infrastructure and Connectivity (View)
Status	Processed
Submission Type	Email
Version	0.4
Files	<u>PSLP_1954-1970_TetraTech for Standard Life SI (not inclusive).pdf</u>
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Standard Life Investment UK Real Estate Fund
Question 2	
Agent's Name and Organisation (if applicable)	Tetra Tech Planning
Question 3	

To which part of the Local Plan does this representation relate?

Policy

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR 5 Infrastructure and Connectivity

[TWBC: this representation has been input against Policies PSTR/RTW 1, ED 10, STR 1, ED 1, STR/RTW 1, AL/RTW 18, STR 5, EN 2, EN 7, TP 1 and TP 3 – see Comment Numbers PSLP_1954, PSLP_1959, PSLP_1960, PSLP_1961, PSLP_1963, PSLP_1965, PSLP_1966, PSLP_1967, PSLP_1968, PSLP_1969 and PSLP_1970]

Question 4

Do you consider that the Local Plan:

Is legally compliant

Yes

Is sound

No

Complies with the Duty to Cooperate

Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not positively prepared
- . It is not effective
- . It is not justified
- . It is not consistent with national policy

Question 5

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Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

Standard Life Investments UK Real Estate Fund stand by representations made in respect of the Draft Local Plan (Regulation 18) consultation document in respect of Policy STR 5 Essential Infrastructure & Connectivity (please refer to **Attachment A**) and maintain that the current wording of is not deemed to be 'positively prepared', 'justified', 'effective' or 'consistent with national policy' as required by the NPPF for the given reasons. As such, the Pre-Submission policy approach is deemed to remain 'unsound'.

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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Please refer to **Attachment A** relating to Policy STR 5 Essential Infrastructure & Connectivity.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Supporting Information File Ref No: SI_128

Comment

Agent	Miss Louise Darch ([REDACTED])
Email Address	[REDACTED]
Company / Organisation	Tetra Tech Planning
Address	5th Floor, Longcross Court 47 Newport Road Cardiff DF24 0AD
Consultee	([REDACTED])
Company / Organisation	Standard Life Investments UK Real Estate Fund
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Standard Life Investments UK Real Estate Fund (- [REDACTED])
Comment ID	PSLP_1954
Response Date	04/06/21 07:54
Consultation Point	Policy STR/RTW 1 The Strategy for Royal Tunbridge Wells (View)
Status	Processed
Submission Type	Email
Version	0.4
Files	<u>PSLP_1954-1970_TetraTech for Standard Life SI (not inclusive).pdf</u>
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Question 1	
Respondent's Name and/or Organisation	Standard Life Investment UK Real Estate Fund
Question 2	
Agent's Name and Organisation (if applicable)	Tetra Tech Planning
Question 3	

To which part of the Local Plan does this representation relate? Policy

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR/RTW 1 The Strategy for Royal Tunbridge Wells

Former Policy AL/RTW 15 (Land at Knights Park)

Inset Map 01 - RTW and Southborough

[TWBC: this representation has been input against Policies PSTR/RTW 1, ED 10, STR 1, ED 1, STR/RTW 1, AL/RTW 18, STR 5, EN 2, EN 7, TP 1 and TP 3 – see Comment Numbers PSLP_1954, PSLP_1959, PSLP_1960, PSLP_1961, PSLP_1963, PSLP_1965, PSLP_1966, PSLP_1967, PSLP_1968, PSLP_1969 and PSLP_1970]

Question 4

Do you consider that the Local Plan:

Is legally compliant	No
Is sound	No
Complies with the Duty to Cooperate	Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:	. It is not positively prepared
	. It is not effective
	. It is not justified
	. It is not consistent with national policy

Question 5

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Executive Summary

Our client - Standard Life Investments UK Real Estate Fund own Knights Park which forms a leisure park located to the north east of Royal Tunbridge Wells, situated south of Longfield Road. The well-established park offers a range of leisure uses including an Odeon Cinema, Bowlplex, Nuffield Health fitness and well-being centre, a Punch pub and a Frankie & Benny's restaurant. The Park plays a critical role in the economic function of the Borough.

In respect of the Draft Local Plan consultation (2019), Tetra Tech Planning (formerly WYG) submitted representations to Tunbridge Wells Borough Council (TWBC) in support of Policy AL/RTW 15 (Land

at Knights Park), which previously allocated the site as a preferred location for leisure use (at Section 5.31). The draft Policy AL/RTW 15 stated:

“This site, as defined on the Royal Tunbridge Wells draft Policies Map, is allocated for compatible leisure uses that would deliver an intensification of the leisure offer currently provided within the site...”

After review of the Pre-Submission Local Plan (February 2021), it appears that the Council has opted to omit Policy AL/RTW 15 (Land at Knights Park) and the associated Policies Map allocation in its entirety, with no clear justification having been provided in support of this change in stance. In summary:

1. In the context of the Tunbridge Wells Retail & Leisure Study (Nexus, 2017) (“2017 Study”), the Draft Local Plan proposed the allocation of Knights Park (Policy AL/RTW 15) for compatible leisure use;
2. Without clear justification within the Council's evidence base (i.e. by virtue of the Tunbridge Wells Retail Commercial Leisure & Town Centre Uses Study Update (Nexus, February 2021) (“2021 Update”), Consultation Statement for the Draft Local Plan (March 2021) or otherwise) Knights Park has been deallocated for leisure use and now forms unallocated land within the Limits to Built Development;
3. In parallel, Policy ED 1 (Key Employment Areas) by virtue of its current wording places preference in policy terms for the development of new leisure and retail floorspace across c. 90 ha of land immediately adjacent to Knights Park (i.e. Royal Tunbridge Wells North Farm / Longfield Road).

On this basis, **we strongly object to the unjustified omission of Knights Park AL/RTW 15 (Land at Knights Park) as a leisure allocation**, and consider the decision renders the Plan ‘unsound’ for the following reasons.

Introduction

The Site Assessment Sheets for Royal Tunbridge Wells, Strategic Housing and Economic Land Availability Assessment (SHELAA) (January 2021) states;

“The site is not considered to be suitable for further commercial leisure uses which would conflict with the town centres first approach. Although it is a PDL [previously developed land] site and within the existing LBD [Limits to Built Development], it would not be appropriate to allocate for further commercial leisure uses in this location which might detract from supporting development in Royal Tunbridge Wells town centre”.

This statement is questionable on the grounds that there is evidence in the Council's own background papers to suggest that the existing designated town centres within the administrative area are physically incapable of accommodating certain leisure demands of the Borough (see below). Whilst it is acknowledged that neither the 2017 Study nor the 2021 Update consider there to be a specific quantitative need for the Council to allocate new leisure floorspace, we contend that the qualitative deficiencies of the town centres identified within the 2017 Study and 2021 Update justify the allocation. As there has been no change in the town centres first policy set out in the NPPF since the Draft Local Plan was published including Knights Park for leisure use, we question the Council's rationale for this change in stance.

Moreover, as set out below, the strategy being pursued by the Council in the Pre-Submission Local Plan assigns preference for leisure development at other out of centre locations within the Key Employment Areas by virtue of Policy ED1 (Key Employment Areas) (i.e. Royal Tunbridge Wells North Farm / Longfield Road Area and Southborough High Brooms Industrial Area) and Policy STR/RTW 1 (The Strategy for Royal Tunbridge Wells). This approach demonstrates a clear bias against future development at Knights Park based on an unsubstantiated assumption that development at the Park might result in significant adverse impact on the established town centres. The question as to why Knights Park as a vital economic driver within with Borough has been specifically excluded from the Key Employment Areas is equally seriously questioned.

The following section sets out how the Council's stance in respect of Knights Park is fundamentally at odds with the NPPF tests of ‘soundness’ in regard to the preparation of local plans and strategies (paragraph 35), which advise that a Plan should be a) positively prepared, b) justified, c) effective and d) consistent with national policy.

Economic importance of Knights Park

As previously highlighted, Knights Park is a vital element of the local economy in terms of hospitality and leisure for the Borough, contributing skilled and unskilled jobs and resulting in significant expenditure within the local area. The 2017 Study highlights the following in respect of Knights Park;

- In respect of the cinema provision (Odeon): *“There are two full-time cinemas in the Borough which together attract a healthy 50.6% of all cinema trips made by residents of the Study Area (55.0% overall). These are the Odeon cinema in Tunbridge Wells (9 screens) and the Kino cinema in Hawkhurst (1 screen), with the Odeon cinema attracting 44.7% of all trips and the Kino cinema attracting 5.9% of all trips”* (paragraph 8.21). *“The Borough benefits from notable inflow of cinema trade, with the Odeon in Tunbridge Wells also being the most popular designation for residents in Zones 2 (40.3% of all trips), 5 (95.3%), 8 (40.5%) and 12 (54.3%)”* (paragraph 8.22)
- In respect of the bowling alley provision (Bowlplex) this accounts for *“... all ten-pin bowling trips made by residents of the Borough. It also accounts for all ten-pin trips made by residents of Zones 5 and 8 outside of the Borough, and 90.8% of trips made by residents of Zone 2. Similarly to the Odeon in Tunbridge Wells, the Bowlplex **proves to be a key destination for leisure trade within the Borough itself, in terms of attracting those from outside**”*. (paragraph 8.31) (Tetra Tech emphasis)

In view of the above, it is clear that TWBC should be harnessing and safeguarding the ability for Knights Park to continue to draw in trade and keep pace with the wider leisure market, as one of its key existing economic assets.

Leisure Market Deficiencies

The NPPG (paragraph 005 Reference ID: 2b-005-20190722) states; *“It may not be possible to accommodate all forecast needs for main town centre uses in a town centre: there may be physical or other constraints which make it inappropriate to do so. **In those circumstances, planning authorities should plan positively to identify the most appropriate alternative strategy for meeting the identified need for these main town centre uses, having regard to the sequential and impact tests**”* (Tetra Tech Planning). Whilst the Council’s 2017 Study and 2021 Update suggest is that there is not any Borough wide quantitative leisure need, it is deemed unrealistic to conclude from the evidence base that the designated centres in Tunbridge Wells are currently able to accommodate all the different types of leisure development required by the residents of the Borough, particularly the requirement for modern large footplate units, for example those required for cinemas, bingo, certain restaurants, pubs and gyms. This is acknowledged through observations made within the 2017 Study and 2021 Update, which recognise that:

- In respect of the national cinema market, that: *“... with typical floorspace requirements of 2,790 - 4,180 sq m, the contracted rent obligations for cinema operators are significant, **making both the spatial and financial prospects of town centre sites unfeasible**”* (para 3.134, 2021 Update) (Tetra Tech emphasis). The 2017 Study indicates that: *“growth in population to 2035 will provide welcome additional patronage to the existing cinemas...”* (paragraph 8.65, 2021 Update). Tetra Tech note that whilst the desire of the Council to see another cinema delivered in Tunbridge Wells town centre is acknowledged, the former ABC cinema site in the town centre has remained derelict since 2001 and the mixed-use planning permission intended for an Everyman cinema is still yet to be delivered (albeit we acknowledge groundworks were recently commenced to ensure the permission did not expire). The potential inclusion of a cinema at Royal Victoria Place likewise never came to fruition. At paragraph 3.148, the 2021 Update advises that; *“...there may be requirements for these uses in the medium to longer term”*, whereas paragraph 8.17 indicates that; *“whilst town centre allocations for new cinema and theatre floorspace remains desirable (if not necessary), viability and deliverability remains challenging”*.
- In terms of food and beverage (F&B) uses, the 2021 Update confirms: *“At the time of our assessment, there was only one F&B unit to let in Royal Tunbridge Wells – a 257 sq m restaurant on Mount Ephraim to the north of the town centre. Over the past 5 years, the lowest annual take-up of F&B space was recorded in 2016 where c. 418 sq m was leased across two units. On this basis, **the current supply is insufficient to meet even the lowest level of typical demand...**”* (paragraph 3.84) (Tetra Tech emphasis). Whilst the 2021 Update goes on to suggest that there is unlikely to be high demand for F&B space in the immediate and short term (due to the after effects of the COVID-19 lockdowns), Tetra Tech would contest this suggestion and highlight that the Plan must look forward to consider the longer term requirements of the market going forward during the economic recovery post COVID-19 up to 2038. It is highly anticipated the desire for larger floorplate units will form part of that requirement.

Clearly, the physical constraints of the town centre locations are having an adverse impact of the Borough’s ability to service its’ own leisure needs. In this regard, the 2017 Study identifies a notable amount of leakage from the Study Area (i.e. the Tunbridge Wells Borough administrative area) indicating that of the 71.2% Study Area residents who make restaurant trips, under half (just 31.7%) were made

to venues within the Borough. Likewise, a high leakage in respect of residents visiting bars, pubs, social clubs and nightclub trade out of Zone 10 (Paddock Wood, 37.0%) was identified (paragraph 8.28, 2017 Study) which lies within a 10-minute drive-time of Knights Park. This current trend obviously raises several concerns regarding sustainability and need to travel for leisure use.

The allocation of Knight Park to accommodate the abovementioned deficiencies in the defined town centres seems an entirely rationale and practical approach, allowing the Council greater control over the location and provision of out of centre leisure floorspace. The allocation would curb other ad-hoc out of centre development in potentially less sustainable locations. It is deemed that Knights Park forms a sequentially preferable site for the provision of such new leisure floorspace, encouraging linked trips with the other leisure facilities at the site. The Park should be favourably utilised to accommodate the modern leisure floorplates / floorspace that are unable to be accommodated in constrained town centre locations. In parallel, the leisure allocation will favourably serve a newly established residential catchment, in a highly accessible location and reduce the need to travel to other leisure destinations further afield.

In respect of the identified deficiencies in the leisure market, the Pre-Submission Local Plan is currently deemed to be 'unsound' based in its failure to recognise the need to purposefully allocate sites to accommodate leisure floorspace beyond the centres defined in the retail hierarchy (Policy ED 8) and to provide certainty by allocating sequentially preferable sites to address such deficiencies.

Conflict with other plan policies

As is discussed in greater detail within our representations put forward in respect of Policy ED1 (Key Employment Areas), the Pre-submission Plan likewise places preference in policy terms on retail, food and drink and other leisure development in the neighbouring Royal Tunbridge Wells North Farm / Longfield Road area by virtue of the policy wording.

Policy ED1 states; "*The retention of existing, and proposals for new, employment provision, to include the following uses, will be acceptable within these defined areas...*" Table 12 then identifies various 'Key Employment Areas' including the Royal Tunbridge Wells North Farm / Longfield Road area as being suitable for –

- . Class B (general industry and storage and distribution)
- . Class E (financial, professional and other business uses, retail, food and drink, and leisure)
- . Class F (appropriate leisure uses) and
- . Other sui generis uses of an appropriate type and scale

The policy wording continues to state: "*Proposals for the retention of existing floorspace and the encouragement of new floorspace in the Key Employment Areas on allocated and non-allocated and vacant sites, and through the intensification or redevelopment of existing sites, **will be supported in principle***" (Tetra Tech emphasis). In respect of suitable uses, paragraph 6.446 likewise states: "*Such uses include leisure and retail where appropriate, particularly for the North Farm/Longfield Road area in Royal Tunbridge Wells, which is already established as a mixed employment, retail, and leisure destination*".

As previously mentioned, it is acknowledged that the NPPF advises that planning policies should; "(e) where suitable and viable town centre sites are not available for main town centre uses, allocate appropriate edge of centre sites that are well connected to the town centre. If sufficient edge of centre sites cannot be identified, **policies should explain how identified needs can be met in other accessible locations that are well connected to the town centre**" (paragraph 85) (Tetra Tech emphasis). Notwithstanding this, it is questioned whether it is in fact TWBC's intention to assign a policy preference for retail and leisure use across the c. 90 ha of land (i.e. the extent of the Royal Tunbridge Wells North Farm / Longfield Road Employment Area) within 1.7 km of the Tunbridge Wells town centre on the proposed Policies Map. These areas include; Stag Trading Park, Kingstanding Business Park, High Brooms Industrial Estate, Decimus Park, North Trading Estate, Colebrook Industrial Estate, The Fountain Retail Park, Longfield Retail Park, Tunbridge Wells Shopping Park and Great Lodge Retail Park and various standalone trade/retail units situated along Longfield Road.

Whilst it is noted that the supporting plan text at paragraph 6.445 indicates: "*Given that Class E of the revised Use Class Order could enable retail uses to occupy non-retail Class E premises in out-of-centre locations, circumventing any relevant 'town centre first' policies (as set out in Policies ED 9: Defined Town and Rural Service Centres and ED 10: Sequential Test and Local Impact Test), and where there is a risk that an alternative use within Class E (such as retail) would impact on the health of surrounding centres, a condition may be attached to any approval of planning permission in out-of-centre locations*

to restrict the use to that applied for”, this approach is not communicated in the policy wording, and moreover the proposed policy wording, in fact states that; “The retention of existing, **and proposal for new, employment provision**, to include the following uses, **will be acceptable within these defined areas**” (Tetra Tech emphasis). Whilst it is accepted that by virtue of the introduction of the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020, that the Council retain no control over changes within Class E (Commercial, Business and Service) and Class F (Local Community and Learning), the policy wording which applies to new floorspace circumvents the impact test and pre-empts the outcome of the sequential test for both retail and leisure use, in a manner contrary to national policy (NPPF, Chapter 7). The policy is therefore quite clearly at odds with paragraph 16 (d) of the NPPF which requires “policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”. The same arguments likewise apply to Policy STR/RCTW 1 which similarly promotes; “the retention, expansion, and intensification where relevant of existing employment premises and **support leisure uses within the Key Employment Areas**” (Tetra Tech Emphasis). Significantly, the policy approach of Policy ED1 and STR/RTW 1 are clearly not ‘consistent with national policy’ nor in any way ‘justified’ by the Council’s own retail and leisure evidence base and therefore clearly renders the plan ‘unsound’.

Conclusion

Based on the foregoing, the current leisure use policy approach as set out in the Pre-submission Draft is fundamentally at odds with the thrust of national planning policy in respect of the location of main town centre uses as defined by the NPPF or the allocation of sites based on identified need (NPPF, paragraph 85). The current Pre-submission Local Plan clearly assigns preference to the neighbouring out of centre Royal TunbridgeWells North Farm / Longfield Road area for new retail, food and drink and leisure floorspace with no clear justification having been provided within its retail and leisure evidence base, as required by the NPPF, and therefore is clearly ‘unsound’ in this regard. Based on the preceding, we consider that Knights Park should be reallocated for leisure use, in line with our suggestion modifications outlined in response to Question 6 below. Likewise, please see our suggested modifications in respect of Policy ED 1 and Policy STR/RTW 1 in the following section.

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan 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.

Proposed Modifications

The proposed modification is for the:

- Re-allocation of Knights Park for Leisure Use by virtue of Policy AL/RTW 15 (or alternative policy reference) and associated allocation on the Policies Map** - On the basis of the preceding, it is proposed that the land at Knights Park allocation should be positively re-introduced back into the Plan to address the leisure use deficiencies of the Borough on previously developed land and in a sustainable location capable of benefitting from linked trips. For this policy allocation to be deemed ‘effective’ and therefore ‘sound’ (and as recommended within our Draft Plan Regulation 18 representations (**see Attachment A**)), the policy wording should confirm the scope of ‘leisure’ use permitted for the purposes of this policy. It is advised that this definition should remain consistent with the ‘Leisure Activities’ identified in the Council’s evidence base – Tunbridge Wells Retail and Leisure Study (Nexus, 2017) (see Figure 8.1) which confirms ‘Leisure’ includes: indoor sports and health facilities, cinemas, restaurants, pubs and bars, ten pin bowling, bingo, theatre / concert hall, museum / art galleries, and outdoor sports. Other minor alterations to the

former policy wording are likewise suggested below, to ensure the policy remains clear, concise and effective. As such, the suggested policy wording is as follows:

"Policy AL/RTW XX (Land at Knights Park) - This site, as defined on the Royal Tunbridge Wells draft Policies Map, is allocated for compatible leisure uses that would deliver an intensification of the leisure offer currently provided within the site, to include; indoor sports and health facilities, cinemas, restaurants, pubs and bars, ten pin bowling, bingo, theatre / concert hall, museum / art galleries, and outdoor sports.

Development on the site shall accord with the following requirements:

1. **Provide suitable vehicular access and not result in an adverse**; impact upon wider highways network; 2. **Deliver suitable parking provision** (see Policy TP 3: Parking Standards); 3. **Positively respond to the surrounding landscape setting** assessment to inform by virtue of siting and design (see Policy EN 1: Design and other development management criteria); 4. **Where necessary, retain the Retention of trees belt between Knights Wood and Knights Park along the western boundary of the site** (see Policy EN 124: Trees, Woodlands, Hedges and Development); 5. **Development proposals will need to demonstrate, where appropriate, demonstrate a positive contribution to Biodiversity Opportunity Area targets** (see Policy EN 944: **Biodiversity Net Gain Net Gains for Nature: biodiversity**).

It is expected that contributions will be required, towards the following if necessary, to mitigate the impact of the development.:

a. ~~The provision of sustainable and active transport mitigation measures, particularly contributions to existing bus provision to extend bus routes into the site; and/or b. Potential highway works within the vicinity of the site, including the provision of pedestrian crossings; and/or c. Potential town centre-wide, or town-wide transport mitigation measures (for a. to c. see Policies TP 1: Transport Assessments, Travel Plans, and Mitigation and TP 2: Transport Design and Accessibility); d. The provision of buildings and spaces to provide cultural infrastructure; e. Other mitigation measures identified through the pre-application process and planning application."~~

Suggested Policies Map (Inset Map 01 - RTW and Southborough) update:

[TWBC: See supporting document for map]

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . Yes, I wish to participate in hearing session(s)

Question 7a

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

It is deemed that the consideration of leisure matters requires our attendance at the public examination of the Tunbridge Wells Borough Local Plan up to 2038.

Question 8

If you have any separate comments you wish to make on the accompanying Sustainability Appraisal, please make them here.

Sustainability Appraisal

The Sustainability Appraisal (SA) of the Pre-Submission Local Plan (February 2021) evaluates the Knights Park allocation for retail and leisure use (see Figure 1.1, Column 1 & 2 in the schedule below for reference). As the candidate site wasn't proposed to be allocated for retail use by ourselves, or as part of the Draft Local Plan, the 'summary' commentary regarding the negatives scores given, particularly in respect of Business Growth and Services and Facilities based on the assumed impact on the town centre are deemed to be unreasonable. When comparing with other sites allocated in the Pre-submission Local Plan (Columns 4 and 5 - for example), it appears as though the Knights Park site has been assigned diminished scores on certain objectives in error. After reviewing the 'Decision Aiding Questions used for Scoring SA Objectives' at Appendix B of the SA, the following

Sustainability Objectives were re-scored, resulting in a more positive scores for; Business Growth, Climate Change, Deprivation, Land Use, Landscape, Services and Facilities and Water. The associated explanation for the proposed uplift in scores for each of these objectives is provided, where applicable, in Column 3. The new SA scores of the revised AL/RTW 15 (Land at Knights Park) are now provided at Column 6 and demonstrates that the site scores equally, if not better than other sites which have been put forward for

allocation within the Pre- Submission Local Plan (for example: AL/RTW 18 and AL/RTW 17).

Figure 1.1 Knights Park SA Review

[TWBC: See supporting document for Figure 1.1]

Overall from a sustainability perspective, the fact that 550 homes and a primary school have recently been constructed surrounding the Park within easy walking distance at Knights Wood, only serves to substantiate the position that the de-allocation of the Park for leisure use within the Pre-submission Local Plan is entirely unwarranted, and not 'positively prepared' as required by the NPPF. Furthermore, the recent COVID-19 pandemic measures now place even greater emphasis on the need to ensure facilities are safeguarded within easy walking distance of resident populations, in the context of the 'stay local' messaging and lessons learnt from the pandemic. Similarly, the well-being and equalities benefits of facilitating new jobs within an area with the highest unemployment within the Borough should not be overlooked.

In conclusion, we are not aware of any reasoning as a result of the SA exercise which would preclude the proposed allocation of the site for leisure use.

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Supporting Information File Ref No: SI_128

Comment

Agent	Miss Louise Darch ([REDACTED])
Email Address	[REDACTED]
Company / Organisation	Tetra Tech Planning
Address	5th Floor, Longcross Court 47 Newport Road Cardiff DF24 0AD
Consultee	([REDACTED])
Company / Organisation	Standard Life Investments UK Real Estate Fund
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Standard Life Investments UK Real Estate Fund (- [REDACTED])
Comment ID	PSLP_1963
Response Date	04/06/21 07:54
Consultation Point	Policy STR/RTW 1 The Strategy for Royal Tunbridge Wells (View)
Status	Processed
Submission Type	Email
Version	0.4
Files	<u>PSLP_1954-1970_TetraTech for Standard Life SI (not inclusive).pdf</u>
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Standard Life Investment UK Real Estate Fund
Question 2	
Agent's Name and Organisation (if applicable)	Tetra Tech Planning
Question 3	

To which part of the Local Plan does this representation relate?

Policy

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR/RTW 1 The Strategy for Royal Tunbridge Wells

[TWBC: this representation has been input against Policies PSTR/RTW 1, ED 10, STR 1, ED 1, STR/RTW 1, AL/RTW 18, STR 5, EN 2, EN 7, TP 1 and TP 3 – see Comment Numbers PSLP_1954, PSLP_1959, PSLP_1960, PSLP_1961, PSLP_1963, PSLP_1965, PSLP_1966, PSLP_1967, PSLP_1968, PSLP_1969 and PSLP_1970]

Question 4

Do you consider that the Local Plan:

Is legally compliant

Yes

Is sound

No

Complies with the Duty to Cooperate

Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not positively prepared
- . It is not effective
- . It is not justified
- . It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

On behalf of Standard Life Investments UK Real Estate Fund, Tetra Tech Planning **object** to Policy STR/RTW 1 (The Strategy for Royal Tunbridge Wells) which assigns preference in policy terms to, *inter alia*, new leisure floorspace development within the Key Employment Areas. See commentary submitted in respect of overarching Policy ED 1 (Key Employment Areas).

In addition, no definition of 'leisure' is provided either in the policy wording or supporting text. Based on the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020, the term 'leisure' could potentially cut across a range of use classes, theoretically comprising:

- . Class C1 (hotels)
- . Class E (b) (food & drink); (d) (indoor sport, recreation or fitness)
- . Class F2(d) (indoor or outdoor swimming pools)

- . *Sui Generis* (including theatres, amusements, hostels, nightclubs, casinos, public houses, wind bars, or drinking establishments, drinking establishments with expanded food provision, hot food takeaways, venues for live music performance, cinemas, bingo halls and dance halls)
- The vagueness in terms of not defining the scope of 'leisure' uses permitted and the potential for resultant significant adverse impacts on designated town centres within the Borough by not defining a quantum / threshold for leisure use is a fundamental flaw. As such, it is not considered the policy as it currently stands is 'positively prepared', 'justified', 'effective' nor 'consistent with national policy', and therefore is 'unsound' based on the requirements of the NPPF.

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

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Proposed Modifications

The proposed modification is to:

- . **Re-word the Policy STR/RTW 1** as follows:
"The strategy for the unparished area at Royal Tunbridge Wells, as defined on the Policies Map (Inset Map 1), is to: ...5. Promote the retention, expansion, and intensification where relevant of existing employment premises and support leisure uses within the Key Employment Areas"

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

☐ No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

☐ Yes, I wish to be notified of future stages of the Local Plan

Supporting Information File Ref No: SI_128

Comment

Agent	Miss Louise Darch ([REDACTED])
Email Address	[REDACTED]
Company / Organisation	Tetra Tech Planning
Address	5th Floor, Longcross Court 47 Newport Road Cardiff DF24 0AD
Consultee	([REDACTED])
Company / Organisation	Standard Life Investments UK Real Estate Fund
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Standard Life Investments UK Real Estate Fund (- [REDACTED])
Comment ID	PSLP_1965
Response Date	04/06/21 07:54
Consultation Point	Policy AL/RTW 18 Land at the former North Farm landfill site, North Farm Lane and land at North Farm Lane, North Farm Industrial Estate (View)
Status	Processed
Submission Type	Email
Version	0.4
Files	PSLP_1954-1970_TetraTech for Standard Life_SI (not inclusive).pdf
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Standard Life Investment UK Real Estate Fund
Question 2	
Agent's Name and Organisation (if applicable)	Tetra Tech Planning

Question 3

To which part of the Local Plan does this representation relate? Policy

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy AL/RTW 18 Land at the former North Farm landfill site, North Farm Lane and land at North Farm Lane, North Farm Industrial Estate

[TWBC: this representation has been input against Policies PSTR/RTW 1, ED 10, STR 1, ED 1, STR/RTW 1, AL/RTW 18, STR 5, EN 2, EN 7, TP 1 and TP 3 – see Comment Numbers PSLP_1954, PSLP_1959, PSLP_1960, PSLP_1961, PSLP_1963, PSLP_1965, PSLP_1966, PSLP_1967, PSLP_1968, PSLP_1969 and PSLP_1970]

Question 4

Do you consider that the Local Plan:

Is legally compliant	Yes
Is sound	No
Complies with the Duty to Cooperate	Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:	. It is not positively prepared
	. It is not effective
	. It is not justified
	. It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

On behalf of Standard Life Investments UK Real Estate Fund, Tetra Tech Planning **object** to Policy AL/RTW 18 in respect of the open-ended nature of the current wording regarding the site allocation for "...renewable or sustainable energy, sport, recreation, or **leisure uses (including those that fall into associated sui generis use)**" (Tetra Tech emphasis added).

No definition of 'leisure' is provided either in the policy wording or supporting text. Based on the current Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020, the term 'leisure' could potentially cut across a range of use classes, theoretically comprising:

. Class C1 (hotels)

- Class E (b) (food & drink); (d) (indoor sport, recreation or fitness)
- Class F2(d) (indoor or outdoor swimming pools)
- Sui Generis* (including theatres, amusements, hostels, nightclubs, casinos, public houses, wind bars, or drinking establishments, drinking establishments with expanded food provision, hot food takeaways, venues for live music performance, cinemas, bingo halls and dance halls)

The current vagueness in terms of not defining the scope of 'leisure' uses permitted by the policy and the potential for resultant significant adverse impacts on designated town centres within the Borough by not defining a quantum / threshold for leisure use is a fundamental flaw. There is likewise an absence of any clear justification for an unrestricted leisure allocation within the Council's Leisure evidence base and the Strategic Housing and Economic Land Availability Assessment Site Assessment Sheets for Tunbridge Wells (January 2021).

At present, the site is, in theory, could be developed for unrestricted leisure use. As such, it is not considered the policy as it currently stands is 'positively prepared', 'justified', 'effective' nor 'consistent with national policy', and therefore is 'unsound' based on the requirements of the NPPF.

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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Proposed Modifications

The proposed modifications are to either:

- Define the scope of 'leisure' uses permitted by the policy allocation and define the quantum / threshold of leisure floorspace permitted; or**
- Clarify that the permitted leisure provision is to be an 'ancillary leisure use' within the policy wording**

Our suggested Policy AL/RTW 18 wording is:

"...renewable or sustainable energy, sport, recreation, or **ancillary** leisure uses (including those that fall into associated *sui generis* use)"

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

- ☐ No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

- ☐ Yes, I wish to be notified of future stages of the Local Plan

Supporting Information File Ref No: SI_128

Comment

Agent	Miss Louise Darch ([REDACTED])
Email Address	[REDACTED]
Company / Organisation	Tetra Tech Planning
Address	5th Floor, Longcross Court 47 Newport Road Cardiff DF24 0AD
Consultee	([REDACTED])
Company / Organisation	Standard Life Investments UK Real Estate Fund
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Standard Life Investments UK Real Estate Fund (- [REDACTED])
Comment ID	PSLP_1967
Response Date	04/06/21 07:54
Consultation Point	Policy EN 2 Sustainable Design Standards (View)
Status	Processed
Submission Type	Email
Version	0.4
Files	<u>PSLP_1954-1970_TetraTech for Standard Life SI (not inclusive).pdf</u>
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Standard Life Investment UK Real Estate Fund
Question 2	
Agent's Name and Organisation (if applicable)	Tetra Tech Planning
Question 3	

To which part of the Local Plan does this representation relate?

Policy

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy EN 2 Sustainable Design Standards

[TWBC: this representation has been input against Policies PSTR/RTW 1, ED 10, STR 1, ED 1, STR/RTW 1, AL/RTW 18, STR 5, EN 2, EN 7, TP 1 and TP 3 – see Comment Numbers PSLP_1954, PSLP_1959, PSLP_1960, PSLP_1961, PSLP_1963, PSLP_1965, PSLP_1966, PSLP_1967, PSLP_1968, PSLP_1969 and PSLP_1970]

Question 4

Do you consider that the Local Plan:

Is legally compliant

Yes

Is sound

No

Complies with the Duty to Cooperate

Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not positively prepared
- . It is not effective
- . It is not justified
- . It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

Standard Life Investments UK Real Estate Fund stand by representations made in respect of the Draft Local Plan (Regulation 18) consultation document in respect of Policy EN3 Sustainable Design Standards (now Policy EN2) (please refer to **Attachment A**) and maintain that the current wording should be altered as suggested to be 'effective' and 'consistent with national policy' as required by the NPPF for the given reasons. As such, the Pre- Submission policy approach is deemed to remain 'unsound'.

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

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Please refer to **Attachment A** relating to Policy EN3 Sustainable Design Standards (previously Policy EN 2).

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box: Yes, I wish to be notified of future stages of the Local Plan

Supporting Information File Ref No: SI_128

Comment

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Consultee	([REDACTED])
Company / Organisation	Standard Life Investments UK Real Estate Fund
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Standard Life Investments UK Real Estate Fund (- [REDACTED])
Comment ID	PSLP_1968
Response Date	04/06/21 07:54
Consultation Point	Policy EN 7 Advertisements (View)
Status	Processed
Submission Type	Email
Version	0.4
Files	<u>PSLP_1954-1970_TetraTech for Standard Life SI (not inclusive).pdf</u>
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Standard Life Investment UK Real Estate Fund
Question 2	
Agent's Name and Organisation (if applicable)	Tetra Tech Planning
Question 3	

To which part of the Local Plan does this representation relate?

Policy

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy EN 7 Advertisements

[TWBC: this representation has been input against Policies PSTR/RTW 1, ED 10, STR 1, ED 1, STR/RTW 1, AL/RTW 18, STR 5, EN 2, EN 7, TP 1 and TP 3 – see Comment Numbers PSLP_1954, PSLP_1959, PSLP_1960, PSLP_1961, PSLP_1963, PSLP_1965, PSLP_1966, PSLP_1967, PSLP_1968, PSLP_1969 and PSLP_1970]

Question 4

Do you consider that the Local Plan:

Is legally compliant

No

Is sound

No

Complies with the Duty to Cooperate

Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not positively prepared
- . It is not effective
- . It is not justified
- . It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

Standard Life Investments UK Real Estate Fund stand by representations made in respect of the Draft Local Plan (Regulation 18) consultation document in respect of Policy EN9 Advertisements (know Policy EN7) (please refer to **Attachment A**) and maintain that the current wording should be altered as suggested in respect of the legislative remit of control over advertisements. We maintain that as currently worded the policy is not 'effective' and 'consistent with national policy' as required by the NPPF and therefore the Pre-Submission policy approach is deemed to remain 'unsound'.

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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Please refer to **Attachment A** relating to Policy EN9 Advertisements (know Policy EN7).

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Supporting Information File Ref No: SI_128

Comment

Agent	Miss Louise Darch ([REDACTED])
Email Address	[REDACTED]
Company / Organisation	Tetra Tech Planning
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Consultee	([REDACTED])
Company / Organisation	Standard Life Investments UK Real Estate Fund
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Standard Life Investments UK Real Estate Fund (- [REDACTED])
Comment ID	PSLP_1961
Response Date	04/06/21 07:54
Consultation Point	Policy ED 1 The Key Employment Areas (View)
Status	Processed
Submission Type	Email
Version	0.4
Files	PSLP_1954-1970_TetraTech for Standard Life_SI_(not inclusive).pdf
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Standard Life Investment UK Real Estate Fund
Question 2	
Agent's Name and Organisation (if applicable)	Tetra Tech Planning
Question 3	

To which part of the Local Plan does this representation relate? Policy

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy ED 1 The Key Employment Areas

All associated supporting text relating to Policy ED 1

[TWBC: this representation has been input against Policies PSTR/RTW 1, ED 10, STR 1, ED 1, STR/RTW 1, AL/RTW 18, STR 5, EN 2, EN 7, TP 1 and TP 3 – see Comment Numbers PSLP_1954, PSLP_1959, PSLP_1960, PSLP_1961, PSLP_1963, PSLP_1965, PSLP_1966, PSLP_1967, PSLP_1968, PSLP_1969 and PSLP_1970]

Question 4

Do you consider that the Local Plan:

Is legally compliant	Yes
Is sound	No
Complies with the Duty to Cooperate	Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:	. It is not positively prepared
	. It is not effective
	. It is not justified
	. It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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On behalf of Standard Life Investments UK Real Estate Fund, Tetra Tech Planning **object** to Policy ED1 (Key Employment Areas) which assigns preference in policy terms to new retail, food and drink and other leisure floorspace development in the Royal Tunbridge Wells North Farm / Longfield Road area by virtue of the policy wording.

Policy ED1 states; “The retention of existing, and proposals for new, employment provision, to include the following uses, will be acceptable within these defined areas...” Table 12 then identifies various ‘Key Employment Areas’ including the Royal Tunbridge Wells North Farm / Longfield Road area as being suitable for –

- . Class B (general industry and storage and distribution)
- . Class E (financial, professional and other business uses, retail, food and drink, and leisure)

- . Class F (appropriate leisure uses and
- . other *sui generis* uses of an appropriate type and scale

The policy wording continues to state: “*Proposals for the retention of existing floorspace **and the encouragement of new floorspace** in the Key Employment Areas on allocated and non-allocated and vacant sites, and through the intensification or redevelopment of existing sites, **will be supported in principle***” (Tetra Tech emphasis). In respect of suitable uses, paragraph 6.446 likewise states: “*Such uses include leisure and retail where appropriate, particularly for the North Farm/Longfield Road area in Royal Tunbridge Wells, which is already established as a mixed employment, retail, and leisure destination*”.

As previously mentioned, it is acknowledged that the NPPF advises that planning policies should; “(e) *where suitable and viable town centre sites are not available for main town centre uses, allocate appropriate edge of centre sites that are well connected to the town centre. If sufficient edge of centre sites cannot be identified, **policies should explain how identified needs can be met in other accessible locations that are well connected to the town centre***” (paragraph 85) (Tetra Tech emphasis). Notwithstanding this, it is questioned whether it is in fact TWBC’s intention to assign a policy preference for retail and leisure use across the c. 90 ha of land (i.e. the extent of the Royal Tunbridge Wells North Farm / Longfield Road Employment Area) within 1.7 km of the Tunbridge Wells town centre on the proposed Policies Map. These areas include; Stag Trading Park, Kingstanding Business Park, High Brooms Industrial Estate, Decimus Park, North Trading Estate, Colebrook Industrial Estate, The Fountain Retail Park, Longfield Retail Park, Tunbridge Wells Shopping Park and Great Lodge Retail Park and various standalone trade/retail units situated along Longfield Road.

Whilst it is noted that the supporting plan text at paragraph 6.445 indicates: “*Given that Class E of the revised Use Class Order could enable retail uses to occupy non-retail Class E premises in out-of-centre locations, circumventing any relevant ‘town centre first’ policies (as set out in Policies ED 9: Defined Town and Rural Service Centres and ED 10: Sequential Test and Local Impact Test), and where there is a risk that an alternative use within Class E (such as retail) would impact on the health of surrounding centres, a condition may be attached to any approval of planning permission in out-of-centre locations to restrict the use to that applied for*”, this approach is not communicated in the policy wording, and moreover the proposed policy wording, in fact, states that; “*The retention of existing, and **proposal for new, employment provision**, to include the following uses, **will be acceptable** within these defined areas*” (Tetra Tech emphasis). Whilst it is accepted that by virtue of the introduction of the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020, that the Council retain no control over changes within Class E (Commercial, Business and Service) and Class F (Local Community and Learning), the policy wording which applies to new floorspace circumvents the impact test and pre-empts the outcome of the sequential test for both retail and leisure use, contrary to national policy. The policy is quite clearly at odds with paragraph 16 (d) of the NPPF which requires “*policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals*”. The same arguments likewise apply to Policy STR/RCTW 1 which similarly promotes; “*the retention, expansion, and intensification where relevant of existing employment premises and **support leisure uses within the Key Employment Areas***” (Tetra Tech Emphasis). Crucially, the policy approach of Policy ED1 (and STR/RTW 1) are clearly not ‘consistent with national policy’ nor in any way ‘justified’ by the Council’s own retail and leisure evidence base and therefore clearly renders the plan ‘unsound’.

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan 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.

Proposed Modifications

The proposed modification is to:

- Remove reference to retail and leisure as acceptable new uses in the Policy ED 1 Key Employment Areas except Royal Tunbridge Wells Town Centre - It is advised that any reference to retail and leisure use within Policy ED 1 outside of the Royal Tunbridge Wells Town Centre Key Employment Area should be removed (i.e. in respect of Royal Tunbridge Wells North Farm / Longfield Road area and the Southborough High Brooms Industrial Area)

The following revised policy wording is therefore suggested;

“Policy ED 1 – The Key Employment Areas The Key Employment Areas, as defined on the Policies Map, are designated for the provision of employment uses to serve the borough over the plan period. The retention of existing, and proposals for new, employment provision, to include the following uses, will be acceptable within these defined areas.

Table 12 Mix of uses appropriate in the defined Key Employment Areas

Royal Tunbridge Wells Town

Centre

Class E – including retail, financial, professional services and other business uses, food and drink, non-residential institutions, assembly and leisure, education and health

Class F – appropriate leisure uses

Class C – hotels, dwelling houses and residential institutions and other sui generis uses of an appropriate type and scale, including drinking establishments and hot food takeaways

Royal Tunbridge Wells North

Farm/Longfield Road area

Class B – general industry and storage and distribution

Class E – financial, professional and other business uses, ~~retail, food and drink, and leisure~~

~~Class F – appropriate leisure uses~~

~~and other sui generis uses of an appropriate type and scale~~

Southborough High Brooms

Industrial Area

Class E – financial, professional and other business uses, ~~and appropriate leisure uses~~

~~Class F – appropriate leisure uses~~

Class B8 - storage and distribution

~~and other sui generis uses of an appropriate type and scale~~

Paddock Wood Eldon Way

and West of Maidstone Road

Class E – financial, professional and other business uses

Class B2 – general industry

Class B8 - storage and distribution

Gill's Green Business Park

Class E – financial, professional and other business uses

Class B2 – general industry

Class B8 - storage and distribution

Capel Brook Farm

Class E – financial, professional and other business uses

Class B2 – general industry

Class B8 - storage and distribution

Proposals for the retention of existing floorspace and the encouragement of new floorspace in the Key Employment Areas on allocated and non-allocated and vacant sites, and through the intensification or redevelopment of existing sites, will be supported in principle”.

The supporting policy text should likewise be updated to reflect the above changes relating to leisure and retail use.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . Yes, I wish to participate in hearing session(s)

Question 7a

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

It is deemed that the consideration of the Key Employment Areas requires our attendance at the public examination of the Tunbridge Wells Borough Local Plan up to 2038.

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box: Yes, I wish to be notified of future stages of the Local Plan

Supporting Information File Ref No: SI_128

Comment

Agent	Miss Louise Darch ([REDACTED])
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Consultee	([REDACTED])
Company / Organisation	Standard Life Investments UK Real Estate Fund
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Standard Life Investments UK Real Estate Fund (- [REDACTED])
Comment ID	PSLP_1959
Response Date	04/06/21 07:54
Consultation Point	Policy ED 10 Sequential Test and Local Impact Test (View)
Status	Processed
Submission Type	Email
Version	0.4
Files	PSLP_1954-1970_TetraTech for Standard Life_SI_(not inclusive).pdf
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Standard Life Investment UK Real Estate Fund
Question 2	
Agent's Name and Organisation (if applicable)	Tetra Tech Planning
Question 3	

To which part of the Local Plan does this representation relate? Policy

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy ED 10 Sequential Test and Local Impact Test

Paragraph 6.523

[TWBC: this representation has been input against Policies PSTR/RTW 1, ED 10, STR 1, ED 1, STR/RTW 1, AL/RTW 18, STR 5, EN 2, EN 7, TP 1 and TP 3 – see Comment Numbers PSLP_1954, PSLP_1959, PSLP_1960, PSLP_1961, PSLP_1963, PSLP_1965, PSLP_1966, PSLP_1967, PSLP_1968, PSLP_1969 and PSLP_1970]

Question 4

Do you consider that the Local Plan:

Is legally compliant	Yes
Is sound	No
Complies with the Duty to Cooperate	Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:	. It is not positively prepared
	. It is not effective
	. It is not justified
	. It is not consistent with national policy

Question 5

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Standard Life Investments UK Real Estate Fund **object** to Policy ED 10 (Sequential Test and Local Impact Test) for the reasons previously set out on behalf of our client in respect of the Draft Local Plan (Regulation 18) (please refer to **Attachment A**). It is maintained that the policy continues to fail to provide a suitably worded over-arching retail, office and leisure use policy to oversee such proposals in TWBC. The policy as currently drafted is unclear and ambiguous, and therefore conflicts with the requirements of the NPPF. Our supplementary comments to those previously made are provided below.

With regard to the sequential approach, Tetra Tech fundamentally dispute paragraph 6.523 of the supporting text which states; “Applicants will be expected to have demonstrably followed a sequential approach when selecting development sites for town centre uses, ***including fully exploring how the scheme could be adapted so that it could be accommodated on a more central site (i.e.***

disaggregation: operating from a number of units within the centre rather than one single unit)” (Tetra Tech emphasis). Tetra Tech note that the supportive text misinterprets the sequential approach to site selection and the widely accepted position in respect of the application of the retail test that there is no explicit requirement to disaggregate development proposals as evidenced by various case law and Court decisions (see Dundee, Rushden Lakes, Aldergate, Scotch Corner). In view of this, we advise that the emphasised text highlighted above is removed from the supportive text.

In particular with regard to the local threshold approach, our key concerns remains; (1) the methodology utilised to evidence and justify the application of a local threshold approach necessitating the preparation of an impact assessment for new retail, office and leisure development outside of town and rural service centres; and (2) the ability to define a geographical catchment of the town centre, when setting varying local thresholds.

In respect of retail, office and leisure uses, Policy ED 10 now states:

“3. Applications for development above the following thresholds outside of the town and rural service centres, as defined on the Policies Map, should be accompanied by an impact assessment:

a) where there is a potential adverse impact on Royal Tunbridge Wells: 1,000sqm (net);b) where there is a potential adverse impact on Southborough, Paddock Wood, Cranbrook, and/orHawkhurst: 280sqm (net)”

Paragraph 89 of the NPPF states: *“When assessing applications for retail and leisure development outside town centres, which are not in accordance with an up-to-date plan, local planning authorities should require an impact assessment if the development is over a proportionate, locally set floorspace threshold (if there is no locally set threshold, the default threshold is 2,500m2 of gross floorspace)”*. NPPG (Paragraph 015 (Reference ID: 2b-015-20190722))clarifies that in respect of the setting of a locally appropriate threshold to be complied with, authorities are required to consider the:

- . Scale of proposals relative to town centres
- . The existing viability and vitality of town centres
- . Cumulative effects of recent developments
- . Whether local town centres are vulnerable
- . Likely effects of development on any town centre strategy
- . Impact on any other planned investment

As stated in our previous representations, the 2017 Study at paragraphs 9.52 to 9.65 attempt to address the NPPG guidance, with no more substantive justification having been provided in the 2021 Update. As it currently stands, the proposed floorspace thresholds would negatively impact on investment and stifle leisure growth within the Borough and have not been appropriately justified. The key issues with the ‘justification’ provided to date is:

- . Specifically in respect to the lower local threshold of 280 sqm net for Southborough, Paddock Wood, Branbrook, and/or Hawkhurst, the assessment provided in the 2017 Study conflates the notion of likely impact with the Sunday trading hours floorspace threshold (280 sqm) (see paragraph 9.62). We remain unclear how this association has been made and are not of the view that this assumption has been in any way substantiated in the context of the Tunbridge Wells administrative area.
- . It is unclear how catchment and likely impact of a development could be established / agreed with the LPA in order to understand which (if any) limb of Policy ED 10 (3) is applicable. This policy approach is vague and it is unclear how this policy would be applied in practice. Given this, as it stands the policy wording would currently give significant potential for TWBC to necessitate the requirement of the preparation of an Impact Assessment for essentially all development within the Borough over 280 sqm (net) which is disproportionate and burdensome on retail, office and leisure development in the Borough. The policy approach conflicts with paragraph 16 (d) of the NPPF which requires; *“policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”*. This approach is likewise flawed given that the Council’s own 2017 Study acknowledges: *“...taking account of the significant retail capacity in the Borough (and in particular Tunbridge Wells), we would caution against **imposing too low a threshold that would result in an overly onerous requirement, whereby an applicant needs to invest significant time and resource to promote relatively straightforward and uncontentious proposals**”* (paragraph 9.58) (Tetra Tech emphasis).
- . Furthermore, in terms of the justification provided by paragraphs 9.52 to 9.65, the 2017 Study focuses on retail – i.e. convenience and comparison trading only and pays no consideration to

either leisure or office use, notwithstanding that the draft policy itself applies to both. The recent 2021 Study Update clearly states: “We do not identify any changes in the wider context that would alter our recommendations for setting a local impact threshold, requiring the submission of a proportionate **Retail Impact Assessment** for development greater than 1,000 sq m within the catchments of Royal Tunbridge Wells Town Centre, or 280 sqm (net) for proposals within the catchments of Southborough, Paddock Wood, Cranbrook and Hawkhurst Town Centres” (paragraph 8.24). Notwithstanding this, the proposed Policy ED 10 thresholds as currently worded apply to retail, office and leisure uses. In the absence of any justification, we are of the view that the NPPF default threshold of 2,500 sqm gross should, at least, be applied to office and leisure use.

Question 6

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Proposed Modifications

The proposed modification is for the:

- . **Update paragraph 6.523 relating to the sequential test and the need to disaggregate as requested** – as per the reasons put forward in respect of Question 5.
- . **Re-introduce the nationally recognised default position of 2,500 sqm gross threshold for impact assessments relating to retail, leisure and office provision within Policy ED 10** – for the following reasons:
 - . The Retail and Leisure Study 2017 nor the 2021 Update is not considered to provide any justification for the local impact threshold to be necessary for leisure or office use, as required by the NPPG. As no evidence has been provided to assess reasonable scenarios in terms of leisure and office floorspace and provide a proportionate evidence base, the threshold approach is evidently not ‘justified’ or ‘consistent with national policy’ therefore the plan is presently ‘unsound’.
 - . Additionally, the threshold floorspace figures (280 sqm (net)) suggested by Nexus for application to retail development proposals have been arbitrarily selected on the basis that floorspace which would be subject to Sunday trading hours. There does not appear to have been any testing in respect of impact ‘catchments’ given the suggested geographic approach. It is accepted that a lower threshold can be utilised where local circumstance calls for it, however it should not be applied as a tool to unnecessarily restrict growth and investment. Again, the threshold approach for retail use is evidently not ‘justified’ or ‘consistent with national policy’, therefore the plan is presently ‘unsound’ on this basis.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . Yes, I wish to participate in hearing session(s)

Question 7a

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If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

It is deemed that the consideration of leisure (and retail) matters requires our attendance at the public examination of the Tunbridge Wells Borough Local Plan up to 2038.

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Supporting Information File Ref No: SI_128

Comment

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Consultee	([REDACTED])
Company / Organisation	Standard Life Investments UK Real Estate Fund
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Standard Life Investments UK Real Estate Fund (- [REDACTED])
Comment ID	PSLP_1969
Response Date	04/06/21 07:54
Consultation Point	Policy TP 1 Transport Assessments/Statements, Travel Plans, and Mitigation (View)
Status	Processed
Submission Type	Email
Version	0.3
Files	<u>PSLP_1954-1970_TetraTech for Standard Life SI (not inclusive).pdf</u>
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Question 1	
Respondent's Name and/or Organisation	Standard Life Investment UK Real Estate Fund
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Question 3	

To which part of the Local Plan does this representation relate?

Policy

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy TP 1 Transport Assessments/Statements, Travel Plans, and Mitigation

Question 4

Do you consider that the Local Plan:

Is legally compliant

Yes

Is sound

No

Complies with the Duty to Cooperate

Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not positively prepared
- . It is not effective
- . It is not justified
- . It is not consistent with national policy

Question 5

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Standard Life Investments UK Real Estate Fund stand by representations made in respect of the Draft Local Plan (Regulation 18) consultation document in respect of Policy TP1 Transport Assessments / Statements, Travel Plans and Mitigations (please refer to **Attachment A**) regarding the case-by-case approach to the requirement of the submission of a Transport Assessment. It is maintained that as currently worded the policy is not 'effective' nor 'consistent with national policy' as required by the NPPF and therefore the Pre-Submission policy approach is deemed to remain 'unsound'.

Question 6

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Please refer to **Attachment A** relating to Policy TP1 – Transport Assessments / Statements, Travel Plans and Mitigation.

Question 7

***Please note** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.*

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . No, I do not wish to participate in examination hearing session(s)

Future Notifications

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Supporting Information File Ref No: SI_128

Comment

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Consultee	([REDACTED])
Company / Organisation	Standard Life Investments UK Real Estate Fund
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Standard Life Investments UK Real Estate Fund (- [REDACTED])
Comment ID	PSLP_1970
Response Date	04/06/21 07:54
Consultation Point	Policy TP 3 Parking Standards (View)
Status	Processed
Submission Type	Email
Version	0.4
Files	<u>PSLP_1954-1970_TetraTech for Standard Life SI (not inclusive).pdf</u>
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Standard Life Investment UK Real Estate Fund
Question 2	
Agent's Name and Organisation (if applicable)	Tetra Tech Planning
Question 3	

To which part of the Local Plan does this representation relate?

Policy

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy TP 3 Parking Standards

[TWBC: this representation has been input against Policies PSTR/RTW 1, ED 10, STR 1, ED 1, STR/RTW 1, AL/RTW 18, STR 5, EN 2, EN 7, TP 1 and TP 3 – see Comment Numbers PSLP_1954, PSLP_1959, PSLP_1960, PSLP_1961, PSLP_1963, PSLP_1965, PSLP_1966, PSLP_1967, PSLP_1968, PSLP_1969 and PSLP_1970]

Question 4

Do you consider that the Local Plan:

Is legally compliant

Yes

Is sound

No

Complies with the Duty to Cooperate

Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not positively prepared
- . It is not effective
- . It is not justified
- . It is not consistent with national policy

Question 5

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Standard Life Investments UK Real Estate Fund stand by representations made in respect of the Draft Local Plan (Regulation 18) consultation document in respect of Policy TP3 Parking Standards (please refer to **Attachment A**), that the current policy wording of Policy TP3 is bewildering to read and could not reasonably be concluded as being "...clearly written and unambiguous" (NPPF, paragraph 16). It is maintained that as currently worded the policy is not 'effective' nor 'consistent with national policy' as required by the NPPF and therefore the Pre- Submission policy approach is deemed to remain 'unsound'.

Question 6

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Please refer to **Attachment A** relating to Policy TP3 – Parking.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Lesley Stanley ([REDACTED])
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	Lesley Stanley ([REDACTED])
Comment ID	PSLP_1312
Response Date	04/06/21 15:18
Consultation Point	Policy STR/SS 1 The Strategy for Paddock Wood, including land at east Capel (View)
Status	Processed
Submission Type	Web
Version	0.3
Question 1	
Respondent's Name and/or Organisation	Lesley Stanley
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
STR/SS 1	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Don't know
Is sound	No
Complies with the Duty to Cooperate	Don't know
Question 4a	

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not effective
- . It is not justified
- . It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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I have been a resident of Paddock Wood for 33 years. My family have lived in the area for 65 years. It takes me anything between 50 -75 minutes to get to my job in Tunbridge Wells due to traffic and congestion. This will only be made severely worse by further development at the level being considered. The current drainage and sewerage system is unable to cope with the level of housing we have now and we suffer severe flooding in the area. I also have problems getting a doctors or dentists appointment as the surgeries are at capacity for patients.

I do not believe that Paddock Wood and East Capel is the right area for the level of housing proposed. Tunbridge Wells Borough Council want to add 2060 homes to East Capel and I believe this is a completely disproportionate amount that will destroy our rural greenbelt. There has been a complete lack of interest in other areas as alternatives such as Castle Hill or Blantyre. Hundreds of acres of good quality farming land will be lost if plans proceed in East Capel.

Tunbridge Wells Borough Council acknowledge much of their borough falls under Areas of Outstanding National Beauty so limited the potential for development so that Paddock Wood, Tudeley and Capel were areas of interest. But they are not suitable at all.

Reference-Strategic Site Master Planning and Infrastructure Paper-Paddock Wood sections 4.58-4.63 acknowledges the water table is so high, flood storage solutions are limited (s4.62). It also acknowledges recent flooding of Warrington Road (s4.63) and that building is reliant on local flood defences (s4.59). Section 4.64 states known drainage issues. Despite this, global warming and rising sea levels, Tunbridge Wells Borough Council is willing to put new homeowners as well as all existing ones to even higher flood risks. Despite all the problems this will in turn, eventually cause for Tunbridge Wells Borough Council.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

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Future Notifications

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Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Lesley Stanley ([REDACTED])
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	Lesley Stanley ([REDACTED])
Comment ID	PSLP_1328
Response Date	04/06/21 15:43
Consultation Point	Policy STR/SS 3 The Strategy for Tudeley Village (View)
Status	Processed
Submission Type	Web
Version	0.3
Question 1	
Respondent's Name and/or Organisation	Lesley Stanley
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
STR/SS 3	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Don't know
Is sound	No
Complies with the Duty to Cooperate	Don't know
Question 4a	

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not effective
- . It is not justified
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Question 5

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My mother has lived in Tudeley her whole life and I lived there for approximately 25 years, but still live locally. I have witnessed increasing levels of flooding which will only become worse as climate change and rising sea levels get worse.

I do not believe that Tudeley is the right area for the level of housing proposed. TWBC want to add 2800 homes to Tudeley which is an increase of over 500%. This is a completely disproportionate amount that will destroy up to 600 acres of rural greenbelt. There has been a complete lack of interest in looking into other areas as alternatives such as Blantyre which has 300 acres of government owned land available which is not greenbelt or Areas of Outstanding Natural Beauty. Hundreds of acres of good quality farming land will be lost if plans proceed in Tudeley and East Capel.

Presently 2,452 people live in Tudeley and the Capel area. The Local Plan would see that increase to potentially over 13,700 people, many with private cars which will further exacerbate traffic and congestion. Capel is a rural parish and only has 2% of the borough's population but is being allocated 45% of the entire borough housing plan.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

- . No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

- . Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee Mr Andrew Stanley [REDACTED]
Email Address [REDACTED]
Address [REDACTED]
TONBRIDGE
[REDACTED]
Event Name Pre-Submission Local Plan
Comment by Mr Andrew Stanley [REDACTED]
Comment ID PSLP_1025
Response Date 04/06/21 13:13
Consultation Point Policy STR/SS 1 The Strategy for Paddock Wood, including land at east Capel ([View](#))
Status Processed
Submission Type Web
Version 0.3
Question 1

Respondent's Name and/or Organisation Andrew Stanley

Question 2

Agent's Name and Organisation (if applicable) n/a

Question 3

To which part of the Local Plan does this representation relate? Policy

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

STR/SS 1 Capel East and Paddock Wood

Question 4

Do you consider that the Local Plan:

Is legally compliant Don't know

Is sound No

Complies with the Duty to Cooperate Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not effective
- . It is not justified
- . It is not consistent with national policy

Question 5

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Some of these comments are replicated in my submission under Policy STR/SS 3 although those are mainly by way of introduction

I have lived in Capel for 25 years and Paddock Wood for 35 years and know the area well. Accordingly, my comments are made from personal experience and knowledge of the area.

There are many reasons why this plan is ill conceived. The fundamental flaw begins with TWBC selecting sites based on the land being offered up at various times via "calls for sites" rather than seeking the most appropriate sites. The plan is then written from that perspective. Many sites were rejected for specified reasons; those reasons also apply to Capel which was selected!

The plan for Capel (in total) was not made known to the public until May 2019. It has been extremely time consuming and difficult for Capel parish residents to respond. Despite that there was a huge response to the plan at regulation 18 stage. The majority of the 2,000+ who responded to the consultation exercise, described as "the highest response to any consultation/engagement undertaken by TWBC Planning Services", objected to the plans for Capel Parish. I understand that over 95% objected to the plan and many of those participants were from outside the parish. That isn't "buy in" by the public.

I have attended in person or by Zoom all meetings relating to this matter held by TWBC. The Council has virtually ignored the opposition to Capel being unfairly/disproportionately treated and discussion has been limited to legal minimum requirements. It would be hard to detect from TWBC meetings that Capel was an issue. Regulation 18 did not resolve any issues; they were simply ignored. The Council leaders view throughout is his oft quoted "just get this through"

Throughout, the Planning Officer has stated that there is no alternative plan and Councillors have advised that it's this plan or letting the Government impose a plan. That doesn't seem much of a strategy to me!

I appreciate the Inspector considering this plan has, perhaps, a technical/legal approach but I hope that the views of ordinary people without detailed planning knowledge are properly considered. The objections to the plan and alternatives suggested have, throughout, been dismissed. The lack of any real democratic process has been alarming. We seem to have just gone through a tick box process and are otherwise invisible.

The plan is not proportionate. The rural parish of Capel with 2% of the borough's population has been allocated 45% of the entire borough housing plan; 3 times more than the largest town of Tunbridge Wells and 90 times more than the second largest town, Southborough. Many parishes with similar populations have no or minimal allocations. I understand that it is Government policy to regenerate and develop City and town centres but that is largely absent from this plan. I should also mention "local need". This may depend on the definition of local. Can so many houses be required in such a small area? Why are houses currently being built in PW being marketed in London and Hong Kong?

The most blatant and arrogant aspect is the total disregard for the parish boundary. Capel East is lumped in with Paddock Wood (PW) virtually as fact that PW will expand into and take over a significant area of land from the adjoining parish. A new floodlit sports facility for PW is included a half mile into Capel adjacent to the A228 road and would require users to drive to such facility. PW Town Council have always made it clear that they want users to be able to walk to facilities rather than drive. Capel Parish Council was not consulted; such arrogance by TWBC. I could mention the additional light pollution. It could be ventured that the late and strange choice to house a sport facility in such a location is because it's one of the possible exceptions to using greenbelt and as such can be quoted as such! (para 145 NPPF)

The boundary between PW and Capel is a Limit to Build. It was created for a purpose; to stop PW merging into Capel - specifically Five Oak Green which is the central village in the parish. This plan sees expansion almost to Five Oak Green, separated only by the A228.

The land in East Capel is greenbelt. It is approximately half a mile to the north of (& overlooked by) an AONB. The National Planning Policy Framework requires exceptional circumstances to allow building on greenbelt land and that they are fully evidenced and justified - otherwise the Metropolitan Greenbelt has no purpose. It appears that TWBC has already made the decision to remove greenbelt status as referred to in paragraph 5.160 of the Pre-Submission Local Plan - "Land to the west of the proposed extension, within Capel parish, was released from the Green Belt. The exceptional circumstances for this release are outlined in the Development Strategy Topic Paper". Again, Capel Parish Council was not consulted on this. I would also argue that there are not exceptional circumstances and that TWBC has not properly considered alternatives. It has treated greenbelt as the solution without adequate recourse to the alternatives.

It is difficult to be precise about the exact breakdown between East Capel and PW north/west new development but these proposed new communities will be separated by a rail line with an unprotected crossing. It would seem plausible that there will be a significant increase in use of that crossing which questions the decision to develop both sides of the railway.

East Capel and west PW are on the River Medway flood plain. I believe that Capel and PW are home to all of the borough's flood plain. Three times in the last 10 years the area has been subject to serious flooding; the most recent in January 2020 meant the fields were impassable. With climate change now accepted and recognised and with existing conditions certain to deteriorate it defies belief that it is the chosen site for major development when so many alternatives are available. Para 155 NPPF 2019 states "Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future)". No amount of "betterment" ((TWBC) can add thousands of houses to an existing flood plain and not adversely affect flooding for the area and others further down river in adjoining boroughs.

We have seen a significant increase in people using the countryside; seeking quiet open spaces. From the PW/ East Capel boundary there are immediate rural walks north, west and south. These walks will remain but only through housing estates. Anyone wishing to find peaceful walks will be required to drive elsewhere. As a very keen walker myself I know that I will not walk locally if housing is placed in this area.

The additional traffic caused by the proposed additional proposed housing in PW and Capel and current developments in PW cannot be resolved. The roads in the area cannot be adapted to cope with such a large increase in demand. I have seen the TWBC comments regarding people cycling/walking and not using cars. From parts of any East Capel development some residents will be more than a mile from PW shopping area/rail station and will not walk – many residents in west PW use cars rather than walk and they are half the distance away. There will be additional air pollution caused by such major development in a small area. Those with respiratory complaints will suffer. I need not comment further.

The rail system was at capacity pre-Covid and although no-one can predict the future it is likely to slowly return to that position with major developments along the line before Paddock Wood at Marden,

Staplehurst and Ashford (to name just three). There was insufficient parking and that can only worsen with thousands of additional houses.

Question 6

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The plan is unsound for reasons stated in Q 5 and for many other additional matters.

TWBC has not adequately considered alternative sites and dismissed many after little more than a cursory glance. It has rejected sites for a variety of reasons, many or all of which also apply to Capel!

As an example, of which there are many, – the plan rejects land north of Badsell Rd, Five Oak Green (Capel) because it is greenbelt, greenfield and noise near rail line. This site is within the village and would be considered as infill. The site at East Capel sites is greenbelt, greenfield and adjacent to the rail line - See appendix H – page 311 of Sustainability Appraisal.

Such inconsistencies exist throughout the plan

TWBC has not fully explored brownfield sites and has dismissed some on spurious grounds. Considering the numerous negative aspects relating to Capel it is difficult to understand how a large brownfield site at and adjacent to the former Blantyre Prison can be quickly rejected together with a greenfield site surrounding the area. The site is government owned and non AONB or greenbelt.

Capel Parish Council does support a development at Castle Hill which is located to the west of and with easy access to the A21 and to the north of industrial units at North Farm. This remains within the Capel parish boundary and also far exceeds a proportionate number of houses in the parish. This was rejected by TWBC. The concerns were that the area is an AONB and that Natural England objected. However, TWBC has granted planning permission for a business park in the same area at Kingstanding Way. TWBC also supports a re-routing of the A228 through AONB and greenbelt. It is apparent that TWBC simply amends its argument to suit itself; effectively arguing in opposing directions at the same time.

The density of housing at many of the sites questions the lack of adherence to the NPPF. Paragraph 123 states –“Where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site. In these circumstances: a) plans should contain policies to optimise the use of land in their area and meet as much of the identified need for housing as possible”.

TWBC has not followed this advice and has generally adopted national planning guidelines of 30 properties per hectare thereby ignoring its own claim of shortage of suitable land! By increasing density levels TWBC could meet its own housing target on brownfield and greenfield sites and have no need to encroach on any greenbelt land. It is also anomalous that TWBC can claim a lack of land outside AONB/Greenbelt yet still decide to plan for more houses than it is legally required to and to offer to take some of a neighbouring borough's complement.

In my view the density of required housing is linked to the population forecast over the same period as the plan. The population under 65 is scheduled to fall over the planning period and increase over that age. An ageing population want smaller properties, residential or assisted care. Looking at building

densities proposed that is not the property that is proposed in this plan. It also fails to account for properties becoming available as the elderly downsize or move into the aforementioned care.

20% of the borough is non-designated yet very little of the proposed development is in that area. The old cinema site in Tunbridge Wells has been derelict for 20 years. There are other neglected areas.

There are many examples of this plan being manufactured around land being offered in the right quantities. Despite the length of the various reports this is a lazy plan which doesn't hold up when opened to detailed scrutiny. It falls down on all or most of the requirements of NPPF -section 11, paragraphs 122 and 123 being examples.

The Pre-submission plan does not, in my opinion, meet the requirements of the NPPF and does not evidence the exceptional circumstances required to develop the land at East Capel. To plan such a major development in the borough in a small rural area on the only flood plain seems perverse.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . No, I do not wish to participate in examination hearing session(s)

Question 8

If you have any separate comments you wish to make on the accompanying Sustainability Appraisal, please make them here.

The estimated cost of the Local Plan is £339m with 102 costings yet to be agreed (infrastructure Delivery Plan -March 2021). In effect this is simply an unknown total cost. This results in an incredible risk depending on the viability of developers and funds available from local authorities. As we know with estimated costs, these will rise significantly by the time any work commences and considerably more as any project moves forward.

The cost of the plan is a calamity waiting to happen.

A significant reduction in costs can be achieved by using existing infrastructure which could be vastly reduced by utilising existing roads such as the A21 and developed areas around North Farm, Pembury Road and Longfield Road.

There is only minor reference to development within/regeneration of the two major towns in the borough, Tunbridge Wells and Southborough.

TWBC should look again at brownfield and other sites and apply detailed sustainability tests to those. The report discloses a distinct lack of testing of many potential sites, many ruled out for the same reasons that Capel was "ruled in".

TWBC has completed a Sustainability Appraisal for this site based on assessing and determining a score against 19 sustainability objectives. Scoring for each of the 19 objectives is informed by between 2 and 5 detailed and specific questions. In total there are 62 sub-questions based on a set of specific criteria. By going through this process it should provide a reasonably objective and transparent sustainability appraisal for each site.

TWBC has completed a sustainability appraisal for East Capel/Paddock Wood. The assessment is at the 19 strategic objective level – and doesn't address the sub-set questions. This is unsatisfactory considering how important the outcomes are for the borough and its neighbours!

As far as I'm aware sustainability appraisals have not been undertaken (even at the top strategic level) for the other sites as they were quickly ruled out.

I believe this to be a major flaw in TWBC assessments and adds further weight to the view that a sustainability assessment has not been adequately completed.

How can it be sustainable to put 6,000 houses in the borough's only flood plain? The NPPF is clear in the need to avoid areas subject to regular flooding. Climate change confirms that this will get worse. Throughout the report and its many referenced supporting documents there is a never-ending reference to Masterplanning which is clearly the get out of jail card for all problems. It may be a worthy thought

but it isn't the answer to the many failings of this lengthy and detailed Pre-submission plan.

In my view there is nothing that masterplanning can do with a plan that is ill conceived. I am surprised that with such masterplanning at the forefront, the Planning Officer has advised throughout that there is no back-up plan! So, does that mean entirely starting again? That does not suggest the Council is prepared to listen to any significant extent. All organisations have back-up plans on major projects and often more than one.

This plan has the hallmarks of a project which had the aim of just getting a plan with enough houses to appease government pressure and remove pressure from TWBC. I could be wrong.

It is extremely difficult from reading the documents to determine the extent of and cost of affordable housing. Irrespective of where development eventually takes place. I have real concerns that that developer profits will overcome the planning system.

Future Notifications

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Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Mr Andrew Stanley ([REDACTED])
Email Address	[REDACTED]
Address	[REDACTED] TONBRIDGE TN12 [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Mr Andrew Stanley ([REDACTED])
Comment ID	PSLP_1340
Response Date	04/06/21 15:49
Consultation Point	Policy STR/SS 3 The Strategy for Tudeley Village (View)
Status	Processed
Submission Type	Web
Version	0.4
Question 1	
Respondent's Name and/or Organisation	Andrew Stanley
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
STR//SS 3	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Don't know
Is sound	No
Complies with the Duty to Cooperate	Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not effective
- . It is not justified
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Some of these comments are replicated in my submission under Policy STR/SS 1 although those are mainly by way of introduction.

I have lived in Capel for 25 years and Paddock Wood (PW) for 35 years and know the area well. Accordingly, my comments are made from personal experience and knowledge of the area.

There are many reasons why this plan is ill conceived. The fundamental flaw begins with TWBC selecting sites based on the land being offered up at various times via "calls for land" rather than seeking the most appropriate sites. The plan is then written from that perspective. Many sites were rejected for specified reasons which also apply to Capel – but Capel was selected!

The plan for Capel (in total) was not made known to the public until May 2019. It has been extremely time consuming and difficult for Capel parish residents to respond. Despite that there was a huge response to the plan at regulation 18 stage. The majority of the 2,000+ who responded to the consultation exercise, described as "the highest response to any consultation/engagement undertaken by TWBC Planning Services" objected to the plans for Capel Parish. I understand that over 95% objected to the plan and many of those participants were from outside the parish. That isn't "buy in" by the public. Following Regulation 18 additional houses were added for Capel!

I have attended in person or by Zoom all meetings relating to this matter held by TWBC. The Council has virtually ignored the opposition to Capel being unfairly/disproportionately treated and discussion has been limited to legal minimum requirements. It would be hard to detect from TWBC meetings that Capel was an issue. Regulation 18 did not resolve any issues; they were simply ignored. The Council leader's view throughout is his oft quoted "just get this through."

Throughout, the Planning Officer has stated that there is no alternative plan and Councillors have advised me that it's this plan or letting the Government impose a plan. That doesn't seem much of a strategy to me!

I appreciate the Inspector considering this plan has, perhaps, a technical/legal approach but I hope that the views of ordinary people without detailed planning knowledge are properly considered. The objections to the plan and alternatives suggested have, throughout, been dismissed. The lack of any real democratic process has been alarming. We seem to have just gone through a tick box process and are otherwise invisible.

The plan is not proportionate. The rural parish of Capel with 2% of the borough's population has been allocated 45% of the entire borough housing plan; 3 times more than the largest town of Tunbridge Wells and 90 times more than the second largest town, Southborough. Many parishes with similar populations have no or minimal allocations. I understand that it is Government policy to regenerate and develop city and town centres but that is largely absent from this plan. I should also mention "local need". This may depend on the definition of local. Can so many houses be required in such a small area? Why are houses currently being built in PW being marketed in London and Hong Kong?

The area “offered up” by Hadlow Estates to build “Tudeley Village” is entirely rural and given over to good quality agricultural land. It stretches from near Tonbridge to the edge of Five Oak Green village (also Capel). It is adjacent to and overlooked by an AONB. There are many footpaths in the proposed development area and these will all be lost as places of rural retreat. We have seen a significant increase in people using the countryside; seeking quiet open spaces. These walks will remain but only through housing estates. Anyone wishing to find peaceful walks will be required to drive elsewhere.

The National Planning Policy Framework requires exceptional circumstances to allow building on greenbelt land and that they are fully evidenced and justified - otherwise the Metropolitan Greenbelt has no purpose TWBC has treated greenbelt as the solution without adequate consideration of the alternatives. In my view, the lack of proper consideration of alternatives means the Council has not met the test to remove more than 5% of the borough’s greenbelt – all of it in Capel.

Tudeley is on the River Medway flood plain. I believe that Capel and PW are home to all of the borough’s flood plain. Three times in the last 10 years the area has been subject to serious flooding; the most recent in January 2020. Hartlake Road, which would be the main access road, is a rural country lane and floods regularly. It is accessed over a single lane rail bridge. It is adjacent to the River Medway and runs over that river. With climate change now accepted and recognised and with existing conditions certain to deteriorate it defies logic that Tudeley is the chosen site for major development when many alternatives are available. Para 155 NPPF 2019 states “Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future)”. No amount of “betterment” (TWBC) can add thousands of houses to an existing flood plain and not adversely affect flooding for the area and others further down river in adjoining boroughs.

The development is proposed both north and south of the existing rail line. The two separate parts of the development will therefore be separated by a rail line and connected by a country track (single file) under a rail bridge. That road at the point of the road bridge is subject to regular flooding. That country lane is entirely unsuitable for more than occasional traffic and no high-sided/large vehicles. No new bridge is planned and the cost would be prohibitive. As the site is close to PW and Tonbridge the rail authorities have stated there will not be a station added therefore residents will drive to Tonbridge. This will add considerable pressure on the surrounding road system and already stretched parking availability. Tonbridge and surrounding villages such as Golden Green and Hadlow will be badly affected by the proposal but those residents must speak for themselves.

The rail system itself was at capacity before Covid and although no-one can predict the future it is likely to slowly return to that position with major developments along the line before Tonbridge at Paddock Wood, Marden, Staplehurst and Ashford (to name just four). There was insufficient parking previously and that can only worsen with thousands of additional houses.

Question 6

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Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan 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.

TWBC has not adequately considered alternative sites and dismissed many after little more than a cursory glance. It has rejected sites for a variety of reasons, many or all of which also apply to Capel!

As an example, of which there are many, – the plan rejects land north of Badsell Rd, Five Oak Green (Capel) because it is greenbelt, greenfield and noise near rail line. This site is within the village and would be considered as infill. The site at Tudeley is greenbelt, greenfield and adjacent to the rail line - See appendix H – page 311 of Sustainability Appraisal.

Such inconsistencies exist throughout the plan

TWBC has not fully explored brownfield sites and has dismissed some on spurious grounds. Considering the numerous negative aspects relating to Capel it is difficult to understand how a large brownfield site at and adjacent to the former Blantyre Prison can be quickly rejected together with a greenfield site surrounding the area. It is understood that almost 300 acres of land is available in this area. That site is government owned and not AONB or greenbelt!

Capel Parish Council does support a development at Castle Hill which is located to the west of and with easy access to the A21 and to the north of industrial units at North Farm. This remains within the Capel parish boundary and also far exceeds a proportionate number of houses in the parish. This was rejected by TWBC. The concerns were that the area is an AONB and that Natural England objected. However, TWBC has granted planning permission for a business park in the same area at Kingstanding Way. TWBC also supports a re-routing of the A228 through AONB and greenbelt. It is apparent that TWBC simply amends its argument to suit itself; effectively arguing in opposing directions at the same time.

To add to the proposed destruction of Capel as a rural parish, TWBC (in conjunction with Kent County Council) to build a road from the A228 across to Tudeley through the quiet hamlet at The Alders. That should just about remove all quiet places from the parish. Capel Parish Council has put forward alternative suggestions (irrespective of the proposed development) but has been ignored.

The density of housing at many of the sites questions the lack of adherence to the NPPF. Paragraph 123 states –“Where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site. In these circumstances: a) plans should contain policies to optimise the use of land in their area and meet as much of the identified need for housing as possible”.

TWBC has not followed this advice and has generally adopted national planning guidelines of 30 properties per hectare thereby ignoring its own claim of shortage of suitable land! By increasing density levels TWBC could meet its own housing target on brownfield and greenfield sites and have no need to encroach on any greenbelt land. It is also anomalous that TWBC can claim a lack of land outside AONB/Greenbelt yet still decide to plan for more houses than it is legally required to and to offer to take some of a neighbouring borough's complement.

In my view the density of required housing is linked to the population forecast over the same period as the plan. The population under 65 is scheduled to fall over the planning period and increase over that age. An ageing population want smaller properties, residential or assisted care. Looking at building densities proposed that is not the property that is proposed in this plan. It also fails to account for properties becoming available as the elderly downsize or move into the aforementioned care.

20% of the borough is non-designated yet very little of the proposed development is in that area. The old cinema site in Tunbridge Wells has been derelict for 20 years. There are other neglected areas. There are many examples of this plan being manufactured around land being offered in the right quantities. Despite the length of the various reports this is a lazy plan which doesn't hold up when opened to detailed scrutiny. It falls down on all or most of the requirements of NPPF -section 11, paragraphs 122 and 123 being examples.

The Pre-submission plan does not, in my opinion, meet the requirements of the NPPF and does not evidence the exceptional circumstances required to develop the land at Tudeley. To plan such a major development in the borough in a small rural area on the only flood plain seems perverse.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Question 8

If you have any separate comments you wish to make on the accompanying Sustainability Appraisal, please make them here.

The estimated cost of the Local Plan is £339m with 102 costings yet to be agreed (infrastructure Delivery Plan -March 2021). In effect this is simply an unknown total cost. This results in an incredible risk depending on the viability of developers and funds available from local authorities. As we know with estimated costs, these will rise significantly by the time any work commences and considerably more as any project moves forward.

A significant reduction in costs can be achieved by using existing infrastructure which could be vastly reduced by utilising existing roads such as the A21 and developed areas around North Farm, Pembury Road and Longfield Road.

The cost of the plan is a calamity waiting to happen.

There is only minor reference to development within/regeneration of the two major towns in the borough, Tunbridge Wells and Southborough.

TWBC should look again at brownfield and other sites and apply detailed sustainability tests to those. The report discloses a distinct lack of testing of many potential sites, many ruled out for the same reasons that Capel was "ruled in".

TWBC has completed a Sustainability Appraisal for this site based on assessing and determining a score against 19 sustainability objectives. Scoring for each of the 19 objectives is informed by between 2 and 5 detailed and specific questions. In total there are 62 sub-questions based on a set of specific criteria. By going through this process it should provide a reasonably objective and transparent sustainability appraisal for each site.

TWBC has completed a sustainability appraisal for Tudeley Village. The assessment is at the 19 strategic objective level – and doesn't address its own sub-set questions. This is unsatisfactory considering how important the outcomes are for the borough and its neighbours!

As far as I'm aware sustainability appraisals have not been undertaken (even at the top strategic level) for other sites as they were quickly ruled out.

I believe this to be a major flaw in TWBC assessments and adds further weight to the view that a sustainability assessment has not been adequately completed.

How can it be sustainable to put 6,000 houses in the borough's only flood plain? The NPPF is clear in the need to avoid areas subject to regular flooding. Climate change confirms that this will get worse. Throughout the report and its many referenced supporting documents there is a never-ending reference to Masterplanning which is clearly the get out of jail card for all problems. It may be a worthy thought but it isn't the answer to the many failings of this lengthy and detailed Pre-submission plan.

In my view there is nothing that masterplanning (whatever that means in practice) can do with a plan that is ill conceived. I am surprised that with such masterplanning at the forefront, the Planning Officer has advised throughout that there is no back-up plan! So, does that mean entirely starting again? That does not suggest the Council is prepared to listen to any significant extent. All organisations have back-up plans on major projects and often more than one.

An example of Masterplanning: "Heritage is a key matter which needs addressing, especially regarding All Saints Church which is Grade I listed and lies to the west of the site. However, with a masterplanned approach to development it is considered the effects of the development on this and other heritage assets could be properly explored". Ref- Page 8, Site Assessment Sheets for Capel Parish. The one quoted explains how surrounding a world-renowned rural church visited by people worldwide with 2,800 houses can be made acceptable (or is so vague as to have no meaning).

Most references to masterplanning are as suitably vague throughout the documentation.

It is also understood that Tudeley development will be masterplanned by Hadlow Estates either solely or in conjunction with TWBC. It is interesting to note the density of housing proposed at this site for 2,100 houses initially; to be followed by a further 700. The proposed densities of 15-30 dph suggest that the NPPF is not being adhered to regarding land shortage and/or use of greenbelt and is being marketed at a certain level of clientele/cost. The fact that TWBC agree this position with the landowner is a matter of considerable concern.

This plan has the hallmarks of a project which had the aim of just getting a plan with enough houses to appease government pressure and remove pressure from TWBC. I could be wrong.

It is extremely difficult from reading the documents to determine the extent of and cost of affordable housing. Irrespective of where development eventually takes place. I have real concerns that that developer profits will overcome the planning system.

Comment

Consultee	Mr Roger Stanley [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] Hadlow Tonbridge [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Mr Roger Stanley [REDACTED]
Comment ID	PSLP_1712
Response Date	03/06/21 19:32
Consultation Point	Policy STR/SS 1 The Strategy for Paddock Wood, including land at east Capel (View)
Status	Processed
Submission Type	Email
Version	0.3
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Roger Stanley
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy STR/SS 1 The Strategy for Paddock Wood, including land at east Capel	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	No

Is sound No

Complies with the Duty to Cooperate No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because: . It is not effective
. It is not justified

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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Tunbridge Wells Borough Council Local Plan

As a layman I cannot pretend to understand the technicalities of the SWECO report concerning the TWBC Local Plan and its implications for Capel/Tudeley in particular, and the consequent significant impact on the residents of the neighbouring Tonbridge and Malling Borough Council area.

I feel the duty to co-operate with neighbouring TMBC is clearly not evident when the site of Capel and Tudeley was chosen for this development.

Tonbridge will clearly be the nearest major town and will suffer all the major resulting congestion from the additional traffic flows, together with the implications for the education, health services and other amenities, which are already under tremendous existing pressure.

For the residents on the Hadlow/Golden Green side of the River Medway the half- baked (no I correct myself – I think its fully baked) suggestion that the Hartlake Road /B2017 should be closed to through traffic would be an act of complete lunacy, turning a journey into Tonbridge or Tunbridge Wells into a nightmare.

I have used the Hartlake Road for commuting to work in Tonbridge and Tunbridge Wells since the mid 1960's and can assure you that without this road I would have been driven insane long ago. Any military man will tell you that the key factors if there is a major river in the area are the bridges which cross it. For residents on the Hadlow side of the river

Hartlake Bridge is a vital artery in any journey to Tonbridge or Tunbridge Wells or beyond. The current Hartlake Bridge was rebuilt in 2005 at a reputed cost of two million pounds; this would seem to be a complete waste of public money if this proposal is approved.

The A26 from Hadlow to Tonbridge in the morning and afternoon/evening peak times is virtually grid-locked with vehicles stretching from Tonbridge to sometimes Three Elm Lane. Any local people would automatically use the Hartlake road as an alternative. The only other alternatives are the bridges at East Peckham which involve lengthy journeys on the side roads or via Seven Mile Lane. Obviously this adds to the pollution created by the extended car journeys, not a positive step when we are being urged to reduce our Carbon footprint.

On the occasions that Hartlake Road has been shut for repairs or floods the resulting tailbacks from Tonbridge have been catastrophic to journey times. It will be the residents of TMBC living on the Hadlow side of the Medway that will feel the real impact of this proposal and I think that TWBC have given this scant regard.

Local knowledge is the key, unfortunately I don't have any faith in any outside consultants bought in at great expense to advise organisation how to run their affairs or businesses. I expect the traffic surveys were conducted at periods when the school were on holiday or at non-peak hours.

If Hartlake Road is closed the commuting traffic into Tonbridge on the A26 will doubtless tail back to Hadlow village and beyond.

I feel I should mention schools for which Tonbridge has such a high reputation. High quality school such as Judd; Tonbridge Girls Grammar; Weald of Kent; Hayesbrook and Hillview, also the private schools at Somerhill are all situated on the South side of the river Medway and considerable traffic is generated during the school run periods by residents of the TWBC area.

These people will not be inconvenienced in the slightest by the increased journey times and stress experienced by people living north of the river in Tonbridge, Hildenborough, Hadlow or Golden Green, trying to get their children to school, if Hartlake Road is closed to through traffic.

Another example of the ill thought-out policy of situating the development in the Capel/Tudeley area with no consideration to co-operation with the residents of a neighbouring authority.

TWBC seem to think that pushing development to the outer fringes of their boundaries is the way forward. A glaring example of this is the excessive and continuing overdevelopment of Paddock Wood. This has had a major negative impact on road congestion to the Tonbridge area. Developing infrastructure before massive building developments take place seem to be anathema to TWBC.

I worked for a Tunbridge Wells printing company in Longfield road from 1968 until 1985, TWBC attitude appeared to be "Oh, its Industry, shove it next to the Sewage Works and the Refuse Tip, with access via a road through a Council house estate and another not much more than a farm track via a single carriageway railway bridge at High Brooms, which incidentally is still in use as one of the access routes to the Longfield Road Industrial Estate. It's nice to know TWBC haven't changed!

Of course TWBC would reap the benefits of 4000 new households Council Tax, while TMBC would reap all the congestion and aggravation. Seems a fine example of co-operation and fairness.

Question 6

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Progress seems to dictate that some development must take place, in my opinion that should take place in what is known as the Castle Hill scheme. A site nearer to Tunbridge Wells, with direct access onto the newly upgraded A21, with a railway station at High Brooms and good access to Tunbridge Wells Hospital and the schools at Tonbridge...

This site should be considered as a replacement for the Capel/ Tudeley scheme as it avoids the destruction of the beautiful village of Capel and the surrounding area and largely negates the problems of lack of infrastructure.

Also, I understand the same landowner owns large tracts of land on both sites so he won't feel out of pocket with the developers.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box: Yes, I wish to be notified of future stages of the Local Plan

Supporting Information File Ref No: SI_6a-b

Comment

Consultee	Tara Stanley [REDACTED]
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	Tara Stanley [REDACTED]
Comment ID	PSLP_131
Response Date	03/06/21 20:41
Consultation Point	Policy STR/SS 1 The Strategy for Paddock Wood, including land at east Capel (View)
Status	Processed
Submission Type	Web
Version	0.5
Files	flooding1.jpg flooding 2.jpg (1)
Question 1	
Respondent's Name and/or Organisation	Tara Stanley
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy STR/SS 1	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Don't know
Is sound	No

Complies with the Duty to Cooperate

Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not effective
- . It is not justified
- . It is not consistent with national policy

Question 5

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I have been a resident of Paddock Wood my whole life (33 years). Most of my family and my friends reside in Paddock Wood and East Capel too.

Over recent years I have noticed how traffic congestion has increased severely, causing me daily delays and issues. I have noticed the GP surgery struggle with surges of new patients creating long waiting times for appointments, treatments and even blood tests. I have had a long term illness and have seen first hand how Paddock Wood health surgery has become overwhelmed with numerous GP's unable to take on new patients. This is without the proposed increase in housing and the large amount of people who would come with this. I have also seen how flooding devastates Paddock Wood, East Capel and its surrounding areas. The land between housing leading up to Five Oak Green has frequently been unwalkable with severe and repeated flooding issues.

I have been concerned about the proposals for numerous reasons including the lack of infrastructure to support the developments. I see Paddock Wood and East Capel struggling with its numbers already, with a lack of school places, lack of GP and dental availability. I have concerns over how much worse the traffic can possibly get with the possibility of thousands more cars on the road locally. I feel the proposals will create Paddock Wood and Capel into one large urban sprawl, ruining its beauty. Our beautiful green spaces will be stamped out, along with its bio-diversity- leaving us with an over-populated area, unequipped to cope or support its increased numbers and losing 600 acres of greenbelt land. Paddock Wood and East Capel's flooding issues will be worse than ever as the development is entirely on a flood plain. There has been a lack of engagement with the public response to Reg 18, and it has been clear this this has been a widely unpopular proposal to residents for all of the above reasons. 97% opposed the plans.

Tunbridge Wells Borough Council is set to get all the council tax from the proposed housing whereas Tonbridge and Malling will get nothing but an increase in issues regarding traffic, flooding and shortages in education and medical facilities. The council leader told Save Capel -'you will never win'. As a resident, I feel as though our opinions simply aren't being considered.

I do not believe that East Capel is the right area for the level of housing proposed. Tunbridge Wells Borough Council want to add 2060 homes to East Capel and I believe this is a completely disproportionate amount that will destroy our rural greenbelt. There has been a complete lack of interest in investigating other areas as alternatives such as Castle Hill or Blantyre. Hundreds of acres of good quality farming land will be lost if plans proceed in East Capel. Paddock Wood and Capel will be joined together by the housing eradicating all our beautiful green areas. I consider this area to be beautiful because of our green areas which will be lost and replaced with housing for people in an area that lacks the infrastructure to support them.

Question 6

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Other areas such as Castle Hill and Blantyre have not been given adequate consideration as locations for proposed housing.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . No, I do not wish to participate in examination hearing session(s)

If you would like to attach a file in support of your comments, please upload it here. [flooding 2.jpg \(1\)](#)

If you would like to attach a file in support of your comments, please upload it here. [flooding1.jpg](#)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box: Yes, I wish to be notified of future stages of the Local Plan

Supporting Information File Ref No: SI_70a-c

Comment

Consultee	Tara Stanley [REDACTED]
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	Tara Stanley [REDACTED]
Comment ID	PSLP_1173
Response Date	03/06/21 23:22
Consultation Point	Policy STR/SS 3 The Strategy for Tudeley Village (View)
Status	Processed
Submission Type	Web
Version	0.1
Files	flooding 10.jpg flooding 9.jpg flooding 8.jpg
Question 1	
Respondent's Name and/or Organisation	Tara Stanley
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
STR/SS 3 Tudeley Village	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Don't know
Is sound	No

Complies with the Duty to Cooperate

Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not effective
- . It is not justified
- . It is not consistent with national policy

Question 5

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I have been a resident of the area my whole life (33 years). Most of my family and my friends reside in Tudeley Village or surrounding areas and have lived their entire lives locally.

Over recent years I have noticed how traffic congestion has increased severely, causing me daily delays and issues. I have seen the effects of Tudeley becoming busier and this is without the proposed increase in housing and the large amount of people who would come with this. The primary school already generates huge traffic issues on the road and to add to this would bring further chaos. I have suffered with breathing issues such as asthma since childhood and am deeply concerned at the prospect of greater air pollution with more cars on the roads.

I have also seen how flooding devastates Tudeley which has many high risk areas. The land around Tudeley and Capel has frequently been unwalkable with severe and repeated flooding issues. Photos attached.

I have been concerned about the proposals for numerous reasons including the lack of infrastructure to support the developments. I see Tudeley struggling with its numbers already, with a lack of school places, lack of GP and dental availability. I have concerns over how much worse the traffic can possibly get with the possibility of thousands more cars on the road locally. I feel the proposals will create Tudeley and Paddock Wood into one large urban sprawl, ruining its beauty. Our beautiful green spaces will be stamped out, along with its bio-diversity- leaving us with an over-populated area, unequipped to cope or support its increased numbers and losing 600 acres of greenbelt land. There has been a lack of engagement with the public response to Reg 18, and it has been clear this this has been a widely unpopular proposal to residents for all of the above reasons. 97% opposed the plans.

Tunbridge Wells Borough Council is set to get all the council tax from the proposed housing whereas Tonbridge and Malling will get nothing but an increase in issues regarding traffic, flooding and shortages in education and medical facilities. The council leader told Save Capel -'you will never win'. As a resident, I feel as though our opinions simply arent being considered.

I do not believe that Tudeley is the right area for the level of housing proposed. Tunbridge Wells Borough Council want to add 2800 homes to Tudeley alone which is a 500% increase and I believe this is a completely disproportionate amount that will destroy our rural greenbelt. 51% of Local Plan housing is trying to be forced upon Capel Parish which clearly lacks any balance. There has been a complete lack of interest in investigating other areas as alternatives such as Castle Hill or Blantyre. Hundreds of acres of good quality farming land will be lost if plans proceed in Tudeley. The local plan is proposing 15 or more years of large construction sites with huge infrastructure issues that simply cannot support this.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Future Notifications

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Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Margaret Arger & Robin Oakley ([REDACTED])
Email Address	[REDACTED]
Company / Organisation	Staplehurst Parish Council
Address	Parish Office Staplehurst TN12 0BJ
Event Name	Pre-Submission Local Plan
Comment by	Staplehurst Parish Council (Margaret Arger & Robin Oakley - [REDACTED])
Comment ID	PSLP_1315
Response Date	03/06/21 09:34
Consultation Point	Policy STR/CRS 1 The Strategy for Cranbrook and Sissinghurst parish (View)
Status	Processed
Submission Type	Email
Version	0.3
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Staplehurst Parish Council
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR/CRS 1 The Strategy for Cranbrook and Sissinghurst parish

[TWBC: for comments relating to STR/CRS 1, STR/HA 1, PSTR/BE 1, PSTR/FR 1, PSTR/GO 1, PSTR/SA 1 and TP 6 - please see Comment Numbers PSLP_1315, PSLP_1317-1318, PSLP_1320-1322 and PSLP_1325]

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

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Introduction

Tunbridge Wells Borough borders the southern edge of Staplehurst parish and includes Frittenden, Cranbrook and Sissinghurst and Goudhurst parishes. Other parishes in the borough where development might affect Staplehurst are Hawkhurst, Sandhurst, & Benenden. We have concentrated on the numbers of dwellings which it is proposed to permit within the borough and we have commented where appropriate. We have also commented on a number of highways and transportation matters in the plan. Where two figures are quoted for the number of dwellings which might be permitted in a parish these are minimum and maximum e.g. 161 – 170.

Cranbrook and Sissinghurst 453-467. Of these, 216 dwellings at Cranbrook already have outline planning permission. The Draft Plan seeks developer contributions towards the provision of improved medical facilities, primary and secondary education, sports facilities with increased library, adult learning and social care at the new Cranbrook Community Hub. It is clear that there will have to be more communal buildings to form the hub of a Rural Service Centre, e.g. a larger public library, a medical centre and sports facilities. The increased number of dwellings will probably result in more commuter traffic through the A229 to Staplehurst railway station though this is not mentioned in the Draft Plan. The plan says that there is a bus service between Cranbrook and Headcorn but this is incorrect. There is no mention of Colliers Green or the former Blantyre House Prison building but these small settlements are not thought to be viable to develop further as they are too remote.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

For office use only

If responder hasn't ticked an option on this box, data inputter to tick 'not stated' box. Not Stated

Comment

Consultee	Margaret Arger & Robin Oakley ([REDACTED])
Email Address	[REDACTED]
Company / Organisation	Staplehurst Parish Council
Address	Parish Office Staplehurst TN12 0BJ
Event Name	Pre-Submission Local Plan
Comment by	Staplehurst Parish Council (Margaret Arger & Robin Oakley - [REDACTED])
Comment ID	PSLP_1317
Response Date	03/06/21 09:34
Consultation Point	Policy STR/HA 1 The Strategy for Hawkhurst parish (View)
Status	Processed
Submission Type	Email
Version	0.3
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Staplehurst Parish Council
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR/HA 1 The Strategy for Hawkhurst parish

[TWBC: for comments relating to STR/CRS 1, STR/HA 1, PSTR/BE 1, PSTR/FR 1, PSTR/GO 1, PSTR/SA 1 and TP 6 - please see Comment Numbers PSLP_1315, PSLP_1317-1318, PSLP_1320-1322 and PSLP_1325]

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

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Introduction

Tunbridge Wells Borough borders the southern edge of Staplehurst parish and includes Frittenden, Cranbrook and Sissinghurst and Goudhurst parishes. Other parishes in the borough where development might affect Staplehurst are Hawkhurst, Sandhurst, & Benenden. We have concentrated on the numbers of dwellings which it is proposed to permit within the borough and we have commented where appropriate. We have also commented on a number of highways and transportation matters in the plan. Where two figures are quoted for the number of dwellings which might be permitted in a parish these are minimum and maximum e.g. 161 – 170.

Hawkhurst 161-170. The roads running North-South (a Primary Route) and East-West cross at the traffic lights in the centre of the village which are the source of much delay and congestion to traffic. The Borough's Plan states that it will ensure that all development proposals establish an acceptable impact on the crossroads junction, but it does not give any idea as to how this will be achieved. The Annual Mean Objective for Nitrogen Dioxide (NO₂) are currently being exceeded at times on the A229 Northern approach to the traffic lights. The Borough has declared an Air Quality Management Area (AQMA) for 250m to the north of the crossroads because of this. Additional traffic generated by housing development could affect air quality. Improved library, adult learning and social care services would be provided by Cranbrook Community Hub.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

For office use only

If responder hasn't ticked an option on this box, data inputter to tick 'not stated' box. Not Stated

Comment

Consultee	Margaret Arger & Robin Oakley ([REDACTED])
Email Address	[REDACTED]
Company / Organisation	Staplehurst Parish Council
Address	Parish Office Staplehurst TN12 0BJ
Event Name	Pre-Submission Local Plan
Comment by	Staplehurst Parish Council (Margaret Arger & Robin Oakley - [REDACTED])
Comment ID	PSLP_1318
Response Date	03/06/21 09:34
Consultation Point	Policy PSTR/BE 1 The Strategy for Benenden parish (View)
Status	Processed
Submission Type	Email
Version	0.3
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Staplehurst Parish Council
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy PSTR/BE 1 The Strategy for Benenden parish

[TWBC: for comments relating to STR/CRS 1, STR/HA 1, PSTR/BE 1, PSTR/FR 1, PSTR/GO 1, PSTR/SA 1 and TP 6 - please see Comment Numbers PSLP_1315, PSLP_1317-1318, PSLP_1320-1322 and PSLP_1325]

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

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Benenden 87-95. The parish council are in the process of preparing a Benenden Neighbourhood Plan which it is understood may become part of the Tunbridge Wells Development Plan. Again library, adult learning and social care services would be provided by Cranbrook Community Hub. Further development at Benenden Hospital would require a daily mini-bus service to/from Benenden/Tenterden to link with primary school start and finish and with provision of a small, publicly accessible retail outlet and use of the onsite café for 10 years.

Question 7

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Comment

Consultee	Margaret Arger & Robin Oakley ([REDACTED])
Email Address	[REDACTED]
Company / Organisation	Staplehurst Parish Council
Address	Parish Office Staplehurst TN12 0BJ
Event Name	Pre-Submission Local Plan
Comment by	Staplehurst Parish Council (Margaret Arger & Robin Oakley - [REDACTED])
Comment ID	PSLP_1320
Response Date	03/06/21 09:34
Consultation Point	Policy PSTR/FR 1 The Strategy for Frittenden parish (View)
Status	Processed
Submission Type	Email
Version	0.3
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Staplehurst Parish Council
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy PSTR/FR 1 The Strategy for Frittenden parish

[TWBC: for comments relating to STR/CRS 1, STR/HA 1, PSTR/BE 1, PSTR/FR 1, PSTR/GO 1, PSTR/SA 1 and TP 6 - please see Comment Numbers PSLP_1315, PSLP_1317-1318, PSLP_1320-1322 and PSLP_1325]

Question 4a

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Question 5

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Frittenden 25-30. Frittenden is somewhat isolated in relation to its adjoining parishes and it borders both Maidstone and Ashford Boroughs. It has no bus service apart from one bus per week to and from Maidstone. There is a high- pressure gas pipeline to the north of the village which is a significant constraint to development.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

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If responder hasn't ticked an option on this box, data inputter to tick 'not stated' box. Not Stated

Comment

Consultee	Margaret Arger & Robin Oakley ([REDACTED])
Email Address	[REDACTED]
Company / Organisation	Staplehurst Parish Council
Address	Parish Office Staplehurst TN12 0BJ
Event Name	Pre-Submission Local Plan
Comment by	Staplehurst Parish Council (Margaret Arger & Robin Oakley - [REDACTED])
Comment ID	PSLP_1321
Response Date	03/06/21 09:34
Consultation Point	Policy PSTR/GO 1 The Strategy for Goudhurst parish (View)
Status	Processed
Submission Type	Email
Version	0.3
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Staplehurst Parish Council
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy PSTR/GO 1 The Strategy for Goudhurst parish

[TWBC: for comments relating to STR/CRS 1, STR/HA 1, PSTR/BE 1, PSTR/FR 1, PSTR/GO 1, PSTR/SA 1 and TP 6 - please see Comment Numbers PSLP_1315, PSLP_1317-1318, PSLP_1320-1322 and PSLP_1325]

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

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Goudhurst 25-25 Goudhurst has poor road access which is unsuitable for heavy goods vehicles. The nearest railway station is Marden (5.2 miles) with Staplehurst, Frant and Etchingam between 7.2 and 9.1 miles away. Again, library, adult learning social care would be provided at Cranbrook Community Hub.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

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Comment

Consultee	Margaret Arger & Robin Oakley ([REDACTED])
Email Address	[REDACTED]
Company / Organisation	Staplehurst Parish Council
Address	Parish Office Staplehurst TN12 0BJ
Event Name	Pre-Submission Local Plan
Comment by	Staplehurst Parish Council (Margaret Arger & Robin Oakley - [REDACTED])
Comment ID	PSLP_1322
Response Date	03/06/21 09:34
Consultation Point	Policy PSTR/SA 1 The Strategy for Sandhurst parish (View)
Status	Processed
Submission Type	Email
Version	0.3
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Staplehurst Parish Council
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy PSTR/SA 1 The Strategy for Sandhurst parish

[TWBC: for comments relating to STR/CRS 1, STR/HA 1, PSTR/BE 1, PSTR/FR 1, PSTR/GO 1, PSTR/SA 1 and TP 6 - please see Comment Numbers PSLP_1315, PSLP_1317-1318, PSLP_1320-1322 and PSLP_1325]

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

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Sandhurst 20-30 Sandhurst relies on Hawkhurst for supermarkets, pharmacy and general practitioners. The nearest railway stations are Staplehurst 11 miles and Etchingham 8 miles away. There are bus services that currently run to Hawkhurst, Maidstone and Royal Tunbridge Wells.

Question 7

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If responder hasn't ticked an option on this box, Not Stated
data inputter to tick 'not stated' box.

Comment

Consultee	Margaret Arger & Robin Oakley ([REDACTED])
Email Address	[REDACTED]
Company / Organisation	Staplehurst Parish Council
Address	Parish Office Staplehurst TN12 0BJ
Event Name	Pre-Submission Local Plan
Comment by	Staplehurst Parish Council (Margaret Arger & Robin Oakley - [REDACTED])
Comment ID	PSLP_1325
Response Date	03/06/21 09:34
Consultation Point	Policy TP 6 Safeguarding Roads (View)
Status	Processed
Submission Type	Email
Version	0.5
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Staplehurst Parish Council
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy TP 6 Safeguarding Roads

[TWBC: for comments relating to STR/CRS 1, STR/HA 1, PSTR/BE 1, PSTR/FR 1, PSTR/GO 1, PSTR/SA 1 and TP 6 - please see Comment Numbers PSLP_1315, PSLP_1317-1318, PSLP_1320-1322 and PSLP_1325]

Question 4a

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Do you consider that the Local Plan is not sound because:

Question 5

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General

TW Borough Council has said that it will safeguard the Highways Agency's preferred alignment for the future A21 Kippings Cross to Lamberhurst Bypass dual carriageway. It has also stated that it will safeguard the route of the former Paddock Wood to Hawkhurst railway line by refusing proposals which would compromise its use as a green infrastructure corridor. Although the TW Borough Local Plan states it has liaised with neighbouring Boroughs and KCC there is no mention of an integrated transport plan across neighbouring boundaries. At this point in time the Sainsbury's effect is an unknown on increased traffic movements through Staplehurst. As a result of increased traffic from the parishes in Tunbridge Wells Borough, an air quality assessment may be required at the Staplehurst crossroads.

Question 7

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data inputter to tick 'not stated' box.

Comment

Consultee	Gavin Steele [REDACTED]
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	Gavin Steele [REDACTED]
Comment ID	PSLP_418
Response Date	01/06/21 16:48
Consultation Point	Policy AL/HA 5 Land to the north of Birchfield Grove (View)
Status	Processed
Submission Type	Web
Version	0.2
Question 1	
Respondent's Name and/or Organisation	Gavin Steele and David Veale
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
AL/HA 5	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Don't know
Is sound	No
Complies with the Duty to Cooperate	No
Question 4a	

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not positively prepared
- . It is not justified
- . It is not consistent with national policy

Question 5

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The Local Plan is not sound because it is not positively prepared

1. AONB

Site 413 (the Site underlying Policy AL/HA 5) is virgin land, situated in an AONB. Government planning policy aims to protect AONB. Building a medical centre runs contrary to that policy, particularly given the likely size of the building (apparently two stories with significant parking requirements - ie for 53 vehicles). As the medical centre will undoubtedly hold drugs, there will presumably be various security requirements, not least lighting, further undermining the AONB, and running contrary to the dark skies policy adopted in Birchfield Grove.

AONB concerns are considerably exacerbated by the local topography. Site 413 is on a ridge and the proposed medical centre would dominate that ridge and would be a prominent and discordant feature when viewed from country lanes and footpaths to the north on the other side of the valley. From redacted minutes of a meeting between Rydon and TWBC Planning in January 2019, it is clear this is regarded as the most 'sensitive' part of the site.

Decision of the Secretary of State (13/00014) 14 April 2014 - In 2014 a Planning Inspector dismissed an appeal against the refusal of 120 dwellings at this very same site because (i) the development would have a materially harmful visual effect on the AONB and (ii) it would fail to represent the high standard of urban/rural design required by policy. Quoting from the Inspector's report, "*Great weight should be given to conserving landscape and scenic beauty in AONBs which have the highest status of protection in relation to landscape and scenic beauty*". The very significant weight given to the protection of AONB has not materially changed since the Inspector's decision of April 2014. The Site is no different seven years later and while the present plan is for a medical centre without houses, the proposed medical centre with its substantial parking would fulfil the conditions that made application no. 13/00014 unacceptable in 2014.

It should also be noted that Birchfield Grove is surrounded by an Ecological Mitigation Area (approximately 2 to 3 meters wide). Not only will this strip of land be breached to allow access to Site 413 but any protections to wildlife, fauna and flora that the strip was meant to offer will be undermined by building a medical centre next to it.

2. Increase in traffic congestion in Hawkhurst:

The medical centre would generate a considerable amount of additional traffic given that the two existing Hawkhurst doctors' surgeries are amalgamating and because of the additional services believed to be planned from the new centre. Many patients from both surgeries live further afield than Hawkhurst but many if not most patients who live in Hawkhurst will also find it necessary to use cars. The site is a good ten minutes' walk from the Hawkhurst Crossroads and for patients living to the north, south and west of this, car would be the preferred mode of transport.

The additional traffic generated by the medical centre would increase congestion at the Hawkhurst Crossroads, which is already very busy, as patients from the more populous areas south, west and

north of the Crossroads (as well as those from further afield) would very likely drive to the centre. KCC Highways has made the point that the Crossroads it is 'at capacity' - see the judgment against Hawkhurst Parish Council when it claimed for judicial review regarding a development to the south of the Crossroads at The White House (TWBC Planning 19/01271). In addition, KCC Highways recently objected to another proposed housing development (74 homes), also to the south of the Crossroads, "owing to worsening congestion at the Hawkhurst crossroads junction" which they also note, quoting an August 2020 TA is "already operating over capacity". To reinforce the point, this application has now been refused by TWBC's Planning Committee on the grounds of the impact on both the High Weald AONB and road congestion. (Decision made on 12 May 2021).

Air pollution - the increase in traffic generated by the siting of the medical centre to the east of the Crossroads (ie in the least populated area of the village) will also lead to an increase in air pollution. The air quality in Hawkhurst is already one of the worst in Kent due to the Crossroads. A bad position will be made even worse.

3. Birchfield Grove (including access to the Rye Road):

Birchfield Grove is a twisting road designed to serve a small development of 26 houses. If it had been planned as the access road to a large medical centre, with the constant to and fro of traffic that this entails, the current design and layout would never have been considered. Roadside parking for vehicles delivering goods and carrying out maintenance or small building works for residents at any reasonable time of day is permitted and would need to be maintained if the introduction of traffic restrictions in Birchfield Grove was ever contemplated.

Birchfield Grove would most likely become highly congested given the high volume of through traffic to and from the proposed medical centre with the likelihood of a complete breakdown in traffic flows in the event of vehicle breakdown and very considerable delays when parked vehicles and vans are encountered (as referenced above).

In addition, the junction between Birchfield Grove and Rye Road has poor sightlines and would struggle to handle the increased volume of traffic generated by the medical centre. In this context, a planning application to build six bungalows on the other side of the Rye Road (virtually opposite Birchfield Grove) was turned down recently mainly because of concerns around access to the Rye Road – see see weblink

This problem is exacerbated by the speed at which many cars travel when leaving Hawkhurst, heading east. Despite the fact that the turn into Birchfield Grove lies within a 30mph speed limit, vehicles regularly travel at up to 40mph.

The Local Plan is not sound because it is not justified

Policy AL/HA5 cannot be justified because it is not based on proportionate evidence, as detailed in the Guidance Notes.

1. Alternative and better sites

Specifically it has not taken in to account a number of viable alternative, and better, sites for the medical centre in Hawkhurst.

King George V Playing Fields at the Moor (KGV)

This was the very proposal put forward by TWBC in the January 2021 PSLP before the offer of free land at the AL/HA 5 site emerged. The proposal then was that the medical centre would be co-located with a new community centre at KGV, thereby generating a number of synergies, including parking. There are other advantages to KGV - notably, it is already developed (there is a Sports Pavilion; parking; tennis courts; playing fields and a playground) so would not damage or undermine the AONB; it is not on a ridge (unlike AL/HA 5) so will be very considerably less visible; access will be easier given that KGV already accommodates the traffic associated with its existing facilities; and, as the area around KGV is more populous than the area east of the Crossroads, congestion and air pollution at the Crossroads is likely to be less.

Hawkhurst Community Hospital

This is an already developed site so any adverse impact on the AONB would be minimal. In addition there are obvious synergies to be gained from having both the medical centre and the community hospital at the same site.

Hawkhurst Golf Course

The current planning application includes provision for a medical centre.

2. Future housing north of the site if the allocation were adopted

No account appears to have been taken of the fact that although the current proposal is limited to a new medical centre and parking, it seems highly unlikely that the owner of the land would offer it without any prospective benefit, notwithstanding the gift of the land for the medical centre. It is also virtually certain that Rydon, who own the 'Access Option' from Birchfield Grove to the site and beyond, would not allow access for the development of the medical centre unless it opened up the prospect of building houses beyond the site at some point in the future. The medical centre appears to be a trojan horse for future housing development.

The Local Plan is not sound because it is not consistent with national policy

NPPF 172 requires that great weight should be given to conserving and enhancing landscape and scenic beauty in the AONB and the scale and extent of development should be limited, and planning permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest.

The medical centre will constitute a major development in the AONB given its nature, scale and setting and its significant adverse impacts as described earlier. Given the number of viable alternative sites for the medical centre, in particular KGV, no exceptional circumstances exist to justify major development at AL/HA 5 or to outweigh the environmental harm identified.

Furthermore Government policy is clearly moving towards providing greater protection of the countryside, as evidenced by the plan to introduce a far higher policy test into the NPPF as a result of the January 2020 Building Better, Building Beautiful Commission "Living with Beauty" report. This reinforces the need to protect virgin areas of AONB (ie AL/HA 5).

The Local Plan fails to comply with the duty to co-operate

The process by which Site 413 (the Site underlying AL/HA5) came to be included in this version of the PSLP clearly shows how TWBC has failed to co-operate with the community in the preparation and revision of the Local Plan.

In September 2019, Site 413 was included in TWBC's draft Local Plan. At this stage the proposal was for a medical centre and 100 houses. This prompted significant objections and in early January 2021 Site 413 was removed from the Pre-Submission Local Plan (PSLP), as a result of various considerations, in particular AONB concerns and KCC Highways' objection to any significant increase in traffic along Rye Road. Instead TWBC suggested that the medical centre should be co-located with a new Community Centre at another site in Hawkhurst (The King George V (KGV) playing fields at the Moor).

Between the site's removal from the PSLP and the Extraordinary TWBC Council meeting on 3 February 2021 to approve the PSLP, what appears to have happened is that the owner of Site 413 offered land for a medical centre and parking for free and that representatives from the two medical surgeries in Hawkhurst approached TWBC Planning to reverse the decision made in January and alter the Local Plan to include a medical centre.

This abrupt reversal of policy was made without any public consultation, engagement or even notification and clearly shows a failure in the duty to co-operate.

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question

5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan 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.

To make the Local Plan sound, it should be modified by moving the medical centre from the land allocated to Policy AL/HA5 to the King George V Playing Fields at the Moor (KGV), as originally proposed by TWBC in January 2021.

A medical centre at the land allocated to AL/HA5 is unsound as it would do irreparable damage to the AONB when there is an alternative site available that offers no damage to the AONB (ie KGV). Furthermore, it would lead to an increase in traffic congestion and, most likely, air pollution at the Hawkhurst Crossroads and on the Rye Road. Finally, traffic flows on Birchfield Grove would become excessive and unacceptable.

Question 7

***Please note** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.*

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . Yes, I wish to participate in hearing session(s)

Question 7a

***Please note** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.*

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

To assist the Inspector understand local residents' concerns about the destruction of AONB (when viable alternative sites exist) and the profound impact in terms of harm to their amenities were the medical centre to be built at the land allocated to AL/HA5.

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box: Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Marion Stevenson-Rouse [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] Fosten Green Ashford [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Marion Stevenson-Rouse [REDACTED]
Comment ID	PSLP_163
Response Date	14/05/21 10:44
Consultation Point	Policy PSTR/BE 1 The Strategy for Benenden parish (View)
Status	Processed
Submission Type	Other
Version	0.7
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Marion Stevenson-Rouse
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy PSTR/BE 1 The Strategy for Benenden parish

[TWBC: this representation has been input against Policies PSTR/BE 1, AL/BE 3 and AL/BE 4 - see Comment Numbers PSLP_163, PSLP_167 and PSLP_168]

Question 4

Do you consider that the Local Plan:

Is legally compliant	No
Is sound	No
Complies with the Duty to Cooperate	No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:	. It is not positively prepared
	. It is not effective
	. It is not justified
	. It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

Paragraph No(s) Para 5.413, 5.414, 5.416, 5.420, 5.421, 5.422, 5.428, 5.452, 5.453, 5.454, 5.456, 5.458, 5.467, 5.468 Policy No. Objective 1, Objective 2, STR1, STR2, STR3, STR5, STR6, STR7, STR8, PSTR/BE1, Policy AL/BE1, Policy AL/BE3, Policy AL/BE4, EN1 Sustainability Appraisal SHELAA Policies Map (Inset Map No(s)) Inset Map 18

This submission concerns the parish of Benenden, the only parish in the borough to have made its own allocations. The Benenden Neighbourhood Plan (BNP) has been developed in close consultation with TWBC, with the BNP in the lead. The BNP announced its allocations in February 2019, before inviting AECOM to produce its Strategic Environmental Assessment. Pre-Submission Local Plan, para 5.420 reads "The BNP was submitted to TWBC in October 2020 and was consulted on between 30 October and 11 December 2020." But the allocations had been made and published in February 2019. Further, Para 5.420 states "The BNP proposes to include site allocation policies that follow the approach of the site allocation policies for Benenden in this Local Plan." BNP allocations were first published in February 2019 i.e. before LP site allocation policies.

Allocations made by the LP, when it took up the BNP's baton, are therefore inevitably linked to BNP's weaknesses. Yet if the BNP passes a referendum before acceptance of the LP, it is said that it will take precedence over the LP (see para 5.421), with the exception of its plans for the northern site at Benenden hospital, which will be overruled by the plans advanced in the LP (see Benenden Parish Council April 2021 response to Independent Examiner queries on the BNP). This is in contravention of para 5.422 which talks of making "modifications to the LP" so that it matches the BNP.

1 Community involvement. EN1: this requirement has not been respected.

- . In Benenden, almost all new housing is slated for the East End, yet the Friends of the East End (FEE), were never asked to meet with the BNP steering group.
- . See EN1 para 9 requiring the effective engagement of the local community, neighbours of sites and others. The FEE submitted three petitions, two to the BNP and one in relation to the LP. A FEE submission with 127 signatures was submitted on April 4th 2019 in response the Informal Draft NP (published on February 23, 2019), in which the allocations later adopted by the LP were first set out. A FEE submission with 164 signatures was submitted in October 2019 objecting to the first draft of the LP, and in the same month, a FEE submission with 167 signatures was submitted in relation to the Reg 16 draft BNP. See the FEE's current online petition with more than 450 signatures <https://www.change.org/EastEndFriends>

- . Instead of being consulted, the FEE were ignored and belittled. They were informed on 11th March 2019 by the editor of the Parish Magazine (PM), husband of the Chair of the Parish Council, that “I’m of the view that much of the uncertainty has passed since the presentation of the plan to the village - to a highly favourable reception. At least we no longer have to give polite credence to *uninformed views* that fly in the face of TWBC policy and advocate direct and *pointless confrontation* with TWBC, thereby running the risk of having the entire BNDP thrown back in our faces. *The ensuing chaos hardly bears thinking about.* At least it seems the opinions now being afforded most weight are those of *people who have worked hard for two years to understand the issues* and come up with a coherent way forward.”
- . One of the regular articles on the BNP submitted by the chair of the BNP Steering Group appeared in January 2020. It dismisses FEE opposition suggesting only “31 residents from the East End” sent in comments.
- . The core group behind the BNP has consistently tried to persuade those who support the FEE to desist. The chair of the Parish Council and the chair of the BNP Steering Group have twice asked to meet a Tunbridge Wells Alliance (TWA) Borough Councillor for the parish, once together with a TWA borough council candidate, in efforts to persuade them to adhere to the BNP’s approach and not to listen to the FEE.
- . The organiser of the FEE was a member of the Steering Committee 2017/2018 as chair of the Environmental Group. She expressed strong disagreement with a Borough Councillor who lives in the village (on occasion, he deputises as chair of the Steering Group) about his wish to step up allocations in the East End and suppress TWBC’s wish to build 174 houses on site 158. As a result, the Steering Group chair (using his own word), “sacked” her. This is contrary to EN1 para 9, encouraging early, proactive and effective engagements and the requirement that views expressed should be properly considered.
- . Consultation also failed in relation to the neighbouring parish of Biddenden. The Clerk of Biddenden Council has repeatedly responded to BPC in the course of the BNP consultation process, but received only acknowledgments. A Kent County Councillor and Ashford Borough Councillor wrote an article about BNP’s mismanagement of the parish of Biddenden in the Biddenden Parish Magazine, February 2021.
- . The LP is based on the BNP and BNP allocations were made before consultations with stakeholders such as the AONB. This is not consulting in a timely fashion. Further, the LP requires surveys of the hospital sites *after* the designation of the sites for development, for example, archaeological surveys (see AL/BE 3&4). Historic England (HE) asks for the surveys to be carried out *before*. See HE’s comments on the first draft LP (DLP_4556) - “we would expect the allocation of sites following on from this Strategy policy (STR1) to be subject to appropriately robust and detailed heritage impact assessment *prior to the allocations being adopted.*”
- 1 **The PSLP is not based on sound evidence**
 - . Throughout the LP process, misstatements have been made about amenities in Benenden’s East End. These may be traced back to a submission made by traffic and highways consultants, Transport Planning Associates (TPA) to Benenden Healthcare Society Ltd. (BHS). This submission was recently disclosed in BHS’s response to the Independent Examiner’s queries in relation to the BNP. TPA’s information is sometimes inaccurate and sometimes misleading and we consider it here in detail because it is difficult otherwise, to understand how the LP was able to continue, iteration after iteration, to relate false information about the hospital site.
 - . In October 2019, TPA reported (para 2.6) that there was a footpath along the southern edge of Goddards Green Road (GGR) and the PSLP, para 5.452 states “There is an intermittent pavement along GGR”. The GGR is a long road running from New Pond Road to Castleton’s Oak crossroads, and was formerly a lane. The pavement is limited to the short section immediately outside the hospital buildings. To say that there is an intermittent pavement along GGR is misleading.
 - . The TPA refers to the East End as a village, which it is not. The East End runs from the junction of GGR and Walkhurst Road, along the GGR to the border with Tenterden, then turns south to reach close to Hole Park in Rolvenden, then east back to Walkhurst Road at the site of the stream, then along Walkhurst Road back to GGR (see the old Electoral Roll for 2004 when the East End had its own polling station). It is a large, totally rural area of several square miles, which was why it was chosen as the site for an isolation hospital in 1906. Today it contains only 76 houses scattered across the entire area. The PSLP consistently refers to the East End as a hamlet. It is not, which is why BPC is able to advertise itself on its website as “Serving the people of Benenden and Iden Green” without any reference to the East End.

- . The TPA says that “a day nursery is located immediately to the north of the Site within 400m.” There is incorrect, yet this error is repeated in para 5.413 of the PSLP “There are also nursery/pre-school facilities at Iden Green and East End.” An accurate account would mention Iden Green only.
- . The TPA states that there are daily bus services along GGR provided by bus nos. 24 and 299, and twice a day service provided by the Hopper bus. This information is incorrect. The 2019 Hopper bus, operated by the Tenterden social services hub on an experimental basis, failed in only a matter of months. While the 24 and the 299 buses pass along GGR, they do so on only one day a week. The 24 on Tuesdays and the 299 on Wednesdays. The East End has almost no public transport.
- . The TPA makes several statements in relation to traffic which have fed misinformation into the system to be reflected in AL/BA3&4. This misinformation was only recently revealed when documents were provided by BHS following April 2021 queries raised by the Independent Examiner on the BNP. These documents include a TPA ‘Scoping Note’ on road and traffic conditions at the site and a letter written in response to this Note from KCC Highways, dated 13 Nov. 2019. The TPA states that the GGR is 7m wide at the hospital site which detracts from the fact that it is actually a winding rural lane, now called a road, and varies considerably in width. It may at some point be 7m wide, but at others, it is so narrow that two lorries have difficulty passing each other. The TPA claims that there is no need for a road safety review because there have been “no personal injury accidents” recorded within 1,000m. Castleton’s Oak crossroads lie 1.5 km from the site and accidents there are frequent, largely due to increasing traffic at the hospital. The hospital has turned itself into an almost exclusively out-patient centre and almost all its 300 employees drive in to work from outside the parish (formerly, they were housed on site in hospital staff buildings). Kent County Council (KCC) Highways make constant and repeated attempts to lower the risk of injury at the crossroads. Works there are ongoing at this time. The TPA claims that no traffic surveys are necessary which is a point queried in the KCC Highways’ email. The email talks of the “heavy car dependency” of residents in any housing in this location and says this was one of its concerns, even at the time of the original application asking for only 24 houses. The email states that BHS’s plans (and therefore AL/BE 3&4) are contrary to the NPPF and to KCC’s own policy objectives, and points out that the hospital has not co-operated over the idea of a minibus to provide transport from the site to Benenden. The letter calls for: traffic counts along the GGR; a wider crash analysis; and expresses concern over the proposed access points to the SE Quadrant - 2 on Green Lane and 2 on GGR. Lastly, on trip generation, the TPA projects that 47 houses at the site will produce only 106 trips a day, though the consultants admit that they have difficulty in basing their estimate on comparable sites because there are none. These trip generation figures ignore existing traffic from local residents, from patients, from hospital staff and from the newly (January 2021) proposed housing estate at Cleveland. The AL/BE 3&4 fails to provide a traffic count, fails to ask for a road safety review and fails to acknowledge frequent traffic accidents near the sites.
- . Pre-submission supporting documents also produce inaccurate and sometimes irrelevant evidence. The hospital sites are within the setting of an AONB and even overlap into it, yet *Inset Map 18* (Benenden Hospital), unlike other maps attached, makes no reference to the AONB boundary. The BNP claims that the hospital is outside the AONB and on this basis, since the rest of the village is wholly within the AONB, largely justifies placing most of Benenden’s housing in the East End. The relationship of the AONB boundary to the hospital sites is important yet it is ignored on the map. This looks like prejudice.
- . Hankinson Duckett Associates’s *AONB Setting Analysis Report* (a supporting document for the PSLP, referred to as an evidence base) is, in its analysis of AL/BE3&4, unsound. The analysis argues that development at these sites will enhance the setting of the AONB. It illustrates the argument with photos of the hospital chapel and its carpark. Neither chapel nor car park are in the area up for development.
- 1 **Policies AL/BE3&4 are not consistent with the PSLP’s Vision objectives nor with its strategies, nor with KCC’s policies, nor with the NPPF.**
- . The PSLP’s Vision Objective 1 is : “to improve access to suitable, especially affordable housing, including for local young people and older households.” But this is inconsistent with allocations AL/BE 3 &4. BHS is asking in its comments on the LP first draft, for a lower number of affordable homes because of the high cost of brownfield development. Living isolated in the countryside, families will need at least two cars. Old and young will be unable to walk to schools, shops or

any other amenities. This is not a suitable site for a borough which (see para 2.16) expects the population over the age of 65 + to increase by around 40% between 2020 and 2038. The PSLP's Vision Objective 2 is to ensure sustainable development which allocations at AL/BE 3&4 do not achieve. On the contrary, the KCC warns that even with the existing permission for 24 houses on AL/BE3, the highway authority had concerns. This is an isolated location, deep in the countryside (see KCC Highways email 13 Nov 2019). More than 24 houses in this location is not sustainable.

- . **Policy PSTR/BE1**, LBD 5.416 states "the LBD around Benenden village sets the extent of existing and planned development .." This conflicts with the recommendation that major development be instated three miles beyond the LBD, on the border with Biddenden.
- . **Policy STR 2** "The Council requires the use of masterplanning, including the use of design codes and sustainable design standards where appropriate, for strategic and larger-scale developments.." This is undermined by AL/BE 3&4 which calls for a masterplan for an area not included in the PSLP and not presented. Para 1a of Policy AL/BE3 states that there is a need to "show indicatively how the other areas included within Policies AL/BE3 and AL/BE 4 can be developed to meet the overall policy requirements as set out within each of these policies, and *how the future needs for Benenden Hospital will be met on areas to the north west and south west that currently comprise the hospital buildings and associated ancillary uses and is previously developed land.*" It is not sound to proceed with an LP where the land to be developed is not clearly indicated from the start.
- . **A masterplan is essential to avoid current inconsistencies on the size of areas to be developed:** AL/BE3 excludes one of the 2 Local Wildlife Sites (LWS) at the site, yet the BNP includes both. Para 5.458 states "Both this policy and BNP draft Policy SSP3 broadly follow the same approach towards the potential for developing this site for a residential development.." They do not. The PSLP states that in the event of a successful referendum, the BNP's proposals will prevail. If this is so, are we supposed to assume that AL/BE3 map is inaccurate?
- . A similar problem arises at the northern site (AL/BE4) here there are currently 18 dwellings. The proposal allows for these to be demolished and another 25 dwellings added to the site. The size of the area to be developed varies between the LP and the BNP. The LP includes the LWS in the area to be developed but the BNP includes only a small section, but says in the event of a successful referendum the BNP plan will be over-ruled by the LP plan (see the BPC response April 2021 to the Independent Examiner's queries). This is the reverse of 5.421 & 2. It is unsound to proceed with a plan when the NP and the LP are at odds with each other.
- . **The PSLP claims building will only be within existing footprints**, an approach which is at odds with that of the BHS. Plans for 47 new houses in AL/BE3, presented to the village on 17th February 2020 by the hospital architects, show the buildings are not to be built within the footprint of previous buildings nor to respect LWS.
- . **Policy STR 3** calls for the use of brownfield sites "within settlements" and in "sustainable locations." AL/BE 3 consists of disused medical buildings and 2 LWS with parkland and veteran trees (depending on whether this second LWS is included or not). 5.448 is therefore incorrect. The site should be described not as brownfield but as partly brownfield. It is not on the brownfield register. Because of its remote location and its valuable LWS sites, it is not free from constraints which could be mitigated. As such, Policy AL/BE3 does not meet the criteria needed under the NPPF, Section 11, para 117 for development in "a way that makes as much use as possible of previously-developed or 'brownfield' land." AL/BE 4 contains in-use residential housing and an LWS and therefore is not entirely brownfield.
- . **Policy STR 5** states that "New residential ... development will be supported if sufficient infrastructure capacity is either available or can be provided in time to serve the development." Will this happen at AL/BE3&4? Developers themselves are to provide the infrastructure at AL/BE 3&4. The LP proposes to take on trust suggestions that the BHS will avoid building on the LWS and will provide play-grounds, sports facilities and tennis courts. We know from submissions following the first draft LP, that BHS is actually planning to remove one LWS entirely and that its plans include building on the LWS and beyond the foot print of previous buildings. BHS suggests, in its response to the first draft LP (DLP_4956) that it is unlikely to provide play-grounds, sports facilities and tennis courts. The PSLP's approach does not take comments to the first draft LP into account.
- . **Policy STR 6** proposes to "Deliver future development in accessible locations, normally within or in close proximity to existing towns and villages across the borough." In the case of the two isolated hospital sites, the PSLP contradicts its own strategic policy and fails to offer choices in transport or to prioritise active travel and public transport. The Benenden hospital sites have no

daily bus service and no active travel link to the village, and neither the PSLP nor the BHS provide credible information on how these links are to be provided. The KCC email of Nov 13 suggests that the hospital is uncooperative on the proposal to organise a minibus service and the SHELAA says of AL/BE3 that it is "Remote from a settlement centre," (unlike sites 158, 222 and LS8); that residents will rely heavily on private cars and thus air quality and travel objectives score negatively; and that, "although promoted by the policy, shared transport and active travel options are unlikely to take precedence over private vehicle use thus air quality and climate change score negatively." This we feel is the nub of the issue. For all the talk of mitigating the remoteness of the hospital sites with a minibus link and cycle routes, nobody actually believes that any of these measures will succeed. As for the proposal to create links suitable for electric personal vehicles, such as mobility scooters (as suggested under STR 6), it is difficult to see, when the closest link with the village is a single-track lane (Walkhurst Road), how any personal electric vehicle could make that journey. The PSLP is creating, through its policies AL/BE3&4, a car dependent community. This thereby negates the sense of the LP's supporting document, *Transport Strategy Review Sept 2019* which urges reducing the need to travel.

- . AL/BE3&4 also undermine TWBC's Full Council motion of July 2019 to reduce CO2 emissions. "The dominance of the car as a mode of transport can lead to congestion, more road accidents, air and noise pollution. In addition it contributes to climate change, reduces social cohesion and leads to less healthy lifestyles" (para 44 *Transport Review*). According to TW's own SA from 2006, if social cohesion, reduction in air pollutants, and public health were indeed the borough's priorities, site 158 would have been among those chosen for Benenden, as originally intended.
- . **PSLP paras 5.453 and 5.467** state that "residents of development in this location will rely heavily on private cars." These plans runs counter to STR6 policy on the environment see paras 6.8, 6.9, 6.10, 6.11 and 6.13. It also contravenes KCC policies on climate change and the NPPF (see KCC's Nov 13, 2019 letter on this subject).
- . **Para 5.414** "The parish provides two relatively large sources of employment: at Benenden Hospital and at Benenden School." The inference is that the employment opportunities are linked somehow to the population of Benenden. There is in fact little connection. The 300 plus staff at the hospital drive into the parish along GGR to work and, since the hospital is isolated from the village, their contribution to the local economy is negligible.
- . **Policy STR 6 The LP proposes to "Deliver future development in accessible locations, normally within or in close proximity to existing towns and villages across the borough."** In the case of the two isolated hospital sites, the LP contradicts its own strategic policy and fails to offer choices in transport or to prioritise active travel and public transport.
- . **Cycle routes:** The PSLP's standards on the public benefits of cycling and walking are based on the *Cycle Strategy Supporting Document*, but these standards are undermined by site allocation in Benenden. The Cycle document states that: "When more people cycle or walk the health of the population improves and our roads become safer and less congested." Its objectives 4 and 5 are to improve safety for cyclists and air quality for all, but AL/BE 3 & 4 will create a community, deep in the countryside, entirely dependent on the car and will contribute to poorer air quality for all. The allocation of these sites, as opposed to sites such as 158, is difficult to understand.
- . The *Cycle Strategy* states that fear of traffic is possibly the main factor discouraging people from cycling. National Cycle Route 18 runs from the Rolvenden Road, down Stepneyford Lane, to Green Lane, before joining the Benenden Road near the hospital, turning right and leading to Castleton's Oak Cross roads and Gribblebridge Lane. This route is a largely on-road ride travelling through the High Weald, using narrow, picturesque country lanes as much as possible. Green Lane/Stepneyford Lane is mentioned in TWBC's Rural Lanes: Supplementary Planning Guidance. It is particularly high scoring in terms of its landscape, its recreational value, its natural beauty and its history. For these reasons, it is part of National Route 18. Rather than encouraging cycling, AL/BE3, which proposes two exits for this major development on GGR and two on Green Lane (where a second housing estate, at Cleveland Farm is already leading to Kent Highways calling for road widening and the elimination of grass verges - see building application 20/03267/FULL) will cause an increase in those factors, identified in *TW Cycle Strategy*, as discouraging cyclists, namely, traffic and the loss of unspoilt country lanes. Policy AL/BE3 also contravenes Kent Structure Plan Policy ENV13: "Rural lanes which are of landscape, amenity, nature conservation, historic or archaeological importance will be protected from changes which would damage their character, and enhanced." In any event, the cycle route is purely recreational and will not enhance the sustainability of these sites.

- Policy STR 7** proposes, in dealing with TWBC's 2019 legally binding commitment to manage climate change, that all development in the borough will support the Council's target to achieve net zero emissions by 2030. It is unsound, with such a goal, to propose a major development on the parish periphery, 3 miles equidistant from two villages where there is no shop (in spite of the PLSP's statement AL/BE 3&4) and no café (BHS says its café was built for its own use not for the use of the public - see comments on the first draft of the LP). Residents will need their cars for almost everything.
- Policy STR1** promotes the effective use of previously developed land, having due regard to relevant Plan policies, but in promoting AL/BE3&4, the PSLP disregards STR6 (environmental goals) & STR7 (transport goals). Under the NPPF, sustainability is the priority, as the PSLP acknowledges in STR3, 4.65 "A presumption of sustainability lies at the heart of the NPPF", but in allocating AL/BE 3&4, the PSLP fails to respect its own and the NPPF's strategic priorities.
- Policy STR 8** states that development should contribute to and enhance rural landscapes with particular regard to the High Weald (HW) AONB. The PSLP promotes nature conservation. Its biodiversity objective is to achieve net gains and, where possible, secure long-term management of sites for biodiversity. AL/BE3 runs counter to this strategy since the BHS has produced plans showing houses built over the LWS. It has, furthermore, produced a document requiring that one of the two LWS be dug up and removed to another unspecified location, thereby nullifying the terms of the existing Landscape and Ecology Management Plan (LEMP) for that site. Para 3.21 of the BHS submission on the first draft LP states: *"The Society supports the requirement for long-term management of the core areas of LWS associated with the hospital land. This includes all but the modest area within the SEQ adjoining Peak Lodge which is too constraining on the South East Quadrant redevelopment proposals. Accordingly, the soils in the area will be translocated to a nearby receptor site to try to ensure that the rare fungi can continue to thrive in this local area."* This is a particularly significant site for biodiversity. A letter from Keith Nicholson, former Planning and Conservation officer for the Kent Wildlife Trust, dated 4 March 2013, to TWBC Development Control Officer, Ellen Gilbert states that the hospital LWS are of national importance, mainly for the large number of different varieties of waxcaps. He states that they could well have been designated SSSI. Both in terms of waxcaps and in terms of valuable acid grassland, the hospital sites have high environmental value, see Comment DLP_3458 on the first draft of the LP, from the High Weald AONB Unit. The Benenden Hospital site *"includes rare and vulnerable acid grassland which should form a core area for unimproved grassland as part of a High Weald nature recovery network."* AL/BE3&4 threaten the biodiversity of significant species in the LWS at the hospital sites, contrary to EN1.
- The LWS to the south of AL/BE3 is included in the BNP and BPC argues that this has been done in order to protect it (see their response to the Independent Examiner April 2021). It is difficult to follow this logic. The inclusion of the site in the area to be developed suggests that it too could be under threat.
- There is no plan showing the placement of houses on AL/BE 4, which is currently home to a large LWS and is the site of 18 habitable dwellings, almost all of the them currently in use and let. The proposal allows for these to be demolished and another 25 dwellings added to the site. The PSLP includes the LWS in the area to be developed and the BNP excludes most of it. Benenden Parish Council (BPC), in its April 2021 response to the Independent Examiner, has said that, in this case of a successful referendum, the PSLP's plan (which includes the LWS), will prevail. In other words, of the 3 LWS in AL/BE 3&4, one is slated for removal, one will be built over if the PSLP prevails and one may be built over if the BNP prevails. This undermines STR8.
- The PSLP claims that the hospital development "has the potential to improve the setting of the HW AONB through the delivery of a more sensitive redevelopment of existing buildings" (para 5.454), but the claim is not supported by evidence produced by the *Hankinson & Duckett* (see above) while the HW AONB unit's own view is the opposite. See TW first Draft LP, **DLP_3458 High Weald AONB Unit** (which objects to the Plan) : *"....In our view the development at Benenden Hospital will have a significant effect on the setting of the AONB and the purposes of its designation, and this issue has not been properly considered by the Plan."*
- Also, the NPPF section 2 para 11 states: *"Plans and decisions should apply a presumption in favour of sustainable development... (b) strategic policies should provide for objectively assessed needs for housing ...that cannot be met within neighbouring areas unless ... (i) the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan"*

area.” And see Footnote 6: the policies referred to are those in the Framework ... relating to habitat sites (and those sites listed in para 176) and /or designated as SSSI, AONBs

NPPF para 177 states: "The presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site".

PSLP EN1 para 5. Biodiversity and geodiversity.

AL/BE 3&4 run counter to this policy as stated above in relation to the LWS.

The Environment

STR8 sets high environmental standards but these are undermined in the site allocations. This is particularly startling in the light of the July 2019 Full Council motion to recognise the climate and biodiversity emergency, in fact, the Benenden allocations put into question whether the motion was passed in good faith.

EN1 para 5 (Biodiversity and geodiversity) says that proposals should maximise opportunities to increase biodiversity. This goal may make sense in an urban setting, but development in the countryside, as is proposed in AL/BE 3 & 4, cannot hope to ever mitigate biodiversity loss. The destruction of trees and wild spaces, the introduction of lighting, kerbs, driveways, wider roads and narrower verges, the use of concrete, tarmac, bricks and mortar in a deeply rural setting cannot “increase biodiversity”.

EN1 provides for Long-term Management plans which would be satisfactory within an urban context. In a rural location like the East End, such plans are no substitute for natural wild spaces. A ‘managed’ green space set among streets is less likely to promote biodiversity and less likely to conserve wildlife than ‘unmanaged’ green space. Further, the three LWS in AL/BE3 are all already part of an existing LEMP agreement, and since one or all would be removed in the case of development as outlined by BHS under AL/BE3&4, instead of creating a long-term management plan, AL/BE3&4 would all but terminate an existing one. The sentiments expressed in EN1 are mocked by AL/BE3&4.

1 Site policies

AL/BE3 excludes one of the 2 LWS at the site, and the BNP includes both, yet para 5.458 states “Both this policy and BNP draft Policy SSP3 broadly follow the same approach towards the potential for developing this site for a residential development..” This does not appear to be the case. Further, the SHELAA treats this site twice, once including the southern LWS (and excluding Windmill Cottage) and once excluding the LWS and including Windmill Cottage (SHELAA pages 1-3 and pages 18-19). In the second instance, the suggestion is for 67-73 houses, presumably building over the LWS. The first plan is the one adopted in the PSLP and appears to be the more accurate of the two in that it describes the site as “mostly PDL”. The second ignores all greenfield aspects and is almost identical to the plan in the BNP, a plan which BNP claims will prevail if it wins a referendum. Is AL/BE3 presenting us with the wrong plan?

AL/BE3 and AL/BE4 provide for a phased timetable for development of the two sites at different time intervals without calling for a comprehensive masterplan for the hospital site as a whole i.e. for the entire built up area. This is inconsistent with STR2, which requires a masterplan for large developments. The full extent of the area to be developed must be clear. See para 1a of Policy AL/BE3 which states that there is a need to “show indicatively how the other areas included within Policies AL/BE3 and AL/BE 4 can be developed to meet the overall policy requirements as set out within each of these policies, and *how the future needs for Benenden Hospital will be met on areas to the north west and south west that currently comprise the hospital buildings and associated ancillary uses and is previously developed land.*” It is not sound to proceed with an LP where the land to be developed is not indicated from the start.

AL/BE3&4 both call for an active travel link between the site and Benenden village. This proposal has been costed (see BPC’s April 2021 reply to the Independent Examiner) at between £180,000 and £220,000 for a 3m wide tarmacked surface, plus costs to upgrade it to a bridleway, plus the costs associated with obtaining landowners’ consent or, failing that, of starting compulsory purchase proceedings which TWBC expresses reluctance to undertake because of the significant compensation costs and legal costs which would be involved. No steps have been taken either by the BNP or TWBC to ascertain the willingness of landowners to give up their land although the major landowner involved wrote to BNP on 11th Sept. 2019 objecting to the plan. It is understood that he was not contacted for subsequent discussion.

AL/BE3&4 calls for the repurposing of the existing tennis courts for the use of local residents, which BHS denies it will offer for public use; for the public use of the hospital's café; for the creation of a hospital shop (5.413); for a minibus service linking the hospital to the village ("The Society is not a transport provider" is BHS' response); for green space, a playground and provision of a community hall - most of these policies are refuted in Savills' comments on behalf of BHS, in the first draft of the LP, DLP_ 4956 paras 3.14, 3.18, 3.19, 3.20, 3.46 and 3.47. Rather than agreeing to such policies, the hospital is calling on TWBC to introduce a more flexible funding system to allow a *reduction* of developer costs. BHS argues these will be high because they wish to demolish existing buildings. It is unsound to propose policies which cannot be implemented. Once the sites are sold, no relevant conditions to this effect could be imposed.

1 The PSLP is unsound because of inconsistencies in the treatment of different sites.

(i) **Uphill, AL/BE1** is described as having archaeological potential (para 5.428) requiring possible mitigation measures. This is not because of historical finds on the site, but because they might be found. A listed manor house lies on the other side of New Pond Road and, according to AL/BE1, "the site lies within, or very close to the relevant impact risk zone for Parsonage Wood", a SSSI which is, in fact, several miles away. The archaeological significance of AL/BE 3&4 is far more certain and substantial. The hospital sites are where a bronze age palstaff was found (see the National Monument Register - SMR Number /Hob UID)) and the sites lie close to two ancient routeways. A Roman Road runs west-east (on BHS farmland) a few yards to the south of AL/BE3 and a medieval drove road (GGR), runs west-east between the two sites. Further, two Grade II Listed Buildings are sited here, also on BHS land. The Lister building stands a few yards to the west of AL/BE3 and Cleveland Farm house (the farmyard of which BHS is trying to develop separately and simultaneously as if a minor planning project) lies a few yards to the south. Instead of mentioning these facts, AL/BE3&4 reads (5.456 and 5.468) "Kent County Council states that the site includes significant archaeology, which could be dealt with through suitable conditions on a planning approval." The imbalance in the treatment of the two sites is substantial and suggests prejudice.

(ii) The SHELAA assessment of site 158 suggests a potential yield of 50-65 houses, but then concludes that only the Uphill part of the site is suitable (20 houses). It states that "the remainder of the site is sensitive in landscaping terms and there is concern regarding scale and impact on the character of the landscape and settlement pattern". This is contrary to the views of TW's 2006 SA; to the TW 2018 document proposing 174 houses; and to the first draft of the LP. The dismissal of 158 as a suitable site is not supported by the evidence and suggests prejudice.

(iii) Site 222, west of the cross roads, was also considered in 2006, as a possible site for the new village school, though it was not one of the top two sites put to a referendum. The SHELAA suggests 222 has a potential for 76 houses. The site is considered unsuitable partly because the new LBD, if adopted, will exclude all houses west of the cross roads, when the village actually extends a considerable length along this road to the west. There is no mention of the fact that the owners of this site are offering the pond at the south west corner of the crossroads as village green space. The dismissal of 222 is not supported by the evidence and suggests prejudice.

(iiii) The SHELAA suggests a capacity of 26 houses at Site LS8 in Iden Green, stating that it lies adjacent to the recreation ground and a children's nursery and that there is a pavement on both sides of Iden Green's main road. It fails to mention that the easternmost side of this pavement connects the village to the village primary school. The SHELAA dismisses the site as unsuitable saying that it is located in a remote location relative to services, facilities and public transport, but this site is far less remote than sites AL/BE 3&4. The dismissal of site LS8 is not supported by the evidence and suggests prejudice.

(v) The proposed new LBD has been constructed so as to include the new site at Uphill and to exclude 222, when in fact, the actual built development extends westwards from the crossroads and includes site 222. The LBD is ignored in respect of AL/BE3&4. Manipulation of the LBD to suit allocated sites is inappropriate.

As a general comment, I have found the process unnecessarily difficult to navigate. In fact, from the point of view of the ordinary lay-man, I would term the process 'hostile'. The interactive on-line site was unmanageable. Question 4a is very badly worded. The PSLP's prose entirely suited the opacity of the procedure. Here is one example from the SA (page 163) "However, the education objective does not deteriorate when considering cumulative effects as the schools in Tenterden will be a viable option for residents in East End and thus are likely to take the pressure off Benenden Primary School." What does that mean?

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan 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 modifications needed are included in the submissions set out above. In summary, development on site AL/BE 3 should be limited to the existing, so far unused, planning permission for 24 houses, preferably by adapting the Garland Wing, which is a building of historic value, either to a wellness centre, in accordance with its original intention, or to a row of up to 10 terraced houses. Site AL/BE 4 already has 18 semi-detached houses on it, and cannot support any more. It should therefore be excluded. Housing should be allocated to sites (such as 158 and 222 in the village centre or LS8 in Iden Green) which lie on bus routes or are within walking distance of the village centre and school. Paragraphs 5.421 and 5.422 should be omitted.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Question 8

If you have any separate comments you wish to make on the accompanying Sustainability Appraisal, please make them here.

1. The Sustainability Appraisal (SA) is misleading. Table 58 on page 163 states that all Benenden sites "lack services, facilities and travel options". This belies the fact that AL/BE2 (Feoffee almshouses) is close to the Street as is AL/BE1 (Uphill). Both sites are within walking distance of the bus stop for daily bus services, the post office, village shop, the primary school, the village green, the butchers, pub, community hall, church, recreation ground and children's playground. AL/BE 3 & 4 are three miles north east of the village with no daily bus service and no amenities whatsoever.
2. The commentary on Table 58, (page 163 of the SA), states that East End sites score badly on Climate Change and Travel, yet these are the sites promoted for most houses.
3. The SA argues on page 163 that East End residents will send their children to schools in Tenterden instead of to the village primary school, and that this will lessen the otherwise seriously negative effects of the two hospital sites. This is pure conjecture and possibly wishful thinking. The school has a good reputation and currently between 70 and 75% of children there come from outside the parish. East End children will have precedence over these, since intake depends on the distance of a child's residence from the school. Pressure on Benenden Primary School will increase, not decrease. Further, the use of a car, whether it drives to Tenterden (5-6 miles) or to Benenden (3 miles), pollutes and deprives residents of the health-giving pleasure of walking to school. The AL/BE 3&4 are contrary to STR2, to the NPPF and to KCC policy on climate change.
4. Appendix L (pp331-2) shows Scores for Reasonable Sites in Benenden. Here we see scores for 158 and 222, two sites close to the village centre. Of 158, we read "A site that scores several neutrals with some positives, let down by its land use and landscape score impacted by a loss of a greenfield

site in the AONB and lack of services and facilities including public transport at the settlement.” This SA report compares poorly with the SA which TWBC carried out on site 158 in 2006. 158 is parallel to and just north of the Street with its exit onto New Pond Road. In 2006 site 158 was chosen in a village referendum as the site for a new C of E primary school. It was the preferred site out of a choice of two, both of which were greenfield. TWBC’s 2006 SA on 158 decided (see page 18 of the Sustainability Appraisal Benenden Church of England Primary School Land Allocation DPD - Issues and Options report), that 158 was one of two top sites. “Situated adjacent to an area of ancient woodland, the site provides the potential for habitat linkages and wildlife corridors. The site is not adjacent to the CA [Conservation Area] and does not form a significant role in its setting. There are no Listed Buildings on or adjacent to the site. The site is consistent with the surrounding landscape character. There are limited views into the site and no public rights of way over the site.” On page 38, we read, “This site is anticipated to have a major beneficial effect on improving educational standards and travel choice/traffic levels”. In spite of the referendum result, the school was eventually built at the less preferred site and, since then, TWBC had been in consultation with 158’s owners to build houses there.

5. In April 2018, BNP Steering Committee Deputy Chair, a borough councillor, showed the committee a piece of paper from TWBC saying that TWBC wishes to build 174 houses on site 158. He committed himself to seeing these numbers reduced and the numbers at the East End raised. After a meeting between representatives from the BNP group and TW planners on June 19th, 2018, the minutes reported that “At times the workshop was emotive ...” Following that meeting TW planners put site 158 on temporary hold, limiting development there to a future Local Plan by asking, in the first draft of the LP on page 270, that the Uphill site on New Pond Road, adjacent to 158 and allocated at that time as AL/BE3, should, under Clause 8, provide for vehicular access through Uphill to the site behind (158) “which may be allocated for development as part of a future Local Plan.” In the PSLP, this wording for Clause 8 has disappeared. Where is the evidence-base for such wording to be included in the first draft and excluded in the second? Why is the site considered suitable in 2006, in 2018, and in the first draft, but not suitable in the PSLP?

6. Site 222, like 158 is described in Appendix L of the PSLP’s SA as suffering from “a lack of services and facilities including public transport at the settlement.” This is inaccurate. There is a daily bus service along Benenden Street and site 222 is within easy walking distance of the bus stop, shops, pub, community hall, primary school and all other amenities.

7. Site LS8, in the heart of Iden Green is, along with site 158 and 222, a site which on-the-ground evidence suggests is eminently suitable for development, but which the SA fails to allocate. Appendix L of the SA gives LS8 virtually the same scores as Uphill (LS16 of AL/BE1) yet the latter is included for development and the former is not. The commentary states of LS8 “A number of scores are negative however, reflecting the remote location of the site from services and facilities and public transport. It scores negatively in heritage terms as the site is a relatively sizeable piece of the Iden Green Conservation Area.” This site is far less remote than sites AL/BE 3 & 4. It is one mile from the village and connected to it by a paved footpath running past a Roadside Conservation Area and then (still paved) through a field to the church and primary school. It is on a bus route and the bus stop is next to LS8. Iden Green has a community hall, tennis courts, a children’s playground and pub/restaurant. The SA information is unreliable and the PSLP’s use of it for site allocation is unwise.

8. In so far as Benenden is concerned, the sites were allocated before any sustainability appraisal was commissioned. It is not therefore a relevant factor in the allocation of sites for housing.

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Marion Stevenson-Rouse [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] Fosten Green Ashford [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Marion Stevenson-Rouse [REDACTED]
Comment ID	PSLP_167
Response Date	14/05/21 10:44
Consultation Point	Policy AL/BE 3 Land at Benenden Hospital (south of Goddards Green Road), East End (View)
Status	Processed
Submission Type	Other
Version	0.8
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Marion Stevenson-Rouse
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy AL/BE 3: Land at Benenden Hospital (south of Goddards Green Road), East End

[TWBC: this representation has been input against Policies PSTR/BE 1, AL/BE 3 and AL/BE 4 - see Comment Numbers PSLP_163, PSLP_167 and PSLP_168]

Question 4

Do you consider that the Local Plan:

Is legally compliant	No
Is sound	No
Complies with the Duty to Cooperate	No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:	. It is not positively prepared
	. It is not effective
	. It is not justified
	. It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

Paragraph No(s) Para 5.413, 5.414, 5.416, 5.420, 5.421, 5.422, 5.428, 5.452, 5.453, 5.454, 5.456, 5.458, 5.467, 5.468 Policy No. Objective 1, Objective 2, STR1, STR2, STR3, STR5, STR6, STR7, STR8, PSTR/BE1, Policy AL/BE1, Policy AL/BE3, Policy AL/BE4, EN1 Sustainability Appraisal SHELAA Policies Map (Inset Map No(s)) Inset Map 18

This submission concerns the parish of Benenden, the only parish in the borough to have made its own allocations. The Benenden Neighbourhood Plan (BNP) has been developed in close consultation with TWBC, with the BNP in the lead. The BNP announced its allocations in February 2019, before inviting AECOM to produce its Strategic Environmental Assessment. Pre-Submission Local Plan, para 5.420 reads "The BNP was submitted to TWBC in October 2020 and was consulted on between 30 October and 11 December 2020." But the allocations had been made and published in February 2019. Further, Para 5.420 states "The BNP proposes to include site allocation policies that follow the approach of the site allocation policies for Benenden in this Local Plan." BNP allocations were first published in February 2019 i.e. before LP site allocation policies.

Allocations made by the LP, when it took up the BNP's baton, are therefore inevitably linked to BNP's weaknesses. Yet if the BNP passes a referendum before acceptance of the LP, it is said that it will take precedence over the LP (see para 5.421), with the exception of its plans for the northern site at Benenden hospital, which will be overruled by the plans advanced in the LP (see Benenden Parish Council April 2021 response to Independent Examiner queries on the BNP). This is in contravention of para 5.422 which talks of making "modifications to the LP" so that it matches the BNP.

1 Community involvement. EN1: this requirement has not been respected.

- . In Benenden, almost all new housing is slated for the East End, yet the Friends of the East End (FEE), were never asked to meet with the BNP steering group.
- . See EN1 para 9 requiring the effective engagement of the local community, neighbours of sites and others. The FEE submitted three petitions, two to the BNP and one in relation to the LP. A FEE submission with 127 signatures was submitted on April 4th 2019 in response the Informal Draft NP (published on February 23, 2019), in which the allocations later adopted by the LP were first set out. A FEE submission with 164 signatures was submitted in October 2019 objecting to the first draft of the LP, and in the same month, a FEE submission with 167 signatures was submitted in relation to the Reg 16 draft BNP. See the FEE's current online petition with more than 450 signatures <https://www.change.org/EastEndFriends>

- . Instead of being consulted, the FEE were ignored and belittled. They were informed on 11th March 2019 by the editor of the Parish Magazine (PM), husband of the Chair of the Parish Council, that “I’m of the view that much of the uncertainty has passed since the presentation of the plan to the village - to a highly favourable reception. At least we no longer have to give polite credence to *uninformed views* that fly in the face of TWBC policy and advocate direct and *pointless confrontation* with TWBC, thereby running the risk of having the entire BNDP thrown back in our faces. *The ensuing chaos hardly bears thinking about.* At least it seems the opinions now being afforded most weight are those of *people who have worked hard for two years to understand the issues* and come up with a coherent way forward.”
- . One of the regular articles on the BNP submitted by the chair of the BNP Steering Group appeared in January 2020. It dismisses FEE opposition suggesting only “31 residents from the East End” sent in comments.
- . The core group behind the BNP has consistently tried to persuade those who support the FEE to desist. The chair of the Parish Council and the chair of the BNP Steering Group have twice asked to meet a Tunbridge Wells Alliance (TWA) Borough Councillor for the parish, once together with a TWA borough council candidate, in efforts to persuade them to adhere to the BNP’s approach and not to listen to the FEE.
- . The organiser of the FEE was a member of the Steering Committee 2017/2018 as chair of the Environmental Group. She expressed strong disagreement with a Borough Councillor who lives in the village (on occasion, he deputises as chair of the Steering Group) about his wish to step up allocations in the East End and suppress TWBC’s wish to build 174 houses on site 158. As a result, the Steering Group chair (using his own word), “sacked” her. This is contrary to EN1 para 9, encouraging early, proactive and effective engagements and the requirement that views expressed should be properly considered.
- . Consultation also failed in relation to the neighbouring parish of Biddenden. The Clerk of Biddenden Council has repeatedly responded to BPC in the course of the BNP consultation process, but received only acknowledgments. A Kent County Councillor and Ashford Borough Councillor wrote an article about BNP’s mismanagement of the parish of Biddenden in the Biddenden Parish Magazine, February 2021.
- . The LP is based on the BNP and BNP allocations were made before consultations with stakeholders such as the AONB. This is not consulting in a timely fashion. Further, the LP requires surveys of the hospital sites *after* the designation of the sites for development, for example, archaeological surveys (see AL/BE 3&4). Historic England (HE) asks for the surveys to be carried out *before*. See HE’s comments on the first draft LP (DLP_4556) - “we would expect the allocation of sites following on from this Strategy policy (STR1) to be subject to appropriately robust and detailed heritage impact assessment *prior to the allocations being adopted.*”
- 1 **The PSLP is not based on sound evidence**
 - . Throughout the LP process, misstatements have been made about amenities in Benenden’s East End. These may be traced back to a submission made by traffic and highways consultants, Transport Planning Associates (TPA) to Benenden Healthcare Society Ltd. (BHS). This submission was recently disclosed in BHS’s response to the Independent Examiner’s queries in relation to the BNP. TPA’s information is sometimes inaccurate and sometimes misleading and we consider it here in detail because it is difficult otherwise, to understand how the LP was able to continue, iteration after iteration, to relate false information about the hospital site.
 - . In October 2019, TPA reported (para 2.6) that there was a footpath along the southern edge of Goddards Green Road (GGR) and the PSLP, para 5.452 states “There is an intermittent pavement along GGR”. The GGR is a long road running from New Pond Road to Castleton’s Oak crossroads, and was formerly a lane. The pavement is limited to the short section immediately outside the hospital buildings. To say that there is an intermittent pavement along GGR is misleading.
 - . The TPA refers to the East End as a village, which it is not. The East End runs from the junction of GGR and Walkhurst Road, along the GGR to the border with Tenterden, then turns south to reach close to Hole Park in Rolvenden, then east back to Walkhurst Road at the site of the stream, then along Walkhurst Road back to GGR (see the old Electoral Roll for 2004 when the East End had its own polling station). It is a large, totally rural area of several square miles, which was why it was chosen as the site for an isolation hospital in 1906. Today it contains only 76 houses scattered across the entire area. The PSLP consistently refers to the East End as a hamlet. It is not, which is why BPC is able to advertise itself on its website as “Serving the people of Benenden and Iden Green” without any reference to the East End.

- . The TPA says that “a day nursery is located immediately to the north of the Site within 400m.” There is incorrect, yet this error is repeated in para 5.413 of the PSLP “There are also nursery/pre-school facilities at Iden Green and East End.” An accurate account would mention Iden Green only.
- . The TPA states that there are daily bus services along GGR provided by bus nos. 24 and 299, and twice a day service provided by the Hopper bus. This information is incorrect. The 2019 Hopper bus, operated by the Tenterden social services hub on an experimental basis, failed in only a matter of months. While the 24 and the 299 buses pass along GGR, they do so on only one day a week. The 24 on Tuesdays and the 299 on Wednesdays. The East End has almost no public transport.
- . The TPA makes several statements in relation to traffic which have fed misinformation into the system to be reflected in AL/BA3&4. This misinformation was only recently revealed when documents were provided by BHS following April 2021 queries raised by the Independent Examiner on the BNP. These documents include a TPA ‘Scoping Note’ on road and traffic conditions at the site and a letter written in response to this Note from KCC Highways, dated 13 Nov. 2019. The TPA states that the GGR is 7m wide at the hospital site which detracts from the fact that it is actually a winding rural lane, now called a road, and varies considerably in width. It may at some point be 7m wide, but at others, it is so narrow that two lorries have difficulty passing each other. The TPA claims that there is no need for a road safety review because there have been “no personal injury accidents” recorded within 1,000m. Castleton’s Oak crossroads lie 1.5 km from the site and accidents there are frequent, largely due to increasing traffic at the hospital. The hospital has turned itself into an almost exclusively out-patient centre and almost all its 300 employees drive in to work from outside the parish (formerly, they were housed on site in hospital staff buildings). Kent County Council (KCC) Highways make constant and repeated attempts to lower the risk of injury at the crossroads. Works there are ongoing at this time. The TPA claims that no traffic surveys are necessary which is a point queried in the KCC Highways’ email. The email talks of the “heavy car dependency” of residents in any housing in this location and says this was one of its concerns, even at the time of the original application asking for only 24 houses. The email states that BHS’s plans (and therefore AL/BE 3&4) are contrary to the NPPF and to KCC’s own policy objectives, and points out that the hospital has not co-operated over the idea of a minibus to provide transport from the site to Benenden. The letter calls for: traffic counts along the GGR; a wider crash analysis; and expresses concern over the proposed access points to the SE Quadrant - 2 on Green Lane and 2 on GGR. Lastly, on trip generation, the TPA projects that 47 houses at the site will produce only 106 trips a day, though the consultants admit that they have difficulty in basing their estimate on comparable sites because there are none. These trip generation figures ignore existing traffic from local residents, from patients, from hospital staff and from the newly (January 2021) proposed housing estate at Cleveland. The AL/BE 3&4 fails to provide a traffic count, fails to ask for a road safety review and fails to acknowledge frequent traffic accidents near the sites.
- . Pre-submission supporting documents also produce inaccurate and sometimes irrelevant evidence. The hospital sites are within the setting of an AONB and even overlap into it, yet *Inset Map 18* (Benenden Hospital), unlike other maps attached, makes no reference to the AONB boundary. The BNP claims that the hospital is outside the AONB and on this basis, since the rest of the village is wholly within the AONB, largely justifies placing most of Benenden’s housing in the East End. The relationship of the AONB boundary to the hospital sites is important yet it is ignored on the map. This looks like prejudice.
- . Hankinson Duckett Associates’s *AONB Setting Analysis Report* (a supporting document for the PSLP, referred to as an evidence base) is, in its analysis of AL/BE3&4, unsound. The analysis argues that development at these sites will enhance the setting of the AONB. It illustrates the argument with photos of the hospital chapel and its carpark. Neither chapel nor car park are in the area up for development.
- 1 **Policies AL/BE3&4 are not consistent with the PSLP’s Vision objectives nor with its strategies, nor with KCC’s policies, nor with the NPPF.**
- . The PSLP’s Vision Objective 1 is : “to improve access to suitable, especially affordable housing, including for local young people and older households.” But this is inconsistent with allocations AL/BE 3 &4. BHS is asking in its comments on the LP first draft, for a lower number of affordable homes because of the high cost of brownfield development. Living isolated in the countryside, families will need at least two cars. Old and young will be unable to walk to schools, shops or

any other amenities. This is not a suitable site for a borough which (see para 2.16) expects the population over the age of 65 + to increase by around 40% between 2020 and 2038. The PSLP's Vision Objective 2 is to ensure sustainable development which allocations at AL/BE 3&4 do not achieve. On the contrary, the KCC warns that even with the existing permission for 24 houses on AL/BE3, the highway authority had concerns. This is an isolated location, deep in the countryside (see KCC Highways email 13 Nov 2019). More than 24 houses in this location is not sustainable.

- . **Policy PSTR/BE1**, LBD 5.416 states "the LBD around Benenden village sets the extent of existing and planned development .." This conflicts with the recommendation that major development be instated three miles beyond the LBD, on the border with Biddenden.
- . **Policy STR 2** "The Council requires the use of masterplanning, including the use of design codes and sustainable design standards where appropriate, for strategic and larger-scale developments.." This is undermined by AL/BE 3&4 which calls for a masterplan for an area not included in the PSLP and not presented. Para 1a of Policy AL/BE3 states that there is a need to "show indicatively how the other areas included within Policies AL/BE3 and AL/BE 4 can be developed to meet the overall policy requirements as set out within each of these policies, and *how the future needs for Benenden Hospital will be met on areas to the north west and south west that currently comprise the hospital buildings and associated ancillary uses and is previously developed land.*" It is not sound to proceed with an LP where the land to be developed is not clearly indicated from the start.
- . **A masterplan is essential to avoid current inconsistencies on the size of areas to be developed:** AL/BE3 excludes one of the 2 Local Wildlife Sites (LWS) at the site, yet the BNP includes both. Para 5.458 states "Both this policy and BNP draft Policy SSP3 broadly follow the same approach towards the potential for developing this site for a residential development.." They do not. The PSLP states that in the event of a successful referendum, the BNP's proposals will prevail. If this is so, are we supposed to assume that AL/BE3 map is inaccurate?
- . A similar problem arises at the northern site (AL/BE4) here there are currently 18 dwellings. The proposal allows for these to be demolished and another 25 dwellings added to the site. The size of the area to be developed varies between the LP and the BNP. The LP includes the LWS in the area to be developed but the BNP includes only a small section, but says in the event of a successful referendum the BNP plan will be over-ruled by the LP plan (see the BPC response April 2021 to the Independent Examiner's queries). This is the reverse of 5.421 & 2. It is unsound to proceed with a plan when the NP and the LP are at odds with each other.
- . **The PSLP claims building will only be within existing footprints**, an approach which is at odds with that of the BHS. Plans for 47 new houses in AL/BE3, presented to the village on 17th February 2020 by the hospital architects, show the buildings are not to be built within the footprint of previous buildings nor to respect LWS.
- . **Policy STR 3** calls for the use of brownfield sites "within settlements" and in "sustainable locations." AL/BE 3 consists of disused medical buildings and 2 LWS with parkland and veteran trees (depending on whether this second LWS is included or not). 5.448 is therefore incorrect. The site should be described not as brownfield but as partly brownfield. It is not on the brownfield register. Because of its remote location and its valuable LWS sites, it is not free from constraints which could be mitigated. As such, Policy AL/BE3 does not meet the criteria needed under the NPPF, Section 11, para 117 for development in "a way that makes as much use as possible of previously-developed or 'brownfield' land." AL/BE 4 contains in-use residential housing and an LWS and therefore is not entirely brownfield.
- . **Policy STR 5** states that "New residential ... development will be supported if sufficient infrastructure capacity is either available or can be provided in time to serve the development." Will this happen at AL/BE3&4? Developers themselves are to provide the infrastructure at AL/BE 3&4. The LP proposes to take on trust suggestions that the BHS will avoid building on the LWS and will provide play-grounds, sports facilities and tennis courts. We know from submissions following the first draft LP, that BHS is actually planning to remove one LWS entirely and that its plans include building on the LWS and beyond the foot print of previous buildings. BHS suggests, in its response to the first draft LP (DLP_4956) that it is unlikely to provide play-grounds, sports facilities and tennis courts. The PSLP's approach does not take comments to the first draft LP into account.
- . **Policy STR 6** proposes to "Deliver future development in accessible locations, normally within or in close proximity to existing towns and villages across the borough." In the case of the two isolated hospital sites, the PSLP contradicts its own strategic policy and fails to offer choices in transport or to prioritise active travel and public transport. The Benenden hospital sites have no

daily bus service and no active travel link to the village, and neither the PSLP nor the BHS provide credible information on how these links are to be provided. The KCC email of Nov 13 suggests that the hospital is uncooperative on the proposal to organise a minibus service and the SHELAA says of AL/BE3 that it is "Remote from a settlement centre," (unlike sites 158, 222 and LS8); that residents will rely heavily on private cars and thus air quality and travel objectives score negatively; and that, "although promoted by the policy, shared transport and active travel options are unlikely to take precedence over private vehicle use thus air quality and climate change score negatively." This we feel is the nub of the issue. For all the talk of mitigating the remoteness of the hospital sites with a minibus link and cycle routes, nobody actually believes that any of these measures will succeed. As for the proposal to create links suitable for electric personal vehicles, such as mobility scooters (as suggested under STR 6), it is difficult to see, when the closest link with the village is a single-track lane (Walkhurst Road), how any personal electric vehicle could make that journey. The PSLP is creating, through its policies AL/BE3&4, a car dependent community. This thereby negates the sense of the LP's supporting document, *Transport Strategy Review Sept 2019* which urges reducing the need to travel.

- . AL/BE3&4 also undermine TWBC's Full Council motion of July 2019 to reduce CO2 emissions. "The dominance of the car as a mode of transport can lead to congestion, more road accidents, air and noise pollution. In addition it contributes to climate change, reduces social cohesion and leads to less healthy lifestyles" (para 44 *Transport Review*). According to TW's own SA from 2006, if social cohesion, reduction in air pollutants, and public health were indeed the borough's priorities, site 158 would have been among those chosen for Benenden, as originally intended.
- . **PSLP paras 5.453 and 5.467** state that "residents of development in this location will rely heavily on private cars." These plans runs counter to STR6 policy on the environment see paras 6.8, 6.9, 6.10, 6.11 and 6.13. It also contravenes KCC policies on climate change and the NPPF (see KCC's Nov 13, 2019 letter on this subject).
- . **Para 5.414** "The parish provides two relatively large sources of employment: at Benenden Hospital and at Benenden School." The inference is that the employment opportunities are linked somehow to the population of Benenden. There is in fact little connection. The 300 plus staff at the hospital drive into the parish along GGR to work and, since the hospital is isolated from the village, their contribution to the local economy is negligible.
- . **Policy STR 6 The LP proposes to "Deliver future development in accessible locations, normally within or in close proximity to existing towns and villages across the borough."** In the case of the two isolated hospital sites, the LP contradicts its own strategic policy and fails to offer choices in transport or to prioritise active travel and public transport.
- . **Cycle routes:** The PSLP's standards on the public benefits of cycling and walking are based on the *Cycle Strategy Supporting Document*, but these standards are undermined by site allocation in Benenden. The Cycle document states that: "When more people cycle or walk the health of the population improves and our roads become safer and less congested." Its objectives 4 and 5 are to improve safety for cyclists and air quality for all, but AL/BE 3 & 4 will create a community, deep in the countryside, entirely dependent on the car and will contribute to poorer air quality for all. The allocation of these sites, as opposed to sites such as 158, is difficult to understand.
- . The *Cycle Strategy* states that fear of traffic is possibly the main factor discouraging people from cycling. National Cycle Route 18 runs from the Rolvenden Road, down Stepneyford Lane, to Green Lane, before joining the Benenden Road near the hospital, turning right and leading to Castleton's Oak Cross roads and Gribblebridge Lane. This route is a largely on-road ride travelling through the High Weald, using narrow, picturesque country lanes as much as possible. Green Lane/Stepneyford Lane is mentioned in TWBC's Rural Lanes: Supplementary Planning Guidance. It is particularly high scoring in terms of its landscape, its recreational value, its natural beauty and its history. For these reasons, it is part of National Route 18. Rather than encouraging cycling, AL/BE3, which proposes two exits for this major development on GGR and two on Green Lane (where a second housing estate, at Cleveland's Farm is already leading to Kent Highways calling for road widening and the elimination of grass verges - see building application 20/03267/FULL) will cause an increase in those factors, identified in *TW Cycle Strategy*, as discouraging cyclists, namely, traffic and the loss of unspoilt country lanes. Policy AL/BE3 also contravenes Kent Structure Plan Policy ENV13: "Rural lanes which are of landscape, amenity, nature conservation, historic or archaeological importance will be protected from changes which would damage their character, and enhanced." In any event, the cycle route is purely recreational and will not enhance the sustainability of these sites.

- . **Policy STR 7** proposes, in dealing with TWBC's 2019 legally binding commitment to manage climate change, that all development in the borough will support the Council's target to achieve net zero emissions by 2030. It is unsound, with such a goal, to propose a major development on the parish periphery, 3 miles equidistant from two villages where there is no shop (in spite of the PLSP's statement AL/BE 3&4) and no café (BHS says its café was built for its own use not for the use of the public - see comments on the first draft of the LP). Residents will need their cars for almost everything.
- . **Policy STR1** promotes the effective use of previously developed land, having due regard to relevant Plan policies, but in promoting AL/BE3&4, the PSLP disregards STR6 (environmental goals) & STR7 (transport goals). Under the NPPF, sustainability is the priority, as the PSLP acknowledges in STR3, 4.65 "A presumption of sustainability lies at the heart of the NPPF", but in allocating AL/BE 3&4, the PSLP fails to respect its own and the NPPF's strategic priorities.
- . **Policy STR 8** states that development should contribute to and enhance rural landscapes with particular regard to the High Weald (HW) AONB. The PSLP promotes nature conservation. Its biodiversity objective is to achieve net gains and, where possible, secure long-term management of sites for biodiversity. AL/BE3 runs counter to this strategy since the BHS has produced plans showing houses built over the LWS. It has, furthermore, produced a document requiring that one of the two LWS be dug up and removed to another unspecified location, thereby nullifying the terms of the existing Landscape and Ecology Management Plan (LEMP) for that site. Para 3.21 of the BHS submission on the first draft LP states: *"The Society supports the requirement for long-term management of the core areas of LWS associated with the hospital land. This includes all but the modest area within the SEQ adjoining Peak Lodge which is too constraining on the South East Quadrant redevelopment proposals. Accordingly, the soils in the area will be translocated to a nearby receptor site to try to ensure that the rare fungi can continue to thrive in this local area."* This is a particularly significant site for biodiversity. A letter from Keith Nicholson, former Planning and Conservation officer for the Kent Wildlife Trust, dated 4 March 2013, to TWBC Development Control Officer, Ellen Gilbert states that the hospital LWS are of national importance, mainly for the large number of different varieties of waxcaps. He states that they could well have been designated SSSI. Both in terms of waxcaps and in terms of valuable acid grassland, the hospital sites have high environmental value, see Comment DLP_3458 on the first draft of the LP, from the High Weald AONB Unit. The Benenden Hospital site *"includes rare and vulnerable acid grassland which should form a core area for unimproved grassland as part of a High Weald nature recovery network."* AL/BE3&4 threaten the biodiversity of significant species in the LWS at the hospital sites, contrary to EN1.
- . The LWS to the south of AL/BE3 is included in the BNP and BPC argues that this has been done in order to protect it (see their response to the Independent Examiner April 2021). It is difficult to follow this logic. The inclusion of the site in the area to be developed suggests that it too could be under threat.
- . There is no plan showing the placement of houses on AL/BE 4, which is currently home to a large LWS and is the site of 18 habitable dwellings, almost all of the them currently in use and let. The proposal allows for these to be demolished and another 25 dwellings added to the site. The PSLP includes the LWS in the area to be developed and the BNP excludes most of it. Benenden Parish Council (BPC), in its April 2021 response to the Independent Examiner, has said that, in this case of a successful referendum, the PSLP's plan (which includes the LWS), will prevail. In other words, of the 3 LWS in AL/BE 3&4, one is slated for removal, one will be built over if the PSLP prevails and one may be built over if the BNP prevails. This undermines STR8.
- . The PSLP claims that the hospital development "has the potential to improve the setting of the HW AONB through the delivery of a more sensitive redevelopment of existing buildings" (para 5.454), but the claim is not supported by evidence produced by the *Hankinson & Duckett* (see above) while the HW AONB unit's own view is the opposite. See TW first Draft LP, **DLP_3458 High Weald AONB Unit** (which objects to the Plan) : *"....In our view the development at Benenden Hospital will have a significant effect on the setting of the AONB and the purposes of its designation, and this issue has not been properly considered by the Plan."*
- . Also, the NPPF section 2 para 11 states: *"Plans and decisions should apply a presumption in favour of sustainable development. ... (b) strategic policies should provide for objectively assessed needs for housing ... that cannot be met within neighbouring areas unless ... (i) the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan"*

area.” And see Footnote 6: the policies referred to are those in the Framework ... relating to habitat sites (and those sites listed in para 176) and /or designated as SSSI, AONBs

NPPF para 177 states: "The presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site".

PSLP EN1 para 5. Biodiversity and geodiversity.

AL/BE 3&4 run counter to this policy as stated above in relation to the LWS.

The Environment

STR8 sets high environmental standards but these are undermined in the site allocations. This is particularly startling in the light of the July 2019 Full Council motion to recognise the climate and biodiversity emergency, in fact, the Benenden allocations put into question whether the motion was passed in good faith.

EN1 para 5 (Biodiversity and geodiversity) says that proposals should maximise opportunities to increase biodiversity. This goal may make sense in an urban setting, but development in the countryside, as is proposed in AL/BE 3 & 4, cannot hope to ever mitigate biodiversity loss. The destruction of trees and wild spaces, the introduction of lighting, kerbs, driveways, wider roads and narrower verges, the use of concrete, tarmac, bricks and mortar in a deeply rural setting cannot “increase biodiversity”.

EN1 provides for Long-term Management plans which would be satisfactory within an urban context. In a rural location like the East End, such plans are no substitute for natural wild spaces. A ‘managed’ green space set among streets is less likely to promote biodiversity and less likely to conserve wildlife than ‘unmanaged’ green space. Further, the three LWS in AL/BE3 are all already part of an existing LEMP agreement, and since one or all would be removed in the case of development as outlined by BHS under AL/BE3&4, instead of creating a long-term management plan, AL/BE3&4 would all but terminate an existing one. The sentiments expressed in EN1 are mocked by AL/BE3&4.

1 Site policies

AL/BE3 excludes one of the 2 LWS at the site, and the BNP includes both, yet para 5.458 states “Both this policy and BNP draft Policy SSP3 broadly follow the same approach towards the potential for developing this site for a residential development..” This does not appear to be the case. Further, the SHELAA treats this site twice, once including the southern LWS (and excluding Windmill Cottage) and once excluding the LWS and including Windmill Cottage (SHELAA pages 1-3 and pages 18-19). In the second instance, the suggestion is for 67-73 houses, presumably building over the LWS. The first plan is the one adopted in the PSLP and appears to be the more accurate of the two in that it describes the site as “mostly PDL”. The second ignores all greenfield aspects and is almost identical to the plan in the BNP, a plan which BNP claims will prevail if it wins a referendum. Is AL/BE3 presenting us with the wrong plan?

AL/BE3 and AL/BE4 provide for a phased timetable for development of the two sites at different time intervals without calling for a comprehensive masterplan for the hospital site as a whole i.e. for the entire built up area. This is inconsistent with STR2, which requires a masterplan for large developments. The full extent of the area to be developed must be clear. See para 1a of Policy AL/BE3 which states that there is a need to “show indicatively how the other areas included within Policies AL/BE3 and AL/BE 4 can be developed to meet the overall policy requirements as set out within each of these policies, and *how the future needs for Benenden Hospital will be met on areas to the north west and south west that currently comprise the hospital buildings and associated ancillary uses and is previously developed land.*” It is not sound to proceed with an LP where the land to be developed is not indicated from the start.

AL/BE3&4 both call for an active travel link between the site and Benenden village. This proposal has been costed (see BPC’s April 2021 reply to the Independent Examiner) at between £180,000 and £220,000 for a 3m wide tarmacked surface, plus costs to upgrade it to a bridleway, plus the costs associated with obtaining landowners’ consent or, failing that, of starting compulsory purchase proceedings which TWBC expresses reluctance to undertake because of the significant compensation costs and legal costs which would be involved. No steps have been taken either by the BNP or TWBC to ascertain the willingness of landowners to give up their land although the major landowner involved wrote to BNP on 11th Sept. 2019 objecting to the plan. It is understood that he was not contacted for subsequent discussion.

AL/BE3&4 calls for the repurposing of the existing tennis courts for the use of local residents, which BHS denies it will offer for public use; for the public use of the hospital's café; for the creation of a hospital shop (5.413); for a minibus service linking the hospital to the village ("The Society is not a transport provider" is BHS' response); for green space, a playground and provision of a community hall - most of these policies are refuted in Savills' comments on behalf of BHS, in the first draft of the LP, DLP_ 4956 paras 3.14, 3.18, 3.19, 3.20, 3.46 and 3.47. Rather than agreeing to such policies, the hospital is calling on TWBC to introduce a more flexible funding system to allow a *reduction* of developer costs. BHS argues these will be high because they wish to demolish existing buildings. It is unsound to propose policies which cannot be implemented. Once the sites are sold, no relevant conditions to this effect could be imposed.

1 The PSLP is unsound because of inconsistencies in the treatment of different sites.

(i) **Uphill, AL/BE1** is described as having archaeological potential (para 5.428) requiring possible mitigation measures. This is not because of historical finds on the site, but because they might be found. A listed manor house lies on the other side of New Pond Road and, according to AL/BE1, "the site lies within, or very close to the relevant impact risk zone for Parsonage Wood", a SSSI which is, in fact, several miles away. The archaeological significance of AL/BE 3&4 is far more certain and substantial. The hospital sites are where a bronze age palstaff was found (see the National Monument Register - SMR Number /Hob UID)) and the sites lie close to two ancient routeways. A Roman Road runs west-east (on BHS farmland) a few yards to the south of AL/BE3 and a medieval drove road (GGR), runs west-east between the two sites. Further, two Grade II Listed Buildings are sited here, also on BHS land. The Lister building stands a few yards to the west of AL/BE3 and Cleveland Farm house (the farmyard of which BHS is trying to develop separately and simultaneously as if a minor planning project) lies a few yards to the south. Instead of mentioning these facts, AL/BE3&4 reads (5.456 and 5.468) "Kent County Council states that the site includes significant archaeology, which could be dealt with through suitable conditions on a planning approval." The imbalance in the treatment of the two sites is substantial and suggests prejudice.

(ii) The SHELAA assessment of site 158 suggests a potential yield of 50-65 houses, but then concludes that only the Uphill part of the site is suitable (20 houses). It states that "the remainder of the site is sensitive in landscaping terms and there is concern regarding scale and impact on the character of the landscape and settlement pattern". This is contrary to the views of TW's 2006 SA; to the TW 2018 document proposing 174 houses; and to the first draft of the LP. The dismissal of 158 as a suitable site is not supported by the evidence and suggests prejudice.

(iii) Site 222, west of the cross roads, was also considered in 2006, as a possible site for the new village school, though it was not one of the top two sites put to a referendum. The SHELAA suggests 222 has a potential for 76 houses. The site is considered unsuitable partly because the new LBD, if adopted, will exclude all houses west of the cross roads, when the village actually extends a considerable length along this road to the west. There is no mention of the fact that the owners of this site are offering the pond at the south west corner of the crossroads as village green space. The dismissal of 222 is not supported by the evidence and suggests prejudice.

(iiii) The SHELAA suggests a capacity of 26 houses at Site LS8 in Iden Green, stating that it lies adjacent to the recreation ground and a children's nursery and that there is a pavement on both sides of Iden Green's main road. It fails to mention that the easternmost side of this pavement connects the village to the village primary school. The SHELAA dismisses the site as unsuitable saying that it is located in a remote location relative to services, facilities and public transport, but this site is far less remote than sites AL/BE 3&4. The dismissal of site LS8 is not supported by the evidence and suggests prejudice.

(v) The proposed new LBD has been constructed so as to include the new site at Uphill and to exclude 222, when in fact, the actual built development extends westwards from the crossroads and includes site 222. The LBD is ignored in respect of AL/BE3&4. Manipulation of the LBD to suit allocated sites is inappropriate.

As a general comment, I have found the process unnecessarily difficult to navigate. In fact, from the point of view of the ordinary lay-man, I would term the process 'hostile'. The interactive on-line site was unmanageable. Question 4a is very badly worded. The PSLP's prose entirely suited the opacity of the procedure. Here is one example from the SA (page 163) "However, the education objective does not deteriorate when considering cumulative effects as the schools in Tenterden will be a viable option for residents in East End and thus are likely to take the pressure off Benenden Primary School." What does that mean?

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan 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 modifications needed are included in the submissions set out above. In summary, development on site AL/BE 3 should be limited to the existing, so far unused, planning permission for 24 houses, preferably by adapting the Garland Wing, which is a building of historic value, either to a wellness centre, in accordance with its original intention, or to a row of up to 10 terraced houses. Site AL/BE 4 already has 18 semi-detached houses on it, and cannot support any more. It should therefore be excluded. Housing should be allocated to sites (such as 158 and 222 in the village centre or LS8 in Iden Green) which lie on bus routes or are within walking distance of the village centre and school. Paragraphs 5.421 and 5.422 should be omitted.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Question 8

If you have any separate comments you wish to make on the accompanying Sustainability Appraisal, please make them here.

1. The Sustainability Appraisal (SA) is misleading. Table 58 on page 163 states that all Benenden sites "lack services, facilities and travel options". This belies the fact that AL/BE2 (Feoffee almshouses) is close to the Street as is AL/BE1 (Uphill). Both sites are within walking distance of the bus stop for daily bus services, the post office, village shop, the primary school, the village green, the butchers, pub, community hall, church, recreation ground and children's playground. AL/BE 3 & 4 are three miles north east of the village with no daily bus service and no amenities whatsoever.
2. The commentary on Table 58, (page 163 of the SA), states that East End sites score badly on Climate Change and Travel, yet these are the sites promoted for most houses.
3. The SA argues on page 163 that East End residents will send their children to schools in Tenterden instead of to the village primary school, and that this will lessen the otherwise seriously negative effects of the two hospital sites. This is pure conjecture and possibly wishful thinking. The school has a good reputation and currently between 70 and 75% of children there come from outside the parish. East End children will have precedence over these, since intake depends on the distance of a child's residence from the school. Pressure on Benenden Primary School will increase, not decrease. Further, the use of a car, whether it drives to Tenterden (5-6 miles) or to Benenden (3 miles), pollutes and deprives residents of the health-giving pleasure of walking to school. The AL/BE 3&4 are contrary to STR2, to the NPPF and to KCC policy on climate change.
4. Appendix L (pp331-2) shows Scores for Reasonable Sites in Benenden. Here we see scores for 158 and 222, two sites close to the village centre. Of 158, we read "A site that scores several neutrals with some positives, let down by its land use and landscape score impacted by a loss of a greenfield

site in the AONB and lack of services and facilities including public transport at the settlement.” This SA report compares poorly with the SA which TWBC carried out on site 158 in 2006. 158 is parallel to and just north of the Street with its exit onto New Pond Road. In 2006 site 158 was chosen in a village referendum as the site for a new C of E primary school. It was the preferred site out of a choice of two, both of which were greenfield. TWBC’s 2006 SA on 158 decided (see page 18 of the Sustainability Appraisal Benenden Church of England Primary School Land Allocation DPD - Issues and Options report), that 158 was one of two top sites. “Situated adjacent to an area of ancient woodland, the site provides the potential for habitat linkages and wildlife corridors. The site is not adjacent to the CA [Conservation Area] and does not form a significant role in its setting. There are no Listed Buildings on or adjacent to the site. The site is consistent with the surrounding landscape character. There are limited views into the site and no public rights of way over the site.” On page 38, we read, “This site is anticipated to have a major beneficial effect on improving educational standards and travel choice/traffic levels”. In spite of the referendum result, the school was eventually built at the less preferred site and, since then, TWBC had been in consultation with 158’s owners to build houses there.

5. In April 2018, BNP Steering Committee Deputy Chair, a borough councillor, showed the committee a piece of paper from TWBC saying that TWBC wishes to build 174 houses on site 158. He committed himself to seeing these numbers reduced and the numbers at the East End raised. After a meeting between representatives from the BNP group and TW planners on June 19th, 2018, the minutes reported that “At times the workshop was emotive ...” Following that meeting TW planners put site 158 on temporary hold, limiting development there to a future Local Plan by asking, in the first draft of the LP on page 270, that the Uphill site on New Pond Road, adjacent to 158 and allocated at that time as AL/BE3, should, under Clause 8, provide for vehicular access through Uphill to the site behind (158) “which may be allocated for development as part of a future Local Plan.” In the PSLP, this wording for Clause 8 has disappeared. Where is the evidence-base for such wording to be included in the first draft and excluded in the second? Why is the site considered suitable in 2006, in 2018, and in the first draft, but not suitable in the PSLP?

6. Site 222, like 158 is described in Appendix L of the PSLP’s SA as suffering from “a lack of services and facilities including public transport at the settlement.” This is inaccurate. There is a daily bus service along Benenden Street and site 222 is within easy walking distance of the bus stop, shops, pub, community hall, primary school and all other amenities.

7. Site LS8, in the heart of Iden Green is, along with site 158 and 222, a site which on-the-ground evidence suggests is eminently suitable for development, but which the SA fails to allocate. Appendix L of the SA gives LS8 virtually the same scores as Uphill (LS16 of AL/BE1) yet the latter is included for development and the former is not. The commentary states of LS8 “A number of scores are negative however, reflecting the remote location of the site from services and facilities and public transport. It scores negatively in heritage terms as the site is a relatively sizeable piece of the Iden Green Conservation Area.” This site is far less remote than sites AL/BE 3 & 4. It is one mile from the village and connected to it by a paved footpath running past a Roadside Conservation Area and then (still paved) through a field to the church and primary school. It is on a bus route and the bus stop is next to LS8. Iden Green has a community hall, tennis courts, a children’s playground and pub/restaurant. The SA information is unreliable and the PSLP’s use of it for site allocation is unwise.

8. In so far as Benenden is concerned, the sites were allocated before any sustainability appraisal was commissioned. It is not therefore a relevant factor in the allocation of sites for housing.

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

<p>Yes, I wish to be notified of future stages of the Local Plan</p>	<p>Plan</p>
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Comment

Consultee	Marion Stevenson-Rouse [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] Ashford [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Marion Stevenson-Rouse [REDACTED]
Comment ID	PSLP_168
Response Date	14/05/21 10:44
Consultation Point	Policy AL/BE 4 Land at Benenden Hospital (north of Goddards Green Road), East End (View)
Status	Processed
Submission Type	Other
Version	0.7
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Marion Stevenson-Rouse
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy AL/BE 4: Land at Benenden Hospital (north of Goddards Green Road), East End

[TWBC: this representation has been input against Policies PSTR/BE 1, AL/BE 3 and AL/BE 4 - see Comment Numbers PSLP_163, PSLP_167 and PSLP_168]

Question 4

Do you consider that the Local Plan:

Is legally compliant	No
Is sound	No
Complies with the Duty to Cooperate	No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:	<ul style="list-style-type: none"> . It is not positively prepared . It is not effective . It is not justified . It is not consistent with national policy
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Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

Paragraph No(s) Para 5.413, 5.414, 5.416, 5.420, 5.421, 5.422, 5.428, 5.452, 5.453, 5.454, 5.456, 5.458, 5.467, 5.468 Policy No. Objective 1, Objective 2, STR1, STR2, STR3, STR5, STR6, STR7, STR8, PSTR/BE1, Policy AL/BE1, Policy AL/BE3, Policy AL/BE4, EN1 Sustainability Appraisal SHELAA Policies Map (Inset Map No(s)) Inset Map 18

This submission concerns the parish of Benenden, the only parish in the borough to have made its own allocations. The Benenden Neighbourhood Plan (BNP) has been developed in close consultation with TWBC, with the BNP in the lead. The BNP announced its allocations in February 2019, before inviting AECOM to produce its Strategic Environmental Assessment. Pre-Submission Local Plan, para 5.420 reads "The BNP was submitted to TWBC in October 2020 and was consulted on between 30 October and 11 December 2020." But the allocations had been made and published in February 2019. Further, Para 5.420 states "The BNP proposes to include site allocation policies that follow the approach of the site allocation policies for Benenden in this Local Plan." BNP allocations were first published in February 2019 i.e. before LP site allocation policies.

Allocations made by the LP, when it took up the BNP's baton, are therefore inevitably linked to BNP's weaknesses. Yet if the BNP passes a referendum before acceptance of the LP, it is said that it will take precedence over the LP (see para 5.421), with the exception of its plans for the northern site at Benenden hospital, which will be overruled by the plans advanced in the LP (see Benenden Parish Council April 2021 response to Independent Examiner queries on the BNP). This is in contravention of para 5.422 which talks of making "modifications to the LP" so that it matches the BNP.

1 Community involvement. EN1: this requirement has not been respected.

- . In Benenden, almost all new housing is slated for the East End, yet the Friends of the East End (FEE), were never asked to meet with the BNP steering group.
- . See EN1 para 9 requiring the effective engagement of the local community, neighbours of sites and others. The FEE submitted three petitions, two to the BNP and one in relation to the LP. A FEE submission with 127 signatures was submitted on April 4th 2019 in response the Informal Draft NP (published on February 23, 2019), in which the allocations later adopted by the LP were first set out. A FEE submission with 164 signatures was submitted in October 2019 objecting to the first draft of the LP, and in the same month, a FEE submission with 167 signatures was submitted in relation to the Reg 16 draft BNP. See the FEE's current online petition with more than 450 signatures <https://www.change.org/EastEndFriends>

- . Instead of being consulted, the FEE were ignored and belittled. They were informed on 11th March 2019 by the editor of the Parish Magazine (PM), husband of the Chair of the Parish Council, that “I’m of the view that much of the uncertainty has passed since the presentation of the plan to the village - to a highly favourable reception. At least we no longer have to give polite credence to *uninformed views* that fly in the face of TWBC policy and advocate direct and *pointless confrontation* with TWBC, thereby running the risk of having the entire BNDP thrown back in our faces. *The ensuing chaos hardly bears thinking about.* At least it seems the opinions now being afforded most weight are those of *people who have worked hard for two years to understand the issues* and come up with a coherent way forward.”
- . One of the regular articles on the BNP submitted by the chair of the BNP Steering Group appeared in January 2020. It dismisses FEE opposition suggesting only “31 residents from the East End” sent in comments.
- . The core group behind the BNP has consistently tried to persuade those who support the FEE to desist. The chair of the Parish Council and the chair of the BNP Steering Group have twice asked to meet a Tunbridge Wells Alliance (TWA) Borough Councillor for the parish, once together with a TWA borough council candidate, in efforts to persuade them to adhere to the BNP’s approach and not to listen to the FEE.
- . The organiser of the FEE was a member of the Steering Committee 2017/2018 as chair of the Environmental Group. She expressed strong disagreement with a Borough Councillor who lives in the village (on occasion, he deputises as chair of the Steering Group) about his wish to step up allocations in the East End and suppress TWBC’s wish to build 174 houses on site 158. As a result, the Steering Group chair (using his own word), “sacked” her. This is contrary to EN1 para 9, encouraging early, proactive and effective engagements and the requirement that views expressed should be properly considered.
- . Consultation also failed in relation to the neighbouring parish of Biddenden. The Clerk of Biddenden Council has repeatedly responded to BPC in the course of the BNP consultation process, but received only acknowledgments. A Kent County Councillor and Ashford Borough Councillor wrote an article about BNP’s mismanagement of the parish of Biddenden in the Biddenden Parish Magazine, February 2021.
- . The LP is based on the BNP and BNP allocations were made before consultations with stakeholders such as the AONB. This is not consulting in a timely fashion. Further, the LP requires surveys of the hospital sites *after* the designation of the sites for development, for example, archaeological surveys (see AL/BE 3&4). Historic England (HE) asks for the surveys to be carried out *before*. See HE’s comments on the first draft LP (DLP_4556) - “we would expect the allocation of sites following on from this Strategy policy (STR1) to be subject to appropriately robust and detailed heritage impact assessment *prior to the allocations being adopted.*”
- 1 **The PSLP is not based on sound evidence**
 - . Throughout the LP process, misstatements have been made about amenities in Benenden’s East End. These may be traced back to a submission made by traffic and highways consultants, Transport Planning Associates (TPA) to Benenden Healthcare Society Ltd. (BHS). This submission was recently disclosed in BHS’s response to the Independent Examiner’s queries in relation to the BNP. TPA’s information is sometimes inaccurate and sometimes misleading and we consider it here in detail because it is difficult otherwise, to understand how the LP was able to continue, iteration after iteration, to relate false information about the hospital site.
 - . In October 2019, TPA reported (para 2.6) that there was a footpath along the southern edge of Goddards Green Road (GGR) and the PSLP, para 5.452 states “There is an intermittent pavement along GGR”. The GGR is a long road running from New Pond Road to Castleton’s Oak crossroads, and was formerly a lane. The pavement is limited to the short section immediately outside the hospital buildings. To say that there is an intermittent pavement along GGR is misleading.
 - . The TPA refers to the East End as a village, which it is not. The East End runs from the junction of GGR and Walkhurst Road, along the GGR to the border with Tenterden, then turns south to reach close to Hole Park in Rolvenden, then east back to Walkhurst Road at the site of the stream, then along Walkhurst Road back to GGR (see the old Electoral Roll for 2004 when the East End had its own polling station). It is a large, totally rural area of several square miles, which was why it was chosen as the site for an isolation hospital in 1906. Today it contains only 76 houses scattered across the entire area. The PSLP consistently refers to the East End as a hamlet. It is not, which is why BPC is able to advertise itself on its website as “Serving the people of Benenden and Iden Green” without any reference to the East End.

- . The TPA says that “a day nursery is located immediately to the north of the Site within 400m.” There is incorrect, yet this error is repeated in para 5.413 of the PSLP “There are also nursery/pre-school facilities at Iden Green and East End.” An accurate account would mention Iden Green only.
- . The TPA states that there are daily bus services along GGR provided by bus nos. 24 and 299, and twice a day service provided by the Hopper bus. This information is incorrect. The 2019 Hopper bus, operated by the Tenterden social services hub on an experimental basis, failed in only a matter of months. While the 24 and the 299 buses pass along GGR, they do so on only one day a week. The 24 on Tuesdays and the 299 on Wednesdays. The East End has almost no public transport.
- . The TPA makes several statements in relation to traffic which have fed misinformation into the system to be reflected in AL/BA3&4. This misinformation was only recently revealed when documents were provided by BHS following April 2021 queries raised by the Independent Examiner on the BNP. These documents include a TPA ‘Scoping Note’ on road and traffic conditions at the site and a letter written in response to this Note from KCC Highways, dated 13 Nov. 2019. The TPA states that the GGR is 7m wide at the hospital site which detracts from the fact that it is actually a winding rural lane, now called a road, and varies considerably in width. It may at some point be 7m wide, but at others, it is so narrow that two lorries have difficulty passing each other. The TPA claims that there is no need for a road safety review because there have been “no personal injury accidents” recorded within 1,000m. Castleton’s Oak crossroads lie 1.5 km from the site and accidents there are frequent, largely due to increasing traffic at the hospital. The hospital has turned itself into an almost exclusively out-patient centre and almost all its 300 employees drive in to work from outside the parish (formerly, they were housed on site in hospital staff buildings). Kent County Council (KCC) Highways make constant and repeated attempts to lower the risk of injury at the crossroads. Works there are ongoing at this time. The TPA claims that no traffic surveys are necessary which is a point queried in the KCC Highways’ email. The email talks of the “heavy car dependency” of residents in any housing in this location and says this was one of its concerns, even at the time of the original application asking for only 24 houses. The email states that BHS’s plans (and therefore AL/BE 3&4) are contrary to the NPPF and to KCC’s own policy objectives, and points out that the hospital has not co-operated over the idea of a minibus to provide transport from the site to Benenden. The letter calls for: traffic counts along the GGR; a wider crash analysis; and expresses concern over the proposed access points to the SE Quadrant - 2 on Green Lane and 2 on GGR. Lastly, on trip generation, the TPA projects that 47 houses at the site will produce only 106 trips a day, though the consultants admit that they have difficulty in basing their estimate on comparable sites because there are none. These trip generation figures ignore existing traffic from local residents, from patients, from hospital staff and from the newly (January 2021) proposed housing estate at Cleveland. The AL/BE 3&4 fails to provide a traffic count, fails to ask for a road safety review and fails to acknowledge frequent traffic accidents near the sites.
- . Pre-submission supporting documents also produce inaccurate and sometimes irrelevant evidence. The hospital sites are within the setting of an AONB and even overlap into it, yet *Inset Map 18* (Benenden Hospital), unlike other maps attached, makes no reference to the AONB boundary. The BNP claims that the hospital is outside the AONB and on this basis, since the rest of the village is wholly within the AONB, largely justifies placing most of Benenden’s housing in the East End. The relationship of the AONB boundary to the hospital sites is important yet it is ignored on the map. This looks like prejudice.
- . Hankinson Duckett Associates’s *AONB Setting Analysis Report* (a supporting document for the PSLP, referred to as an evidence base) is, in its analysis of AL/BE3&4, unsound. The analysis argues that development at these sites will enhance the setting of the AONB. It illustrates the argument with photos of the hospital chapel and its carpark. Neither chapel nor car park are in the area up for development.
- 1 **Policies AL/BE3&4 are not consistent with the PSLP’s Vision objectives nor with its strategies, nor with KCC’s policies, nor with the NPPF.**
- . The PSLP’s Vision Objective 1 is : “to improve access to suitable, especially affordable housing, including for local young people and older households.” But this is inconsistent with allocations AL/BE 3 &4. BHS is asking in its comments on the LP first draft, for a lower number of affordable homes because of the high cost of brownfield development. Living isolated in the countryside, families will need at least two cars. Old and young will be unable to walk to schools, shops or

any other amenities. This is not a suitable site for a borough which (see para 2.16) expects the population over the age of 65 + to increase by around 40% between 2020 and 2038. The PSLP's Vision Objective 2 is to ensure sustainable development which allocations at AL/BE 3&4 do not achieve. On the contrary, the KCC warns that even with the existing permission for 24 houses on AL/BE3, the highway authority had concerns. This is an isolated location, deep in the countryside (see KCC Highways email 13 Nov 2019). More than 24 houses in this location is not sustainable.

- . **Policy PSTR/BE1**, LBD 5.416 states "the LBD around Benenden village sets the extent of existing and planned development .." This conflicts with the recommendation that major development be instated three miles beyond the LBD, on the border with Biddenden.
- . **Policy STR 2** "The Council requires the use of masterplanning, including the use of design codes and sustainable design standards where appropriate, for strategic and larger-scale developments.." This is undermined by AL/BE 3&4 which calls for a masterplan for an area not included in the PSLP and not presented. Para 1a of Policy AL/BE3 states that there is a need to "show indicatively how the other areas included within Policies AL/BE3 and AL/BE 4 can be developed to meet the overall policy requirements as set out within each of these policies, and *how the future needs for Benenden Hospital will be met on areas to the north west and south west that currently comprise the hospital buildings and associated ancillary uses and is previously developed land.*" It is not sound to proceed with an LP where the land to be developed is not clearly indicated from the start.
- . **A masterplan is essential to avoid current inconsistencies on the size of areas to be developed:** AL/BE3 excludes one of the 2 Local Wildlife Sites (LWS) at the site, yet the BNP includes both. Para 5.458 states "Both this policy and BNP draft Policy SSP3 broadly follow the same approach towards the potential for developing this site for a residential development.." They do not. The PSLP states that in the event of a successful referendum, the BNP's proposals will prevail. If this is so, are we supposed to assume that AL/BE3 map is inaccurate?
- . A similar problem arises at the northern site (AL/BE4) here there are currently 18 dwellings. The proposal allows for these to be demolished and another 25 dwellings added to the site. The size of the area to be developed varies between the LP and the BNP. The LP includes the LWS in the area to be developed but the BNP includes only a small section, but says in the event of a successful referendum the BNP plan will be over-ruled by the LP plan (see the BPC response April 2021 to the Independent Examiner's queries). This is the reverse of 5.421 & 2. It is unsound to proceed with a plan when the NP and the LP are at odds with each other.
- . **The PSLP claims building will only be within existing footprints**, an approach which is at odds with that of the BHS. Plans for 47 new houses in AL/BE3, presented to the village on 17th February 2020 by the hospital architects, show the buildings are not to be built within the footprint of previous buildings nor to respect LWS.
- . **Policy STR 3** calls for the use of brownfield sites "within settlements" and in "sustainable locations." AL/BE 3 consists of disused medical buildings and 2 LWS with parkland and veteran trees (depending on whether this second LWS is included or not). 5.448 is therefore incorrect. The site should be described not as brownfield but as partly brownfield. It is not on the brownfield register. Because of its remote location and its valuable LWS sites, it is not free from constraints which could be mitigated. As such, Policy AL/BE3 does not meet the criteria needed under the NPPF, Section 11, para 117 for development in "a way that makes as much use as possible of previously-developed or 'brownfield' land." AL/BE 4 contains in-use residential housing and an LWS and therefore is not entirely brownfield.
- . **Policy STR 5** states that "New residential ... development will be supported if sufficient infrastructure capacity is either available or can be provided in time to serve the development." Will this happen at AL/BE3&4? Developers themselves are to provide the infrastructure at AL/BE 3&4. The LP proposes to take on trust suggestions that the BHS will avoid building on the LWS and will provide play-grounds, sports facilities and tennis courts. We know from submissions following the first draft LP, that BHS is actually planning to remove one LWS entirely and that its plans include building on the LWS and beyond the foot print of previous buildings. BHS suggests, in its response to the first draft LP (DLP_4956) that it is unlikely to provide play-grounds, sports facilities and tennis courts. The PSLP's approach does not take comments to the first draft LP into account.
- . **Policy STR 6** proposes to "Deliver future development in accessible locations, normally within or in close proximity to existing towns and villages across the borough." In the case of the two isolated hospital sites, the PSLP contradicts its own strategic policy and fails to offer choices in transport or to prioritise active travel and public transport. The Benenden hospital sites have no

daily bus service and no active travel link to the village, and neither the PSLP nor the BHS provide credible information on how these links are to be provided. The KCC email of Nov 13 suggests that the hospital is uncooperative on the proposal to organise a minibus service and the SHELAA says of AL/BE3 that it is "Remote from a settlement centre," (unlike sites 158, 222 and LS8); that residents will rely heavily on private cars and thus air quality and travel objectives score negatively; and that, "although promoted by the policy, shared transport and active travel options are unlikely to take precedence over private vehicle use thus air quality and climate change score negatively." This we feel is the nub of the issue. For all the talk of mitigating the remoteness of the hospital sites with a minibus link and cycle routes, nobody actually believes that any of these measures will succeed. As for the proposal to create links suitable for electric personal vehicles, such as mobility scooters (as suggested under STR 6), it is difficult to see, when the closest link with the village is a single-track lane (Walkhurst Road), how any personal electric vehicle could make that journey. The PSLP is creating, through its policies AL/BE3&4, a car dependent community. This thereby negates the sense of the LP's supporting document, *Transport Strategy Review Sept 2019* which urges reducing the need to travel.

- . AL/BE3&4 also undermine TWBC's Full Council motion of July 2019 to reduce CO2 emissions. "The dominance of the car as a mode of transport can lead to congestion, more road accidents, air and noise pollution. In addition it contributes to climate change, reduces social cohesion and leads to less healthy lifestyles" (para 44 *Transport Review*). According to TW's own SA from 2006, if social cohesion, reduction in air pollutants, and public health were indeed the borough's priorities, site 158 would have been among those chosen for Benenden, as originally intended.
- . **PSLP paras 5.453 and 5.467** state that "residents of development in this location will rely heavily on private cars." These plans runs counter to STR6 policy on the environment see paras 6.8, 6.9, 6.10, 6.11 and 6.13. It also contravenes KCC policies on climate change and the NPPF (see KCC's Nov 13, 2019 letter on this subject).
- . **Para 5.414** "The parish provides two relatively large sources of employment: at Benenden Hospital and at Benenden School." The inference is that the employment opportunities are linked somehow to the population of Benenden. There is in fact little connection. The 300 plus staff at the hospital drive into the parish along GGR to work and, since the hospital is isolated from the village, their contribution to the local economy is negligible.
- . **Policy STR 6 The LP proposes to "Deliver future development in accessible locations, normally within or in close proximity to existing towns and villages across the borough."** In the case of the two isolated hospital sites, the LP contradicts its own strategic policy and fails to offer choices in transport or to prioritise active travel and public transport.
- . **Cycle routes:** The PSLP's standards on the public benefits of cycling and walking are based on the *Cycle Strategy Supporting Document*, but these standards are undermined by site allocation in Benenden. The Cycle document states that: "When more people cycle or walk the health of the population improves and our roads become safer and less congested." Its objectives 4 and 5 are to improve safety for cyclists and air quality for all, but AL/BE 3 & 4 will create a community, deep in the countryside, entirely dependent on the car and will contribute to poorer air quality for all. The allocation of these sites, as opposed to sites such as 158, is difficult to understand.
- . The *Cycle Strategy* states that fear of traffic is possibly the main factor discouraging people from cycling. National Cycle Route 18 runs from the Rolvenden Road, down Stepneyford Lane, to Green Lane, before joining the Benenden Road near the hospital, turning right and leading to Castleton's Oak Cross roads and Gribblebridge Lane. This route is a largely on-road ride travelling through the High Weald, using narrow, picturesque country lanes as much as possible. Green Lane/Stepneyford Lane is mentioned in TWBC's Rural Lanes: Supplementary Planning Guidance. It is particularly high scoring in terms of its landscape, its recreational value, its natural beauty and its history. For these reasons, it is part of National Route 18. Rather than encouraging cycling, AL/BE3, which proposes two exits for this major development on GGR and two on Green Lane (where a second housing estate, at Cleveland's Farm is already leading to Kent Highways calling for road widening and the elimination of grass verges - see building application 20/03267/FULL) will cause an increase in those factors, identified in *TW Cycle Strategy*, as discouraging cyclists, namely, traffic and the loss of unspoilt country lanes. Policy AL/BE3 also contravenes Kent Structure Plan Policy ENV13: "Rural lanes which are of landscape, amenity, nature conservation, historic or archaeological importance will be protected from changes which would damage their character, and enhanced." In any event, the cycle route is purely recreational and will not enhance the sustainability of these sites.

- . **Policy STR 7** proposes, in dealing with TWBC's 2019 legally binding commitment to manage climate change, that all development in the borough will support the Council's target to achieve net zero emissions by 2030. It is unsound, with such a goal, to propose a major development on the parish periphery, 3 miles equidistant from two villages where there is no shop (in spite of the PLSP's statement AL/BE 3&4) and no café (BHS says its café was built for its own use not for the use of the public - see comments on the first draft of the LP). Residents will need their cars for almost everything.
- . **Policy STR1** promotes the effective use of previously developed land, having due regard to relevant Plan policies, but in promoting AL/BE3&4, the PSLP disregards STR6 (environmental goals) & STR7 (transport goals). Under the NPPF, sustainability is the priority, as the PSLP acknowledges in STR3, 4.65 "A presumption of sustainability lies at the heart of the NPPF", but in allocating AL/BE 3&4, the PSLP fails to respect its own and the NPPF's strategic priorities.
- . **Policy STR 8** states that development should contribute to and enhance rural landscapes with particular regard to the High Weald (HW) AONB. The PSLP promotes nature conservation. Its biodiversity objective is to achieve net gains and, where possible, secure long-term management of sites for biodiversity. AL/BE3 runs counter to this strategy since the BHS has produced plans showing houses built over the LWS. It has, furthermore, produced a document requiring that one of the two LWS be dug up and removed to another unspecified location, thereby nullifying the terms of the existing Landscape and Ecology Management Plan (LEMP) for that site. Para 3.21 of the BHS submission on the first draft LP states: *"The Society supports the requirement for long-term management of the core areas of LWS associated with the hospital land. This includes all but the modest area within the SEQ adjoining Peak Lodge which is too constraining on the South East Quadrant redevelopment proposals. Accordingly, the soils in the area will be translocated to a nearby receptor site to try to ensure that the rare fungi can continue to thrive in this local area."* This is a particularly significant site for biodiversity. A letter from Keith Nicholson, former Planning and Conservation officer for the Kent Wildlife Trust, dated 4 March 2013, to TWBC Development Control Officer, Ellen Gilbert states that the hospital LWS are of national importance, mainly for the large number of different varieties of waxcaps. He states that they could well have been designated SSSI. Both in terms of waxcaps and in terms of valuable acid grassland, the hospital sites have high environmental value, see Comment DLP_3458 on the first draft of the LP, from the High Weald AONB Unit. The Benenden Hospital site *"includes rare and vulnerable acid grassland which should form a core area for unimproved grassland as part of a High Weald nature recovery network."* AL/BE3&4 threaten the biodiversity of significant species in the LWS at the hospital sites, contrary to EN1.
- . The LWS to the south of AL/BE3 is included in the BNP and BPC argues that this has been done in order to protect it (see their response to the Independent Examiner April 2021). It is difficult to follow this logic. The inclusion of the site in the area to be developed suggests that it too could be under threat.
- . There is no plan showing the placement of houses on AL/BE 4, which is currently home to a large LWS and is the site of 18 habitable dwellings, almost all of the them currently in use and let. The proposal allows for these to be demolished and another 25 dwellings added to the site. The PSLP includes the LWS in the area to be developed and the BNP excludes most of it. Benenden Parish Council (BPC), in its April 2021 response to the Independent Examiner, has said that, in this case of a successful referendum, the PSLP's plan (which includes the LWS), will prevail. In other words, of the 3 LWS in AL/BE 3&4, one is slated for removal, one will be built over if the PSLP prevails and one may be built over if the BNP prevails. This undermines STR8.
- . The PSLP claims that the hospital development "has the potential to improve the setting of the HW AONB through the delivery of a more sensitive redevelopment of existing buildings" (para 5.454), but the claim is not supported by evidence produced by the *Hankinson & Duckett* (see above) while the HW AONB unit's own view is the opposite. See TW first Draft LP, **DLP_3458 High Weald AONB Unit** (which objects to the Plan) : *"....In our view the development at Benenden Hospital will have a significant effect on the setting of the AONB and the purposes of its designation, and this issue has not been properly considered by the Plan."*
- . Also, the NPPF section 2 para 11 states: *"Plans and decisions should apply a presumption in favour of sustainable development. ... (b) strategic policies should provide for objectively assessed needs for housing ... that cannot be met within neighbouring areas unless ... (i) the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan"*

area.” And see Footnote 6: the policies referred to are those in the Framework ... relating to habitat sites (and those sites listed in para 176) and /or designated as SSSI, AONBs

NPPF para 177 states: "The presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site".

PSLP EN1 para 5. Biodiversity and geodiversity.

AL/BE 3&4 run counter to this policy as stated above in relation to the LWS.

The Environment

STR8 sets high environmental standards but these are undermined in the site allocations. This is particularly startling in the light of the July 2019 Full Council motion to recognise the climate and biodiversity emergency, in fact, the Benenden allocations put into question whether the motion was passed in good faith.

EN1 para 5 (Biodiversity and geodiversity) says that proposals should maximise opportunities to increase biodiversity. This goal may make sense in an urban setting, but development in the countryside, as is proposed in AL/BE 3 & 4, cannot hope to ever mitigate biodiversity loss. The destruction of trees and wild spaces, the introduction of lighting, kerbs, driveways, wider roads and narrower verges, the use of concrete, tarmac, bricks and mortar in a deeply rural setting cannot “increase biodiversity”.

EN1 provides for Long-term Management plans which would be satisfactory within an urban context. In a rural location like the East End, such plans are no substitute for natural wild spaces. A ‘managed’ green space set among streets is less likely to promote biodiversity and less likely to conserve wildlife than ‘unmanaged’ green space. Further, the three LWS in AL/BE3 are all already part of an existing LEMP agreement, and since one or all would be removed in the case of development as outlined by BHS under AL/BE3&4, instead of creating a long-term management plan, AL/BE3&4 would all but terminate an existing one. The sentiments expressed in EN1 are mocked by AL/BE3&4.

1 Site policies

AL/BE3 excludes one of the 2 LWS at the site, and the BNP includes both, yet para 5.458 states “Both this policy and BNP draft Policy SSP3 broadly follow the same approach towards the potential for developing this site for a residential development..” This does not appear to be the case. Further, the SHELAA treats this site twice, once including the southern LWS (and excluding Windmill Cottage) and once excluding the LWS and including Windmill Cottage (SHELAA pages 1-3 and pages 18-19). In the second instance, the suggestion is for 67-73 houses, presumably building over the LWS. The first plan is the one adopted in the PSLP and appears to be the more accurate of the two in that it describes the site as “mostly PDL”. The second ignores all greenfield aspects and is almost identical to the plan in the BNP, a plan which BNP claims will prevail if it wins a referendum. Is AL/BE3 presenting us with the wrong plan?

AL/BE3 and AL/BE4 provide for a phased timetable for development of the two sites at different time intervals without calling for a comprehensive masterplan for the hospital site as a whole i.e. for the entire built up area. This is inconsistent with STR2, which requires a masterplan for large developments. The full extent of the area to be developed must be clear. See para 1a of Policy AL/BE3 which states that there is a need to “show indicatively how the other areas included within Policies AL/BE3 and AL/BE 4 can be developed to meet the overall policy requirements as set out within each of these policies, and *how the future needs for Benenden Hospital will be met on areas to the north west and south west that currently comprise the hospital buildings and associated ancillary uses and is previously developed land.*” It is not sound to proceed with an LP where the land to be developed is not indicated from the start.

AL/BE3&4 both call for an active travel link between the site and Benenden village. This proposal has been costed (see BPC’s April 2021 reply to the Independent Examiner) at between £180,000 and £220,000 for a 3m wide tarmacked surface, plus costs to upgrade it to a bridleway, plus the costs associated with obtaining landowners’ consent or, failing that, of starting compulsory purchase proceedings which TWBC expresses reluctance to undertake because of the significant compensation costs and legal costs which would be involved. No steps have been taken either by the BNP or TWBC to ascertain the willingness of landowners to give up their land although the major landowner involved wrote to BNP on 11th Sept. 2019 objecting to the plan. It is understood that he was not contacted for subsequent discussion.

AL/BE3&4 calls for the repurposing of the existing tennis courts for the use of local residents, which BHS denies it will offer for public use; for the public use of the hospital's café; for the creation of a hospital shop (5.413); for a minibus service linking the hospital to the village ("The Society is not a transport provider" is BHS' response); for green space, a playground and provision of a community hall - most of these policies are refuted in Savills' comments on behalf of BHS, in the first draft of the LP, DLP_ 4956 paras 3.14, 3.18, 3.19, 3.20, 3.46 and 3.47. Rather than agreeing to such policies, the hospital is calling on TWBC to introduce a more flexible funding system to allow a *reduction* of developer costs. BHS argues these will be high because they wish to demolish existing buildings. It is unsound to propose policies which cannot be implemented. Once the sites are sold, no relevant conditions to this effect could be imposed.

1 The PSLP is unsound because of inconsistencies in the treatment of different sites.

(i) **Uphill, AL/BE1** is described as having archaeological potential (para 5.428) requiring possible mitigation measures. This is not because of historical finds on the site, but because they might be found. A listed manor house lies on the other side of New Pond Road and, according to AL/BE1, "the site lies within, or very close to the relevant impact risk zone for Parsonage Wood", a SSSI which is, in fact, several miles away. The archaeological significance of AL/BE 3&4 is far more certain and substantial. The hospital sites are where a bronze age palstaff was found (see the National Monument Register - SMR Number /Hob UID)) and the sites lie close to two ancient routeways. A Roman Road runs west-east (on BHS farmland) a few yards to the south of AL/BE3 and a medieval drove road (GGR), runs west-east between the two sites. Further, two Grade II Listed Buildings are sited here, also on BHS land. The Lister building stands a few yards to the west of AL/BE3 and Cleveland Farm house (the farmyard of which BHS is trying to develop separately and simultaneously as if a minor planning project) lies a few yards to the south. Instead of mentioning these facts, AL/BE3&4 reads (5.456 and 5.468) "Kent County Council states that the site includes significant archaeology, which could be dealt with through suitable conditions on a planning approval." The imbalance in the treatment of the two sites is substantial and suggests prejudice.

(ii) The SHELAA assessment of site 158 suggests a potential yield of 50-65 houses, but then concludes that only the Uphill part of the site is suitable (20 houses). It states that "the remainder of the site is sensitive in landscaping terms and there is concern regarding scale and impact on the character of the landscape and settlement pattern". This is contrary to the views of TW's 2006 SA; to the TW 2018 document proposing 174 houses; and to the first draft of the LP. The dismissal of 158 as a suitable site is not supported by the evidence and suggests prejudice.

(iii) Site 222, west of the cross roads, was also considered in 2006, as a possible site for the new village school, though it was not one of the top two sites put to a referendum. The SHELAA suggests 222 has a potential for 76 houses. The site is considered unsuitable partly because the new LBD, if adopted, will exclude all houses west of the cross roads, when the village actually extends a considerable length along this road to the west. There is no mention of the fact that the owners of this site are offering the pond at the south west corner of the crossroads as village green space. The dismissal of 222 is not supported by the evidence and suggests prejudice.

(iiii) The SHELAA suggests a capacity of 26 houses at Site LS8 in Iden Green, stating that it lies adjacent to the recreation ground and a children's nursery and that there is a pavement on both sides of Iden Green's main road. It fails to mention that the easternmost side of this pavement connects the village to the village primary school. The SHELAA dismisses the site as unsuitable saying that it is located in a remote location relative to services, facilities and public transport, but this site is far less remote than sites AL/BE 3&4. The dismissal of site LS8 is not supported by the evidence and suggests prejudice.

(v) The proposed new LBD has been constructed so as to include the new site at Uphill and to exclude 222, when in fact, the actual built development extends westwards from the crossroads and includes site 222. The LBD is ignored in respect of AL/BE3&4. Manipulation of the LBD to suit allocated sites is inappropriate.

As a general comment, I have found the process unnecessarily difficult to navigate. In fact, from the point of view of the ordinary lay-man, I would term the process 'hostile'. The interactive on-line site was unmanageable. Question 4a is very badly worded. The PSLP's prose entirely suited the opacity of the procedure. Here is one example from the SA (page 163) "However, the education objective does not deteriorate when considering cumulative effects as the schools in Tenterden will be a viable option for residents in East End and thus are likely to take the pressure off Benenden Primary School." What does that mean?

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan 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 modifications needed are included in the submissions set out above. In summary, development on site AL/BE 3 should be limited to the existing, so far unused, planning permission for 24 houses, preferably by adapting the Garland Wing, which is a building of historic value, either to a wellness centre, in accordance with its original intention, or to a row of up to 10 terraced houses. Site AL/BE 4 already has 18 semi-detached houses on it, and cannot support any more. It should therefore be excluded. Housing should be allocated to sites (such as 158 and 222 in the village centre or LS8 in Iden Green) which lie on bus routes or are within walking distance of the village centre and school. Paragraphs 5.421 and 5.422 should be omitted.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Question 8

If you have any separate comments you wish to make on the accompanying Sustainability Appraisal, please make them here.

1. The Sustainability Appraisal (SA) is misleading. Table 58 on page 163 states that all Benenden sites "lack services, facilities and travel options". This belies the fact that AL/BE2 (Feoffee almshouses) is close to the Street as is AL/BE1 (Uphill). Both sites are within walking distance of the bus stop for daily bus services, the post office, village shop, the primary school, the village green, the butchers, pub, community hall, church, recreation ground and children's playground. AL/BE 3 & 4 are three miles north east of the village with no daily bus service and no amenities whatsoever.
2. The commentary on Table 58, (page 163 of the SA), states that East End sites score badly on Climate Change and Travel, yet these are the sites promoted for most houses.
3. The SA argues on page 163 that East End residents will send their children to schools in Tenterden instead of to the village primary school, and that this will lessen the otherwise seriously negative effects of the two hospital sites. This is pure conjecture and possibly wishful thinking. The school has a good reputation and currently between 70 and 75% of children there come from outside the parish. East End children will have precedence over these, since intake depends on the distance of a child's residence from the school. Pressure on Benenden Primary School will increase, not decrease. Further, the use of a car, whether it drives to Tenterden (5-6 miles) or to Benenden (3 miles), pollutes and deprives residents of the health-giving pleasure of walking to school. The AL/BE 3&4 are contrary to STR2, to the NPPF and to KCC policy on climate change.
4. Appendix L (pp331-2) shows Scores for Reasonable Sites in Benenden. Here we see scores for 158 and 222, two sites close to the village centre. Of 158, we read "A site that scores several neutrals with some positives, let down by its land use and landscape score impacted by a loss of a greenfield

site in the AONB and lack of services and facilities including public transport at the settlement.” This SA report compares poorly with the SA which TWBC carried out on site 158 in 2006. 158 is parallel to and just north of the Street with its exit onto New Pond Road. In 2006 site 158 was chosen in a village referendum as the site for a new C of E primary school. It was the preferred site out of a choice of two, both of which were greenfield. TWBC’s 2006 SA on 158 decided (see page 18 of the Sustainability Appraisal Benenden Church of England Primary School Land Allocation DPD - Issues and Options report), that 158 was one of two top sites. “Situated adjacent to an area of ancient woodland, the site provides the potential for habitat linkages and wildlife corridors. The site is not adjacent to the CA [Conservation Area] and does not form a significant role in its setting. There are no Listed Buildings on or adjacent to the site. The site is consistent with the surrounding landscape character. There are limited views into the site and no public rights of way over the site.” On page 38, we read, “This site is anticipated to have a major beneficial effect on improving educational standards and travel choice/traffic levels”. In spite of the referendum result, the school was eventually built at the less preferred site and, since then, TWBC had been in consultation with 158’s owners to build houses there.

5. In April 2018, BNP Steering Committee Deputy Chair, a borough councillor, showed the committee a piece of paper from TWBC saying that TWBC wishes to build 174 houses on site 158. He committed himself to seeing these numbers reduced and the numbers at the East End raised. After a meeting between representatives from the BNP group and TW planners on June 19th, 2018, the minutes reported that “At times the workshop was emotive ...” Following that meeting TW planners put site 158 on temporary hold, limiting development there to a future Local Plan by asking, in the first draft of the LP on page 270, that the Uphill site on New Pond Road, adjacent to 158 and allocated at that time as AL/BE3, should, under Clause 8, provide for vehicular access through Uphill to the site behind (158) “which may be allocated for development as part of a future Local Plan.” In the PSLP, this wording for Clause 8 has disappeared. Where is the evidence-base for such wording to be included in the first draft and excluded in the second? Why is the site considered suitable in 2006, in 2018, and in the first draft, but not suitable in the PSLP?

6. Site 222, like 158 is described in Appendix L of the PSLP’s SA as suffering from “a lack of services and facilities including public transport at the settlement.” This is inaccurate. There is a daily bus service along Benenden Street and site 222 is within easy walking distance of the bus stop, shops, pub, community hall, primary school and all other amenities.

7. Site LS8, in the heart of Iden Green is, along with site 158 and 222, a site which on-the-ground evidence suggests is eminently suitable for development, but which the SA fails to allocate. Appendix L of the SA gives LS8 virtually the same scores as Uphill (LS16 of AL/BE1) yet the latter is included for development and the former is not. The commentary states of LS8 “A number of scores are negative however, reflecting the remote location of the site from services and facilities and public transport. It scores negatively in heritage terms as the site is a relatively sizeable piece of the Iden Green Conservation Area.” This site is far less remote than sites AL/BE 3 & 4. It is one mile from the village and connected to it by a paved footpath running past a Roadside Conservation Area and then (still paved) through a field to the church and primary school. It is on a bus route and the bus stop is next to LS8. Iden Green has a community hall, tennis courts, a children’s playground and pub/restaurant. The SA information is unreliable and the PSLP’s use of it for site allocation is unwise.

8. In so far as Benenden is concerned, the sites were allocated before any sustainability appraisal was commissioned. It is not therefore a relevant factor in the allocation of sites for housing.

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

<p>Yes, I wish to be notified of future stages of the Local Plan</p>	<p>Plan</p>
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Comment

Consultee	Mr Edward Stevenson-Rouse [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] Fosten Green Biddenden [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Mr Edward Stevenson-Rouse [REDACTED]
Comment ID	PSLP_169
Response Date	14/05/21 10:44
Consultation Point	Policy PSTR/BE 1 The Strategy for Benenden parish (View)
Status	Processed
Submission Type	Other
Version	0.8
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Edward Stevenson-Rouse
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy PSTR/BE 1 The Strategy for Benenden parish

[TWBC: this representation has been input against Policies PSTR/BE 1, AL/BE 3 and AL/BE 4 - see Comment Numbers PSLP_169, PSLP_170 and PSLP_171]

Question 4

Do you consider that the Local Plan:

Is legally compliant	No
Is sound	No
Complies with the Duty to Cooperate	No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:	. It is not positively prepared
	. It is not effective
	. It is not justified
	. It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

Paragraph No(s) Para 5.413, 5.414, 5.416, 5.420, 5.421, 5.422, 5.428, 5.452, 5.453, 5.454, 5.456, 5.458, 5.467, 5.468 Policy No. Objective 1, Objective 2, STR1, STR2, STR3, STR5, STR6, STR7, STR8, PSTR/BE1, Policy AL/BE1, Policy AL/BE3, Policy AL/BE4, EN1 Sustainability Appraisal SHELAA Policies Map (Inset Map No(s)) Inset Map 18

This submission concerns the parish of Benenden, the only parish in the borough to have made its own allocations. The Benenden Neighbourhood Plan (BNP) has been developed in close consultation with TWBC, with the BNP in the lead. The BNP announced its allocations in February 2019, before inviting AECOM to produce its Strategic Environmental Assessment. Pre-Submission Local Plan, para 5.420 reads "The BNP was submitted to TWBC in October 2020 and was consulted on between 30 October and 11 December 2020." But the allocations had been made and published in February 2019. Further, Para 5.420 states "The BNP proposes to include site allocation policies that follow the approach of the site allocation policies for Benenden in this Local Plan." BNP allocations were first published in February 2019 i.e. before LP site allocation policies.

Allocations made by the LP, when it took up the BNP's baton, are therefore inevitably linked to BNP's weaknesses. Yet if the BNP passes a referendum before acceptance of the LP, it is said that it will take precedence over the LP (see para 5.421), with the exception of its plans for the northern site at Benenden hospital, which will be overruled by the plans advanced in the LP (see Benenden Parish Council April 2021 response to Independent Examiner queries on the BNP). This is in contravention of para 5.422 which talks of making "modifications to the LP" so that it matches the BNP.

1 Community involvement. EN1: this requirement has not been respected.

- . In Benenden, almost all new housing is slated for the East End, yet the Friends of the East End (FEE), were never asked to meet with the BNP steering group.
- . See EN1 para 9 requiring the effective engagement of the local community, neighbours of sites and others. The FEE submitted three petitions, two to the BNP and one in relation to the LP. A FEE submission with 127 signatures was submitted on April 4th 2019 in response the Informal Draft NP (published on February 23, 2019), in which the allocations later adopted by the LP were first set out. A FEE submission with 164 signatures was submitted in October 2019 objecting to the first draft of the LP, and in the same month, a FEE submission with 167 signatures was submitted in relation to the Reg 16 draft BNP. See the FEE's current online petition with more than 450 signatures <https://www.change.org/EastEndFriends>

- . Instead of being consulted, the FEE were ignored and belittled. They were informed on 11th March 2019 by the editor of the Parish Magazine (PM), husband of the Chair of the Parish Council, that “I’m of the view that much of the uncertainty has passed since the presentation of the plan to the village - to a highly favourable reception. At least we no longer have to give polite credence to *uninformed views* that fly in the face of TWBC policy and advocate direct and *pointless confrontation* with TWBC, thereby running the risk of having the entire BNDP thrown back in our faces. *The ensuing chaos hardly bears thinking about.* At least it seems the opinions now being afforded most weight are those of *people who have worked hard for two years to understand the issues* and come up with a coherent way forward.”
- . One of the regular articles on the BNP submitted by the chair of the BNP Steering Group appeared in January 2020. It dismisses FEE opposition suggesting only “31 residents from the East End” sent in comments.
- . The core group behind the BNP has consistently tried to persuade those who support the FEE to desist. The chair of the Parish Council and the chair of the BNP Steering Group have twice asked to meet a Tunbridge Wells Alliance (TWA) Borough Councillor for the parish, once together with a TWA borough council candidate, in efforts to persuade them to adhere to the BNP’s approach and not to listen to the FEE.
- . The organiser of the FEE was a member of the Steering Committee 2017/2018 as chair of the Environmental Group. She expressed strong disagreement with a Borough Councillor who lives in the village (on occasion, he deputises as chair of the Steering Group) about his wish to step up allocations in the East End and suppress TWBC’s wish to build 174 houses on site 158. As a result, the Steering Group chair (using his own word), “sacked” her. This is contrary to EN1 para 9, encouraging early, proactive and effective engagements and the requirement that views expressed should be properly considered.
- . Consultation also failed in relation to the neighbouring parish of Biddenden. The Clerk of Biddenden Council has repeatedly responded to BPC in the course of the BNP consultation process, but received only acknowledgments. A Kent County Councillor and Ashford Borough Councillor wrote an article about BNP’s mismanagement of the parish of Biddenden in the Biddenden Parish Magazine, February 2021.
- . The LP is based on the BNP and BNP allocations were made before consultations with stakeholders such as the AONB. This is not consulting in a timely fashion. Further, the LP requires surveys of the hospital sites *after* the designation of the sites for development, for example, archaeological surveys (see AL/BE 3&4). Historic England (HE) asks for the surveys to be carried out *before*. See HE’s comments on the first draft LP (DLP_4556) - “we would expect the allocation of sites following on from this Strategy policy (STR1) to be subject to appropriately robust and detailed heritage impact assessment *prior to the allocations being adopted.*”
- 1 **The PSLP is not based on sound evidence**
 - . Throughout the LP process, misstatements have been made about amenities in Benenden’s East End. These may be traced back to a submission made by traffic and highways consultants, Transport Planning Associates (TPA) to Benenden Healthcare Society Ltd. (BHS). This submission was recently disclosed in BHS’s response to the Independent Examiner’s queries in relation to the BNP. TPA’s information is sometimes inaccurate and sometimes misleading and we consider it here in detail because it is difficult otherwise, to understand how the LP was able to continue, iteration after iteration, to relate false information about the hospital site.
 - . In October 2019, TPA reported (para 2.6) that there was a footpath along the southern edge of Goddards Green Road (GGR) and the PSLP, para 5.452 states “There is an intermittent pavement along GGR”. The GGR is a long road running from New Pond Road to Castleton’s Oak crossroads, and was formerly a lane. The pavement is limited to the short section immediately outside the hospital buildings. To say that there is an intermittent pavement along GGR is misleading.
 - . The TPA refers to the East End as a village, which it is not. The East End runs from the junction of GGR and Walkhurst Road, along the GGR to the border with Tenterden, then turns south to reach close to Hole Park in Rolvenden, then east back to Walkhurst Road at the site of the stream, then along Walkhurst Road back to GGR (see the old Electoral Roll for 2004 when the East End had its own polling station). It is a large, totally rural area of several square miles, which was why it was chosen as the site for an isolation hospital in 1906. Today it contains only 76 houses scattered across the entire area. The PSLP consistently refers to the East End as a hamlet. It is not, which is why BPC is able to advertise itself on its website as “Serving the people of Benenden and Iden Green” without any reference to the East End.

- . The TPA says that “a day nursery is located immediately to the north of the Site within 400m.” There is incorrect, yet this error is repeated in para 5.413 of the PSLP “There are also nursery/pre-school facilities at Iden Green and East End.” An accurate account would mention Iden Green only.
- . The TPA states that there are daily bus services along GGR provided by bus nos. 24 and 299, and twice a day service provided by the Hopper bus. This information is incorrect. The 2019 Hopper bus, operated by the Tenterden social services hub on an experimental basis, failed in only a matter of months. While the 24 and the 299 buses pass along GGR, they do so on only one day a week. The 24 on Tuesdays and the 299 on Wednesdays. The East End has almost no public transport.
- . The TPA makes several statements in relation to traffic which have fed misinformation into the system to be reflected in AL/BA3&4. This misinformation was only recently revealed when documents were provided by BHS following April 2021 queries raised by the Independent Examiner on the BNP. These documents include a TPA ‘Scoping Note’ on road and traffic conditions at the site and a letter written in response to this Note from KCC Highways, dated 13 Nov. 2019. The TPA states that the GGR is 7m wide at the hospital site which detracts from the fact that it is actually a winding rural lane, now called a road, and varies considerably in width. It may at some point be 7m wide, but at others, it is so narrow that two lorries have difficulty passing each other. The TPA claims that there is no need for a road safety review because there have been “no personal injury accidents” recorded within 1,000m. Castleton’s Oak crossroads lie 1.5 km from the site and accidents there are frequent, largely due to increasing traffic at the hospital. The hospital has turned itself into an almost exclusively out-patient centre and almost all its 300 employees drive in to work from outside the parish (formerly, they were housed on site in hospital staff buildings). Kent County Council (KCC) Highways make constant and repeated attempts to lower the risk of injury at the crossroads. Works there are ongoing at this time. The TPA claims that no traffic surveys are necessary which is a point queried in the KCC Highways’ email. The email talks of the “heavy car dependency” of residents in any housing in this location and says this was one of its concerns, even at the time of the original application asking for only 24 houses. The email states that BHS’s plans (and therefore AL/BE 3&4) are contrary to the NPPF and to KCC’s own policy objectives, and points out that the hospital has not co-operated over the idea of a minibus to provide transport from the site to Benenden. The letter calls for: traffic counts along the GGR; a wider crash analysis; and expresses concern over the proposed access points to the SE Quadrant - 2 on Green Lane and 2 on GGR. Lastly, on trip generation, the TPA projects that 47 houses at the site will produce only 106 trips a day, though the consultants admit that they have difficulty in basing their estimate on comparable sites because there are none. These trip generation figures ignore existing traffic from local residents, from patients, from hospital staff and from the newly (January 2021) proposed housing estate at Cleveland. The AL/BE 3&4 fails to provide a traffic count, fails to ask for a road safety review and fails to acknowledge frequent traffic accidents near the sites.
- . Pre-submission supporting documents also produce inaccurate and sometimes irrelevant evidence. The hospital sites are within the setting of an AONB and even overlap into it, yet *Inset Map 18* (Benenden Hospital), unlike other maps attached, makes no reference to the AONB boundary. The BNP claims that the hospital is outside the AONB and on this basis, since the rest of the village is wholly within the AONB, largely justifies placing most of Benenden’s housing in the East End. The relationship of the AONB boundary to the hospital sites is important yet it is ignored on the map. This looks like prejudice.
- . Hankinson Duckett Associates’s *AONB Setting Analysis Report* (a supporting document for the PSLP, referred to as an evidence base) is, in its analysis of AL/BE3&4, unsound. The analysis argues that development at these sites will enhance the setting of the AONB. It illustrates the argument with photos of the hospital chapel and its carpark. Neither chapel nor car park are in the area up for development.
- 1 **Policies AL/BE3&4 are not consistent with the PSLP’s Vision objectives nor with its strategies, nor with KCC’s policies, nor with the NPPF.**
- . The PSLP’s Vision Objective 1 is : “to improve access to suitable, especially affordable housing, including for local young people and older households.” But this is inconsistent with allocations AL/BE 3 &4. BHS is asking in its comments on the LP first draft, for a lower number of affordable homes because of the high cost of brownfield development. Living isolated in the countryside, families will need at least two cars. Old and young will be unable to walk to schools, shops or

any other amenities. This is not a suitable site for a borough which (see para 2.16) expects the population over the age of 65 + to increase by around 40% between 2020 and 2038. The PSLP's Vision Objective 2 is to ensure sustainable development which allocations at AL/BE 3&4 do not achieve. On the contrary, the KCC warns that even with the existing permission for 24 houses on AL/BE3, the highway authority had concerns. This is an isolated location, deep in the countryside (see KCC Highways email 13 Nov 2019). More than 24 houses in this location is not sustainable.

- . **Policy PSTR/BE1**, LBD 5.416 states "the LBD around Benenden village sets the extent of existing and planned development .." This conflicts with the recommendation that major development be instated three miles beyond the LBD, on the border with Biddenden.
- . **Policy STR 2** "The Council requires the use of masterplanning, including the use of design codes and sustainable design standards where appropriate, for strategic and larger-scale developments.." This is undermined by AL/BE 3&4 which calls for a masterplan for an area not included in the PSLP and not presented. Para 1a of Policy AL/BE3 states that there is a need to "show indicatively how the other areas included within Policies AL/BE3 and AL/BE 4 can be developed to meet the overall policy requirements as set out within each of these policies, and *how the future needs for Benenden Hospital will be met on areas to the north west and south west that currently comprise the hospital buildings and associated ancillary uses and is previously developed land.*" It is not sound to proceed with an LP where the land to be developed is not clearly indicated from the start.
- . **A masterplan is essential to avoid current inconsistencies on the size of areas to be developed:** AL/BE3 excludes one of the 2 Local Wildlife Sites (LWS) at the site, yet the BNP includes both. Para 5.458 states "Both this policy and BNP draft Policy SSP3 broadly follow the same approach towards the potential for developing this site for a residential development.." They do not. The PSLP states that in the event of a successful referendum, the BNP's proposals will prevail. If this is so, are we supposed to assume that AL/BE3 map is inaccurate?
- . A similar problem arises at the northern site (AL/BE4) here there are currently 18 dwellings. The proposal allows for these to be demolished and another 25 dwellings added to the site. The size of the area to be developed varies between the LP and the BNP. The LP includes the LWS in the area to be developed but the BNP includes only a small section, but says in the event of a successful referendum the BNP plan will be over-ruled by the LP plan (see the BPC response April 2021 to the Independent Examiner's queries). This is the reverse of 5.421 & 2. It is unsound to proceed with a plan when the NP and the LP are at odds with each other.
- . **The PSLP claims building will only be within existing footprints**, an approach which is at odds with that of the BHS. Plans for 47 new houses in AL/BE3, presented to the village on 17th February 2020 by the hospital architects, show the buildings are not to be built within the footprint of previous buildings nor to respect LWS.
- . **Policy STR 3** calls for the use of brownfield sites "within settlements" and in "sustainable locations." AL/BE 3 consists of disused medical buildings and 2 LWS with parkland and veteran trees (depending on whether this second LWS is included or not). 5.448 is therefore incorrect. The site should be described not as brownfield but as partly brownfield. It is not on the brownfield register. Because of its remote location and its valuable LWS sites, it is not free from constraints which could be mitigated. As such, Policy AL/BE3 does not meet the criteria needed under the NPPF, Section 11, para 117 for development in "a way that makes as much use as possible of previously-developed or 'brownfield' land." AL/BE 4 contains in-use residential housing and an LWS and therefore is not entirely brownfield.
- . **Policy STR 5** states that "New residential ... development will be supported if sufficient infrastructure capacity is either available or can be provided in time to serve the development." Will this happen at AL/BE3&4? Developers themselves are to provide the infrastructure at AL/BE 3&4. The LP proposes to take on trust suggestions that the BHS will avoid building on the LWS and will provide play-grounds, sports facilities and tennis courts. We know from submissions following the first draft LP, that BHS is actually planning to remove one LWS entirely and that its plans include building on the LWS and beyond the foot print of previous buildings. BHS suggests, in its response to the first draft LP (DLP_4956) that it is unlikely to provide play-grounds, sports facilities and tennis courts. The PSLP's approach does not take comments to the first draft LP into account.
- . **Policy STR 6** proposes to "Deliver future development in accessible locations, normally within or in close proximity to existing towns and villages across the borough." In the case of the two isolated hospital sites, the PSLP contradicts its own strategic policy and fails to offer choices in transport or to prioritise active travel and public transport. The Benenden hospital sites have no

daily bus service and no active travel link to the village, and neither the PSLP nor the BHS provide credible information on how these links are to be provided. The KCC email of Nov 13 suggests that the hospital is uncooperative on the proposal to organise a minibus service and the SHELAA says of AL/BE3 that it is "Remote from a settlement centre," (unlike sites 158, 222 and LS8); that residents will rely heavily on private cars and thus air quality and travel objectives score negatively; and that, "although promoted by the policy, shared transport and active travel options are unlikely to take precedence over private vehicle use thus air quality and climate change score negatively." This we feel is the nub of the issue. For all the talk of mitigating the remoteness of the hospital sites with a minibus link and cycle routes, nobody actually believes that any of these measures will succeed. As for the proposal to create links suitable for electric personal vehicles, such as mobility scooters (as suggested under STR 6), it is difficult to see, when the closest link with the village is a single-track lane (Walkhurst Road), how any personal electric vehicle could make that journey. The PSLP is creating, through its policies AL/BE3&4, a car dependent community. This thereby negates the sense of the LP's supporting document, *Transport Strategy Review Sept 2019* which urges reducing the need to travel.

- . AL/BE3&4 also undermine TWBC's Full Council motion of July 2019 to reduce CO2 emissions. "The dominance of the car as a mode of transport can lead to congestion, more road accidents, air and noise pollution. In addition it contributes to climate change, reduces social cohesion and leads to less healthy lifestyles" (para 44 *Transport Review*). According to TW's own SA from 2006, if social cohesion, reduction in air pollutants, and public health were indeed the borough's priorities, site 158 would have been among those chosen for Benenden, as originally intended.
- . **PSLP paras 5.453 and 5.467** state that "residents of development in this location will rely heavily on private cars." These plans runs counter to STR6 policy on the environment see paras 6.8, 6.9, 6.10, 6.11 and 6.13. It also contravenes KCC policies on climate change and the NPPF (see KCC's Nov 13, 2019 letter on this subject).
- . **Para 5.414** "The parish provides two relatively large sources of employment: at Benenden Hospital and at Benenden School." The inference is that the employment opportunities are linked somehow to the population of Benenden. There is in fact little connection. The 300 plus staff at the hospital drive into the parish along GGR to work and, since the hospital is isolated from the village, their contribution to the local economy is negligible.
- . **Policy STR 6** The LP proposes to "**Deliver future development in accessible locations, normally within or in close proximity to existing towns and villages across the borough.**" In the case of the two isolated hospital sites, the LP contradicts its own strategic policy and fails to offer choices in transport or to prioritise active travel and public transport.
- . **Cycle routes:** The PSLP's standards on the public benefits of cycling and walking are based on the *Cycle Strategy Supporting Document*, but these standards are undermined by site allocation in Benenden. The Cycle document states that: "When more people cycle or walk the health of the population improves and our roads become safer and less congested." Its objectives 4 and 5 are to improve safety for cyclists and air quality for all, but AL/BE 3 & 4 will create a community, deep in the countryside, entirely dependent on the car and will contribute to poorer air quality for all. The allocation of these sites, as opposed to sites such as 158, is difficult to understand.
- . The *Cycle Strategy* states that fear of traffic is possibly the main factor discouraging people from cycling. National Cycle Route 18 runs from the Rolvenden Road, down Stepneyford Lane, to Green Lane, before joining the Benenden Road near the hospital, turning right and leading to Castleton's Oak Cross roads and Gribblebridge Lane. This route is a largely on-road ride travelling through the High Weald, using narrow, picturesque country lanes as much as possible. Green Lane/Stepneyford Lane is mentioned in TWBC's Rural Lanes: Supplementary Planning Guidance. It is particularly high scoring in terms of its landscape, its recreational value, its natural beauty and its history. For these reasons, it is part of National Route 18. Rather than encouraging cycling, AL/BE3, which proposes two exits for this major development on GGR and two on Green Lane (where a second housing estate, at Cleveland's Farm is already leading to Kent Highways calling for road widening and the elimination of grass verges - see building application 20/03267/FULL) will cause an increase in those factors, identified in *TW Cycle Strategy*, as discouraging cyclists, namely, traffic and the loss of unspoilt country lanes. Policy AL/BE3 also contravenes Kent Structure Plan Policy ENV13: "Rural lanes which are of landscape, amenity, nature conservation, historic or archaeological importance will be protected from changes which would damage their character, and enhanced." In any event, the cycle route is purely recreational and will not enhance the sustainability of these sites.

- Policy STR 7** proposes, in dealing with TWBC's 2019 legally binding commitment to manage climate change, that all development in the borough will support the Council's target to achieve net zero emissions by 2030. It is unsound, with such a goal, to propose a major development on the parish periphery, 3 miles equidistant from two villages where there is no shop (in spite of the PLSP's statement AL/BE 3&4) and no café (BHS says its café was built for its own use not for the use of the public - see comments on the first draft of the LP). Residents will need their cars for almost everything.
- Policy STR1** promotes the effective use of previously developed land, having due regard to relevant Plan policies, but in promoting AL/BE3&4, the PSLP disregards STR6 (environmental goals) & STR7 (transport goals). Under the NPPF, sustainability is the priority, as the PSLP acknowledges in STR3, 4.65 "A presumption of sustainability lies at the heart of the NPPF", but in allocating AL/BE 3&4, the PSLP fails to respect its own and the NPPF's strategic priorities.
- Policy STR 8** states that development should contribute to and enhance rural landscapes with particular regard to the High Weald (HW) AONB. The PSLP promotes nature conservation. Its biodiversity objective is to achieve net gains and, where possible, secure long-term management of sites for biodiversity. AL/BE3 runs counter to this strategy since the BHS has produced plans showing houses built over the LWS. It has, furthermore, produced a document requiring that one of the two LWS be dug up and removed to another unspecified location, thereby nullifying the terms of the existing Landscape and Ecology Management Plan (LEMP) for that site. Para 3.21 of the BHS submission on the first draft LP states: *"The Society supports the requirement for long-term management of the core areas of LWS associated with the hospital land. This includes all but the modest area within the SEQ adjoining Peak Lodge which is too constraining on the South East Quadrant redevelopment proposals. Accordingly, the soils in the area will be translocated to a nearby receptor site to try to ensure that the rare fungi can continue to thrive in this local area."* This is a particularly significant site for biodiversity. A letter from Keith Nicholson, former Planning and Conservation officer for the Kent Wildlife Trust, dated 4 March 2013, to TWBC Development Control Officer, Ellen Gilbert states that the hospital LWS are of national importance, mainly for the large number of different varieties of waxcaps. He states that they could well have been designated SSSI. Both in terms of waxcaps and in terms of valuable acid grassland, the hospital sites have high environmental value, see Comment DLP_3458 on the first draft of the LP, from the High Weald AONB Unit. The Benenden Hospital site *"includes rare and vulnerable acid grassland which should form a core area for unimproved grassland as part of a High Weald nature recovery network."* AL/BE3&4 threaten the biodiversity of significant species in the LWS at the hospital sites, contrary to EN1.
- The LWS to the south of AL/BE3 is included in the BNP and BPC argues that this has been done in order to protect it (see their response to the Independent Examiner April 2021). It is difficult to follow this logic. The inclusion of the site in the area to be developed suggests that it too could be under threat.
- There is no plan showing the placement of houses on AL/BE 4, which is currently home to a large LWS and is the site of 18 habitable dwellings, almost all of the them currently in use and let. The proposal allows for these to be demolished and another 25 dwellings added to the site. The PSLP includes the LWS in the area to be developed and the BNP excludes most of it. Benenden Parish Council (BPC), in its April 2021 response to the Independent Examiner, has said that, in this case of a successful referendum, the PSLP's plan (which includes the LWS), will prevail. In other words, of the 3 LWS in AL/BE 3&4, one is slated for removal, one will be built over if the PSLP prevails and one may be built over if the BNP prevails. This undermines STR8.
- The PSLP claims that the hospital development "has the potential to improve the setting of the HW AONB through the delivery of a more sensitive redevelopment of existing buildings" (para 5.454), but the claim is not supported by evidence produced by the *Hankinson & Duckett* (see above) while the HW AONB unit's own view is the opposite. See TW first Draft LP, **DLP_3458 High Weald AONB Unit** (which objects to the Plan) : *"....In our view the development at Benenden Hospital will have a significant effect on the setting of the AONB and the purposes of its designation, and this issue has not been properly considered by the Plan."*
- Also, the NPPF section 2 para 11 states: *"Plans and decisions should apply a presumption in favour of sustainable development... (b) strategic policies should provide for objectively assessed needs for housing ...that cannot be met within neighbouring areas unless ... (i) the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan"*

area.” And see Footnote 6: the policies referred to are those in the Framework ... relating to habitat sites (and those sites listed in para 176) and /or designated as SSSI, AONBs

NPPF para 177 states: "The presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site".

PSLP EN1 para 5. Biodiversity and geodiversity.

AL/BE 3&4 run counter to this policy as stated above in relation to the LWS.

The Environment

STR8 sets high environmental standards but these are undermined in the site allocations. This is particularly startling in the light of the July 2019 Full Council motion to recognise the climate and biodiversity emergency, in fact, the Benenden allocations put into question whether the motion was passed in good faith.

EN1 para 5 (Biodiversity and geodiversity) says that proposals should maximise opportunities to increase biodiversity. This goal may make sense in an urban setting, but development in the countryside, as is proposed in AL/BE 3 & 4, cannot hope to ever mitigate biodiversity loss. The destruction of trees and wild spaces, the introduction of lighting, kerbs, driveways, wider roads and narrower verges, the use of concrete, tarmac, bricks and mortar in a deeply rural setting cannot “increase biodiversity”.

EN1 provides for Long-term Management plans which would be satisfactory within an urban context. In a rural location like the East End, such plans are no substitute for natural wild spaces. A ‘managed’ green space set among streets is less likely to promote biodiversity and less likely to conserve wildlife than ‘unmanaged’ green space. Further, the three LWS in AL/BE3 are all already part of an existing LEMP agreement, and since one or all would be removed in the case of development as outlined by BHS under AL/BE3&4, instead of creating a long-term management plan, AL/BE3&4 would all but terminate an existing one. The sentiments expressed in EN1 are mocked by AL/BE3&4.

1 Site policies

AL/BE3 excludes one of the 2 LWS at the site, and the BNP includes both, yet para 5.458 states “Both this policy and BNP draft Policy SSP3 broadly follow the same approach towards the potential for developing this site for a residential development..” This does not appear to be the case. Further, the SHELAA treats this site twice, once including the southern LWS (and excluding Windmill Cottage) and once excluding the LWS and including Windmill Cottage (SHELAA pages 1-3 and pages 18-19). In the second instance, the suggestion is for 67-73 houses, presumably building over the LWS. The first plan is the one adopted in the PSLP and appears to be the more accurate of the two in that it describes the site as “mostly PDL”. The second ignores all greenfield aspects and is almost identical to the plan in the BNP, a plan which BNP claims will prevail if it wins a referendum. Is AL/BE3 presenting us with the wrong plan?

AL/BE3 and AL/BE4 provide for a phased timetable for development of the two sites at different time intervals without calling for a comprehensive masterplan for the hospital site as a whole i.e. for the entire built up area. This is inconsistent with STR2, which requires a masterplan for large developments. The full extent of the area to be developed must be clear. See para 1a of Policy AL/BE3 which states that there is a need to “show indicatively how the other areas included within Policies AL/BE3 and AL/BE 4 can be developed to meet the overall policy requirements as set out within each of these policies, and *how the future needs for Benenden Hospital will be met on areas to the north west and south west that currently comprise the hospital buildings and associated ancillary uses and is previously developed land.*” It is not sound to proceed with an LP where the land to be developed is not indicated from the start.

AL/BE3&4 both call for an active travel link between the site and Benenden village. This proposal has been costed (see BPC’s April 2021 reply to the Independent Examiner) at between £180,000 and £220,000 for a 3m wide tarmacked surface, plus costs to upgrade it to a bridleway, plus the costs associated with obtaining landowners’ consent or, failing that, of starting compulsory purchase proceedings which TWBC expresses reluctance to undertake because of the significant compensation costs and legal costs which would be involved. No steps have been taken either by the BNP or TWBC to ascertain the willingness of landowners to give up their land although the major landowner involved wrote to BNP on 11th Sept. 2019 objecting to the plan. It is understood that he was not contacted for subsequent discussion.

AL/BE3&4 calls for the repurposing of the existing tennis courts for the use of local residents, which BHS denies it will offer for public use; for the public use of the hospital's café; for the creation of a hospital shop (5.413); for a minibus service linking the hospital to the village ("The Society is not a transport provider" is BHS' response); for green space, a playground and provision of a community hall - most of these policies are refuted in Savills' comments on behalf of BHS, in the first draft of the LP, DLP_ 4956 paras 3.14, 3.18, 3.19, 3.20, 3.46 and 3.47. Rather than agreeing to such policies, the hospital is calling on TWBC to introduce a more flexible funding system to allow a *reduction* of developer costs. BHS argues these will be high because they wish to demolish existing buildings. It is unsound to propose policies which cannot be implemented. Once the sites are sold, no relevant conditions to this effect could be imposed.

1 The PSLP is unsound because of inconsistencies in the treatment of different sites.

(i) **Uphill, AL/BE1** is described as having archaeological potential (para 5.428) requiring possible mitigation measures. This is not because of historical finds on the site, but because they might be found. A listed manor house lies on the other side of New Pond Road and, according to AL/BE1, "the site lies within, or very close to the relevant impact risk zone for Parsonage Wood", a SSSI which is, in fact, several miles away. The archaeological significance of AL/BE 3&4 is far more certain and substantial. The hospital sites are where a bronze age palstaff was found (see the National Monument Register - SMR Number /Hob UID)) and the sites lie close to two ancient routeways. A Roman Road runs west-east (on BHS farmland) a few yards to the south of AL/BE3 and a medieval drove road (GGR), runs west-east between the two sites. Further, two Grade II Listed Buildings are sited here, also on BHS land. The Lister building stands a few yards to the west of AL/BE3 and Cleveland Farm house (the farmyard of which BHS is trying to develop separately and simultaneously as if a minor planning project) lies a few yards to the south. Instead of mentioning these facts, AL/BE3&4 reads (5.456 and 5.468) "Kent County Council states that the site includes significant archaeology, which could be dealt with through suitable conditions on a planning approval." The imbalance in the treatment of the two sites is substantial and suggests prejudice.

(ii) The SHELAA assessment of site 158 suggests a potential yield of 50-65 houses, but then concludes that only the Uphill part of the site is suitable (20 houses). It states that "the remainder of the site is sensitive in landscaping terms and there is concern regarding scale and impact on the character of the landscape and settlement pattern". This is contrary to the views of TW's 2006 SA; to the TW 2018 document proposing 174 houses; and to the first draft of the LP. The dismissal of 158 as a suitable site is not supported by the evidence and suggests prejudice.

(iii) Site 222, west of the cross roads, was also considered in 2006, as a possible site for the new village school, though it was not one of the top two sites put to a referendum. The SHELAA suggests 222 has a potential for 76 houses. The site is considered unsuitable partly because the new LBD, if adopted, will exclude all houses west of the cross roads, when the village actually extends a considerable length along this road to the west. There is no mention of the fact that the owners of this site are offering the pond at the south west corner of the crossroads as village green space. The dismissal of 222 is not supported by the evidence and suggests prejudice.

(iiii) The SHELAA suggests a capacity of 26 houses at Site LS8 in Iden Green, stating that it lies adjacent to the recreation ground and a children's nursery and that there is a pavement on both sides of Iden Green's main road. It fails to mention that the easternmost side of this pavement connects the village to the village primary school. The SHELAA dismisses the site as unsuitable saying that it is located in a remote location relative to services, facilities and public transport, but this site is far less remote than sites AL/BE 3&4. The dismissal of site LS8 is not supported by the evidence and suggests prejudice.

(v) The proposed new LBD has been constructed so as to include the new site at Uphill and to exclude 222, when in fact, the actual built development extends westwards from the crossroads and includes site 222. The LBD is ignored in respect of AL/BE3&4. Manipulation of the LBD to suit allocated sites is inappropriate.

As a general comment, I have found the process unnecessarily difficult to navigate. In fact, from the point of view of the ordinary lay-man, I would term the process 'hostile'. The interactive on-line site was unmanageable. Question 4a is very badly worded. The PSLP's prose entirely suited the opacity of the procedure. Here is one example from the SA (page 163) "However, the education objective does not deteriorate when considering cumulative effects as the schools in Tenterden will be a viable option for residents in East End and thus are likely to take the pressure off Benenden Primary School." What does that mean?

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan 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 modifications needed are included in the submissions set out above. In summary, development on site AL/BE 3 should be limited to the existing, so far unused, planning permission for 24 houses, preferably by adapting the Garland Wing, which is a building of historic value, either to a wellness centre, in accordance with its original intention, or to a row of up to 10 terraced houses. Site AL/BE 4 already has 18 semi-detached houses on it, and cannot support any more. It should therefore be excluded. Housing should be allocated to sites (such as 158 and 222 in the village centre or LS8 in Iden Green) which lie on bus routes or are within walking distance of the village centre and school. Paragraphs 5.421 and 5.422 should be omitted.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Question 8

If you have any separate comments you wish to make on the accompanying Sustainability Appraisal, please make them here.

1. The Sustainability Appraisal (SA) is misleading. Table 58 on page 163 states that all Benenden sites "lack services, facilities and travel options". This belies the fact that AL/BE2 (Feoffee almshouses) is close to the Street as is AL/BE1 (Uphill). Both sites are within walking distance of the bus stop for daily bus services, the post office, village shop, the primary school, the village green, the butchers, pub, community hall, church, recreation ground and children's playground. AL/BE 3 & 4 are three miles north east of the village with no daily bus service and no amenities whatsoever.
2. The commentary on Table 58, (page 163 of the SA), states that East End sites score badly on Climate Change and Travel, yet these are the sites promoted for most houses.
3. The SA argues on page 163 that East End residents will send their children to schools in Tenterden instead of to the village primary school, and that this will lessen the otherwise seriously negative effects of the two hospital sites. This is pure conjecture and possibly wishful thinking. The school has a good reputation and currently between 70 and 75% of children there come from outside the parish. East End children will have precedence over these, since intake depends on the distance of a child's residence from the school. Pressure on Benenden Primary School will increase, not decrease. Further, the use of a car, whether it drives to Tenterden (5-6 miles) or to Benenden (3 miles), pollutes and deprives residents of the health-giving pleasure of walking to school. The AL/BE 3&4 are contrary to STR2, to the NPPF and to KCC policy on climate change.
4. Appendix L (pp331-2) shows Scores for Reasonable Sites in Benenden. Here we see scores for 158 and 222, two sites close to the village centre. Of 158, we read "A site that scores several neutrals with some positives, let down by its land use and landscape score impacted by a loss of a greenfield

site in the AONB and lack of services and facilities including public transport at the settlement.” This SA report compares poorly with the SA which TWBC carried out on site 158 in 2006. 158 is parallel to and just north of the Street with its exit onto New Pond Road. In 2006 site 158 was chosen in a village referendum as the site for a new C of E primary school. It was the preferred site out of a choice of two, both of which were greenfield. TWBC’s 2006 SA on 158 decided (see page 18 of the Sustainability Appraisal Benenden Church of England Primary School Land Allocation DPD - Issues and Options report), that 158 was one of two top sites. “Situated adjacent to an area of ancient woodland, the site provides the potential for habitat linkages and wildlife corridors. The site is not adjacent to the CA [Conservation Area] and does not form a significant role in its setting. There are no Listed Buildings on or adjacent to the site. The site is consistent with the surrounding landscape character. There are limited views into the site and no public rights of way over the site.” On page 38, we read, “This site is anticipated to have a major beneficial effect on improving educational standards and travel choice/traffic levels”. In spite of the referendum result, the school was eventually built at the less preferred site and, since then, TWBC had been in consultation with 158’s owners to build houses there.

5. In April 2018, BNP Steering Committee Deputy Chair, a borough councillor, showed the committee a piece of paper from TWBC saying that TWBC wishes to build 174 houses on site 158. He committed himself to seeing these numbers reduced and the numbers at the East End raised. After a meeting between representatives from the BNP group and TW planners on June 19th, 2018, the minutes reported that “At times the workshop was emotive ...” Following that meeting TW planners put site 158 on temporary hold, limiting development there to a future Local Plan by asking, in the first draft of the LP on page 270, that the Uphill site on New Pond Road, adjacent to 158 and allocated at that time as AL/BE3, should, under Clause 8, provide for vehicular access through Uphill to the site behind (158) “which may be allocated for development as part of a future Local Plan.” In the PSLP, this wording for Clause 8 has disappeared. Where is the evidence-base for such wording to be included in the first draft and excluded in the second? Why is the site considered suitable in 2006, in 2018, and in the first draft, but not suitable in the PSLP?

6. Site 222, like 158 is described in Appendix L of the PSLP’s SA as suffering from “a lack of services and facilities including public transport at the settlement.” This is inaccurate. There is a daily bus service along Benenden Street and site 222 is within easy walking distance of the bus stop, shops, pub, community hall, primary school and all other amenities.

7. Site LS8, in the heart of Iden Green is, along with site 158 and 222, a site which on-the-ground evidence suggests is eminently suitable for development, but which the SA fails to allocate. Appendix L of the SA gives LS8 virtually the same scores as Uphill (LS16 of AL/BE1) yet the latter is included for development and the former is not. The commentary states of LS8 “A number of scores are negative however, reflecting the remote location of the site from services and facilities and public transport. It scores negatively in heritage terms as the site is a relatively sizeable piece of the Iden Green Conservation Area.” This site is far less remote than sites AL/BE 3 & 4. It is one mile from the village and connected to it by a paved footpath running past a Roadside Conservation Area and then (still paved) through a field to the church and primary school. It is on a bus route and the bus stop is next to LS8. Iden Green has a community hall, tennis courts, a children’s playground and pub/restaurant. The SA information is unreliable and the PSLP’s use of it for site allocation is unwise.

8. In so far as Benenden is concerned, the sites were allocated before any sustainability appraisal was commissioned. It is not therefore a relevant factor in the allocation of sites for housing.

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

No, I do not wish to be notified of future stages of the Local Plan

Comment

Consultee	Mr Edward Stevenson-Rouse [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] Fosten Green Biddenden [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Mr Edward Stevenson-Rouse [REDACTED]
Comment ID	PSLP_170
Response Date	14/05/21 10:44
Consultation Point	Policy AL/BE 3 Land at Benenden Hospital (south of Goddards Green Road), East End (View)
Status	Processed
Submission Type	Other
Version	0.7
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Edward Stevenson-Rouse
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy AL/BE 3: Land at Benenden Hospital (south of Goddards Green Road), East End

[TWBC: this representation has been input against Policies PSTR/BE 1, AL/BE 3 and AL/BE 4 - see Comment Numbers PSLP_169, PSLP_170 and PSLP_171]

Question 4

Do you consider that the Local Plan:

Is legally compliant	No
Is sound	No
Complies with the Duty to Cooperate	No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:	<ul style="list-style-type: none"> . It is not positively prepared . It is not effective . It is not justified . It is not consistent with national policy
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Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

Paragraph No(s) Para 5.413, 5.414, 5.416, 5.420, 5.421, 5.422, 5.428, 5.452, 5.453, 5.454, 5.456, 5.458, 5.467, 5.468 Policy No. Objective 1, Objective 2, STR1, STR2, STR3, STR5, STR6, STR7, STR8, PSTR/BE1, Policy AL/BE1, Policy AL/BE3, Policy AL/BE4, EN1 Sustainability Appraisal SHELAA Policies Map (Inset Map No(s)) Inset Map 18

This submission concerns the parish of Benenden, the only parish in the borough to have made its own allocations. The Benenden Neighbourhood Plan (BNP) has been developed in close consultation with TWBC, with the BNP in the lead. The BNP announced its allocations in February 2019, before inviting AECOM to produce its Strategic Environmental Assessment. Pre-Submission Local Plan, para 5.420 reads "The BNP was submitted to TWBC in October 2020 and was consulted on between 30 October and 11 December 2020." But the allocations had been made and published in February 2019. Further, Para 5.420 states "The BNP proposes to include site allocation policies that follow the approach of the site allocation policies for Benenden in this Local Plan." BNP allocations were first published in February 2019 i.e. before LP site allocation policies.

Allocations made by the LP, when it took up the BNP's baton, are therefore inevitably linked to BNP's weaknesses. Yet if the BNP passes a referendum before acceptance of the LP, it is said that it will take precedence over the LP (see para 5.421), with the exception of its plans for the northern site at Benenden hospital, which will be overruled by the plans advanced in the LP (see Benenden Parish Council April 2021 response to Independent Examiner queries on the BNP). This is in contravention of para 5.422 which talks of making "modifications to the LP" so that it matches the BNP.

1 Community involvement. EN1: this requirement has not been respected.

- . In Benenden, almost all new housing is slated for the East End, yet the Friends of the East End (FEE), were never asked to meet with the BNP steering group.
- . See EN1 para 9 requiring the effective engagement of the local community, neighbours of sites and others. The FEE submitted three petitions, two to the BNP and one in relation to the LP. A FEE submission with 127 signatures was submitted on April 4th 2019 in response the Informal Draft NP (published on February 23, 2019), in which the allocations later adopted by the LP were first set out. A FEE submission with 164 signatures was submitted in October 2019 objecting to the first draft of the LP, and in the same month, a FEE submission with 167 signatures was submitted in relation to the Reg 16 draft BNP. See the FEE's current online petition with more than 450 signatures <https://www.change.org/EastEndFriends>

- . Instead of being consulted, the FEE were ignored and belittled. They were informed on 11th March 2019 by the editor of the Parish Magazine (PM), husband of the Chair of the Parish Council, that “I’m of the view that much of the uncertainty has passed since the presentation of the plan to the village - to a highly favourable reception. At least we no longer have to give polite credence to *uninformed views* that fly in the face of TWBC policy and advocate direct and *pointless confrontation* with TWBC, thereby running the risk of having the entire BNDP thrown back in our faces. *The ensuing chaos hardly bears thinking about.* At least it seems the opinions now being afforded most weight are those of *people who have worked hard for two years to understand the issues* and come up with a coherent way forward.”
- . One of the regular articles on the BNP submitted by the chair of the BNP Steering Group appeared in January 2020. It dismisses FEE opposition suggesting only “31 residents from the East End” sent in comments.
- . The core group behind the BNP has consistently tried to persuade those who support the FEE to desist. The chair of the Parish Council and the chair of the BNP Steering Group have twice asked to meet a Tunbridge Wells Alliance (TWA) Borough Councillor for the parish, once together with a TWA borough council candidate, in efforts to persuade them to adhere to the BNP’s approach and not to listen to the FEE.
- . The organiser of the FEE was a member of the Steering Committee 2017/2018 as chair of the Environmental Group. She expressed strong disagreement with a Borough Councillor who lives in the village (on occasion, he deputises as chair of the Steering Group) about his wish to step up allocations in the East End and suppress TWBC’s wish to build 174 houses on site 158. As a result, the Steering Group chair (using his own word), “sacked” her. This is contrary to EN1 para 9, encouraging early, proactive and effective engagements and the requirement that views expressed should be properly considered.
- . Consultation also failed in relation to the neighbouring parish of Biddenden. The Clerk of Biddenden Council has repeatedly responded to BPC in the course of the BNP consultation process, but received only acknowledgments. A Kent County Councillor and Ashford Borough Councillor wrote an article about BNP’s mismanagement of the parish of Biddenden in the Biddenden Parish Magazine, February 2021.
- . The LP is based on the BNP and BNP allocations were made before consultations with stakeholders such as the AONB. This is not consulting in a timely fashion. Further, the LP requires surveys of the hospital sites *after* the designation of the sites for development, for example, archaeological surveys (see AL/BE 3&4). Historic England (HE) asks for the surveys to be carried out *before*. See HE’s comments on the first draft LP (DLP_4556) - “we would expect the allocation of sites following on from this Strategy policy (STR1) to be subject to appropriately robust and detailed heritage impact assessment *prior to the allocations being adopted.*”
- 1 **The PSLP is not based on sound evidence**
 - . Throughout the LP process, misstatements have been made about amenities in Benenden’s East End. These may be traced back to a submission made by traffic and highways consultants, Transport Planning Associates (TPA) to Benenden Healthcare Society Ltd. (BHS). This submission was recently disclosed in BHS’s response to the Independent Examiner’s queries in relation to the BNP. TPA’s information is sometimes inaccurate and sometimes misleading and we consider it here in detail because it is difficult otherwise, to understand how the LP was able to continue, iteration after iteration, to relate false information about the hospital site.
 - . In October 2019, TPA reported (para 2.6) that there was a footpath along the southern edge of Goddards Green Road (GGR) and the PSLP, para 5.452 states “There is an intermittent pavement along GGR”. The GGR is a long road running from New Pond Road to Castleton’s Oak crossroads, and was formerly a lane. The pavement is limited to the short section immediately outside the hospital buildings. To say that there is an intermittent pavement along GGR is misleading.
 - . The TPA refers to the East End as a village, which it is not. The East End runs from the junction of GGR and Walkhurst Road, along the GGR to the border with Tenterden, then turns south to reach close to Hole Park in Rolvenden, then east back to Walkhurst Road at the site of the stream, then along Walkhurst Road back to GGR (see the old Electoral Roll for 2004 when the East End had its own polling station). It is a large, totally rural area of several square miles, which was why it was chosen as the site for an isolation hospital in 1906. Today it contains only 76 houses scattered across the entire area. The PSLP consistently refers to the East End as a hamlet. It is not, which is why BPC is able to advertise itself on its website as “Serving the people of Benenden and Iden Green” without any reference to the East End.

- . The TPA says that “a day nursery is located immediately to the north of the Site within 400m.” There is incorrect, yet this error is repeated in para 5.413 of the PSLP “There are also nursery/pre-school facilities at Iden Green and East End.” An accurate account would mention Iden Green only.
- . The TPA states that there are daily bus services along GGR provided by bus nos. 24 and 299, and twice a day service provided by the Hopper bus. This information is incorrect. The 2019 Hopper bus, operated by the Tenterden social services hub on an experimental basis, failed in only a matter of months. While the 24 and the 299 buses pass along GGR, they do so on only one day a week. The 24 on Tuesdays and the 299 on Wednesdays. The East End has almost no public transport.
- . The TPA makes several statements in relation to traffic which have fed misinformation into the system to be reflected in AL/BA3&4. This misinformation was only recently revealed when documents were provided by BHS following April 2021 queries raised by the Independent Examiner on the BNP. These documents include a TPA ‘Scoping Note’ on road and traffic conditions at the site and a letter written in response to this Note from KCC Highways, dated 13 Nov. 2019. The TPA states that the GGR is 7m wide at the hospital site which detracts from the fact that it is actually a winding rural lane, now called a road, and varies considerably in width. It may at some point be 7m wide, but at others, it is so narrow that two lorries have difficulty passing each other. The TPA claims that there is no need for a road safety review because there have been “no personal injury accidents” recorded within 1,000m. Castleton’s Oak crossroads lie 1.5 km from the site and accidents there are frequent, largely due to increasing traffic at the hospital. The hospital has turned itself into an almost exclusively out-patient centre and almost all its 300 employees drive in to work from outside the parish (formerly, they were housed on site in hospital staff buildings). Kent County Council (KCC) Highways make constant and repeated attempts to lower the risk of injury at the crossroads. Works there are ongoing at this time. The TPA claims that no traffic surveys are necessary which is a point queried in the KCC Highways’ email. The email talks of the “heavy car dependency” of residents in any housing in this location and says this was one of its concerns, even at the time of the original application asking for only 24 houses. The email states that BHS’s plans (and therefore AL/BE 3&4) are contrary to the NPPF and to KCC’s own policy objectives, and points out that the hospital has not co-operated over the idea of a minibus to provide transport from the site to Benenden. The letter calls for: traffic counts along the GGR; a wider crash analysis; and expresses concern over the proposed access points to the SE Quadrant - 2 on Green Lane and 2 on GGR. Lastly, on trip generation, the TPA projects that 47 houses at the site will produce only 106 trips a day, though the consultants admit that they have difficulty in basing their estimate on comparable sites because there are none. These trip generation figures ignore existing traffic from local residents, from patients, from hospital staff and from the newly (January 2021) proposed housing estate at Cleveland. The AL/BE 3&4 fails to provide a traffic count, fails to ask for a road safety review and fails to acknowledge frequent traffic accidents near the sites.
- . Pre-submission supporting documents also produce inaccurate and sometimes irrelevant evidence. The hospital sites are within the setting of an AONB and even overlap into it, yet *Inset Map 18* (Benenden Hospital), unlike other maps attached, makes no reference to the AONB boundary. The BNP claims that the hospital is outside the AONB and on this basis, since the rest of the village is wholly within the AONB, largely justifies placing most of Benenden’s housing in the East End. The relationship of the AONB boundary to the hospital sites is important yet it is ignored on the map. This looks like prejudice.
- . Hankinson Duckett Associates’s *AONB Setting Analysis Report* (a supporting document for the PSLP, referred to as an evidence base) is, in its analysis of AL/BE3&4, unsound. The analysis argues that development at these sites will enhance the setting of the AONB. It illustrates the argument with photos of the hospital chapel and its carpark. Neither chapel nor car park are in the area up for development.
- 1 **Policies AL/BE3&4 are not consistent with the PSLP’s Vision objectives nor with its strategies, nor with KCC’s policies, nor with the NPPF.**
- . The PSLP’s Vision Objective 1 is : “to improve access to suitable, especially affordable housing, including for local young people and older households.” But this is inconsistent with allocations AL/BE 3 &4. BHS is asking in its comments on the LP first draft, for a lower number of affordable homes because of the high cost of brownfield development. Living isolated in the countryside, families will need at least two cars. Old and young will be unable to walk to schools, shops or

any other amenities. This is not a suitable site for a borough which (see para 2.16) expects the population over the age of 65 + to increase by around 40% between 2020 and 2038.

The PSLP's Vision Objective 2 is to ensure sustainable development which allocations at AL/BE 3&4 do not achieve. On the contrary, the KCC warns that even with the existing permission for 24 houses on AL/BE3, the highway authority had concerns. This is an isolated location, deep in the countryside (see KCC Highways email 13 Nov 2019). More than 24 houses in this location is not sustainable.

- . **Policy PSTR/BE1**, LBD 5.416 states "the LBD around Benenden village sets the extent of existing and planned development .." This conflicts with the recommendation that major development be instated three miles beyond the LBD, on the border with Biddenden.
- . **Policy STR 2** "The Council requires the use of masterplanning, including the use of design codes and sustainable design standards where appropriate, for strategic and larger-scale developments.." This is undermined by AL/BE 3&4 which calls for a masterplan for an area not included in the PSLP and not presented. Para 1a of Policy AL/BE3 states that there is a need to "show indicatively how the other areas included within Policies AL/BE3 and AL/BE 4 can be developed to meet the overall policy requirements as set out within each of these policies, and *how the future needs for Benenden Hospital will be met on areas to the north west and south west that currently comprise the hospital buildings and associated ancillary uses and is previously developed land.*" It is not sound to proceed with an LP where the land to be developed is not clearly indicated from the start.
- . **A masterplan is essential to avoid current inconsistencies on the size of areas to be developed:** AL/BE3 excludes one of the 2 Local Wildlife Sites (LWS) at the site, yet the BNP includes both. Para 5.458 states "Both this policy and BNP draft Policy SSP3 broadly follow the same approach towards the potential for developing this site for a residential development.." They do not. The PSLP states that in the event of a successful referendum, the BNP's proposals will prevail. If this is so, are we supposed to assume that AL/BE3 map is inaccurate?
- . A similar problem arises at the northern site (AL/BE4) here there are currently 18 dwellings. The proposal allows for these to be demolished and another 25 dwellings added to the site. The size of the area to be developed varies between the LP and the BNP. The LP includes the LWS in the area to be developed but the BNP includes only a small section, but says in the event of a successful referendum the BNP plan will be over-ruled by the LP plan (see the BPC response April 2021 to the Independent Examiner's queries). This is the reverse of 5.421 & 2. It is unsound to proceed with a plan when the NP and the LP are at odds with each other.
- . **The PSLP claims building will only be within existing footprints**, an approach which is at odds with that of the BHS. Plans for 47 new houses in AL/BE3, presented to the village on 17th February 2020 by the hospital architects, show the buildings are not to be built within the footprint of previous buildings nor to respect LWS.
- . **Policy STR 3** calls for the use of brownfield sites "within settlements" and in "sustainable locations." AL/BE 3 consists of disused medical buildings and 2 LWS with parkland and veteran trees (depending on whether this second LWS is included or not). 5.448 is therefore incorrect. The site should be described not as brownfield but as partly brownfield. It is not on the brownfield register. Because of its remote location and its valuable LWS sites, it is not free from constraints which could be mitigated. As such, Policy AL/BE3 does not meet the criteria needed under the NPPF, Section 11, para 117 for development in "a way that makes as much use as possible of previously-developed or 'brownfield' land." AL/BE 4 contains in-use residential housing and an LWS and therefore is not entirely brownfield.
- . **Policy STR 5** states that "New residential ... development will be supported if sufficient infrastructure capacity is either available or can be provided in time to serve the development." Will this happen at AL/BE3&4? Developers themselves are to provide the infrastructure at AL/BE 3&4. The LP proposes to take on trust suggestions that the BHS will avoid building on the LWS and will provide play-grounds, sports facilities and tennis courts. We know from submissions following the first draft LP, that BHS is actually planning to remove one LWS entirely and that its plans include building on the LWS and beyond the foot print of previous buildings. BHS suggests, in its response to the first draft LP (DLP_4956) that it is unlikely to provide play-grounds, sports facilities and tennis courts. The PSLP's approach does not take comments to the first draft LP into account.
- . **Policy STR 6** proposes to "Deliver future development in accessible locations, normally within or in close proximity to existing towns and villages across the borough." In the case of the two isolated hospital sites, the PSLP contradicts its own strategic policy and fails to offer choices in transport or to prioritise active travel and public transport. The Benenden hospital sites have no

daily bus service and no active travel link to the village, and neither the PSLP nor the BHS provide credible information on how these links are to be provided. The KCC email of Nov 13 suggests that the hospital is uncooperative on the proposal to organise a minibus service and the SHELAA says of AL/BE3 that it is "Remote from a settlement centre," (unlike sites 158, 222 and LS8); that residents will rely heavily on private cars and thus air quality and travel objectives score negatively; and that, "although promoted by the policy, shared transport and active travel options are unlikely to take precedence over private vehicle use thus air quality and climate change score negatively." This we feel is the nub of the issue. For all the talk of mitigating the remoteness of the hospital sites with a minibus link and cycle routes, nobody actually believes that any of these measures will succeed. As for the proposal to create links suitable for electric personal vehicles, such as mobility scooters (as suggested under STR 6), it is difficult to see, when the closest link with the village is a single-track lane (Walkhurst Road), how any personal electric vehicle could make that journey. The PSLP is creating, through its policies AL/BE3&4, a car dependent community. This thereby negates the sense of the LP's supporting document, *Transport Strategy Review Sept 2019* which urges reducing the need to travel.

- . AL/BE3&4 also undermine TWBC's Full Council motion of July 2019 to reduce CO2 emissions. "The dominance of the car as a mode of transport can lead to congestion, more road accidents, air and noise pollution. In addition it contributes to climate change, reduces social cohesion and leads to less healthy lifestyles" (para 44 *Transport Review*). According to TW's own SA from 2006, if social cohesion, reduction in air pollutants, and public health were indeed the borough's priorities, site 158 would have been among those chosen for Benenden, as originally intended.
- . **PSLP paras 5.453 and 5.467** state that "residents of development in this location will rely heavily on private cars." These plans runs counter to STR6 policy on the environment see paras 6.8, 6.9, 6.10, 6.11 and 6.13. It also contravenes KCC policies on climate change and the NPPF (see KCC's Nov 13, 2019 letter on this subject).
- . **Para 5.414** "The parish provides two relatively large sources of employment: at Benenden Hospital and at Benenden School." The inference is that the employment opportunities are linked somehow to the population of Benenden. There is in fact little connection. The 300 plus staff at the hospital drive into the parish along GGR to work and, since the hospital is isolated from the village, their contribution to the local economy is negligible.
- . **Policy STR 6 The LP proposes to "Deliver future development in accessible locations, normally within or in close proximity to existing towns and villages across the borough."** In the case of the two isolated hospital sites, the LP contradicts its own strategic policy and fails to offer choices in transport or to prioritise active travel and public transport.
- . **Cycle routes:** The PSLP's standards on the public benefits of cycling and walking are based on the *Cycle Strategy Supporting Document*, but these standards are undermined by site allocation in Benenden. The Cycle document states that: "When more people cycle or walk the health of the population improves and our roads become safer and less congested." Its objectives 4 and 5 are to improve safety for cyclists and air quality for all, but AL/BE 3 & 4 will create a community, deep in the countryside, entirely dependent on the car and will contribute to poorer air quality for all. The allocation of these sites, as opposed to sites such as 158, is difficult to understand.
- . The *Cycle Strategy* states that fear of traffic is possibly the main factor discouraging people from cycling. National Cycle Route 18 runs from the Rolvenden Road, down Stepneyford Lane, to Green Lane, before joining the Benenden Road near the hospital, turning right and leading to Castleton's Oak Cross roads and Gribblebridge Lane. This route is a largely on-road ride travelling through the High Weald, using narrow, picturesque country lanes as much as possible. Green Lane/Stepneyford Lane is mentioned in TWBC's Rural Lanes: Supplementary Planning Guidance. It is particularly high scoring in terms of its landscape, its recreational value, its natural beauty and its history. For these reasons, it is part of National Route 18. Rather than encouraging cycling, AL/BE3, which proposes two exits for this major development on GGR and two on Green Lane (where a second housing estate, at Cleveland's Farm is already leading to Kent Highways calling for road widening and the elimination of grass verges - see building application 20/03267/FULL) will cause an increase in those factors, identified in *TW Cycle Strategy*, as discouraging cyclists, namely, traffic and the loss of unspoilt country lanes. Policy AL/BE3 also contravenes Kent Structure Plan Policy ENV13: "Rural lanes which are of landscape, amenity, nature conservation, historic or archaeological importance will be protected from changes which would damage their character, and enhanced." In any event, the cycle route is purely recreational and will not enhance the sustainability of these sites.

- Policy STR 7** proposes, in dealing with TWBC's 2019 legally binding commitment to manage climate change, that all development in the borough will support the Council's target to achieve net zero emissions by 2030. It is unsound, with such a goal, to propose a major development on the parish periphery, 3 miles equidistant from two villages where there is no shop (in spite of the PLSP's statement AL/BE 3&4) and no café (BHS says its café was built for its own use not for the use of the public - see comments on the first draft of the LP). Residents will need their cars for almost everything.
- Policy STR1** promotes the effective use of previously developed land, having due regard to relevant Plan policies, but in promoting AL/BE3&4, the PSLP disregards STR6 (environmental goals) & STR7 (transport goals). Under the NPPF, sustainability is the priority, as the PSLP acknowledges in STR3, 4.65 "A presumption of sustainability lies at the heart of the NPPF", but in allocating AL/BE 3&4, the PSLP fails to respect its own and the NPPF's strategic priorities.
- Policy STR 8** states that development should contribute to and enhance rural landscapes with particular regard to the High Weald (HW) AONB. The PSLP promotes nature conservation. Its biodiversity objective is to achieve net gains and, where possible, secure long-term management of sites for biodiversity. AL/BE3 runs counter to this strategy since the BHS has produced plans showing houses built over the LWS. It has, furthermore, produced a document requiring that one of the two LWS be dug up and removed to another unspecified location, thereby nullifying the terms of the existing Landscape and Ecology Management Plan (LEMP) for that site. Para 3.21 of the BHS submission on the first draft LP states: *"The Society supports the requirement for long-term management of the core areas of LWS associated with the hospital land. This includes all but the modest area within the SEQ adjoining Peak Lodge which is too constraining on the South East Quadrant redevelopment proposals. Accordingly, the soils in the area will be translocated to a nearby receptor site to try to ensure that the rare fungi can continue to thrive in this local area."* This is a particularly significant site for biodiversity. A letter from Keith Nicholson, former Planning and Conservation officer for the Kent Wildlife Trust, dated 4 March 2013, to TWBC Development Control Officer, Ellen Gilbert states that the hospital LWS are of national importance, mainly for the large number of different varieties of waxcaps. He states that they could well have been designated SSSI. Both in terms of waxcaps and in terms of valuable acid grassland, the hospital sites have high environmental value, see Comment DLP_3458 on the first draft of the LP, from the High Weald AONB Unit. The Benenden Hospital site *"includes rare and vulnerable acid grassland which should form a core area for unimproved grassland as part of a High Weald nature recovery network."* AL/BE3&4 threaten the biodiversity of significant species in the LWS at the hospital sites, contrary to EN1.
- The LWS to the south of AL/BE3 is included in the BNP and BPC argues that this has been done in order to protect it (see their response to the Independent Examiner April 2021). It is difficult to follow this logic. The inclusion of the site in the area to be developed suggests that it too could be under threat.
- There is no plan showing the placement of houses on AL/BE 4, which is currently home to a large LWS and is the site of 18 habitable dwellings, almost all of the them currently in use and let. The proposal allows for these to be demolished and another 25 dwellings added to the site. The PSLP includes the LWS in the area to be developed and the BNP excludes most of it. Benenden Parish Council (BPC), in its April 2021 response to the Independent Examiner, has said that, in this case of a successful referendum, the PSLP's plan (which includes the LWS), will prevail. In other words, of the 3 LWS in AL/BE 3&4, one is slated for removal, one will be built over if the PSLP prevails and one may be built over if the BNP prevails. This undermines STR8.
- The PSLP claims that the hospital development "has the potential to improve the setting of the HW AONB through the delivery of a more sensitive redevelopment of existing buildings" (para 5.454), but the claim is not supported by evidence produced by the *Hankinson & Duckett* (see above) while the HW AONB unit's own view is the opposite. See TW first Draft LP, **DLP_3458 High Weald AONB Unit** (which objects to the Plan) : *"....In our view the development at Benenden Hospital will have a significant effect on the setting of the AONB and the purposes of its designation, and this issue has not been properly considered by the Plan."*
- Also, the NPPF section 2 para 11 states: *"Plans and decisions should apply a presumption in favour of sustainable development. ... (b) strategic policies should provide for objectively assessed needs for housing ... that cannot be met within neighbouring areas unless ... (i) the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan"*

area.” And see Footnote 6: the policies referred to are those in the Framework ... relating to habitat sites (and those sites listed in para 176) and /or designated as SSSI, AONBs

NPPF para 177 states: "The presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site".

PSLP EN1 para 5. Biodiversity and geodiversity.

AL/BE 3&4 run counter to this policy as stated above in relation to the LWS.

The Environment

STR8 sets high environmental standards but these are undermined in the site allocations. This is particularly startling in the light of the July 2019 Full Council motion to recognise the climate and biodiversity emergency, in fact, the Benenden allocations put into question whether the motion was passed in good faith.

EN1 para 5 (Biodiversity and geodiversity) says that proposals should maximise opportunities to increase biodiversity. This goal may make sense in an urban setting, but development in the countryside, as is proposed in AL/BE 3 & 4, cannot hope to ever mitigate biodiversity loss. The destruction of trees and wild spaces, the introduction of lighting, kerbs, driveways, wider roads and narrower verges, the use of concrete, tarmac, bricks and mortar in a deeply rural setting cannot “increase biodiversity”.

EN1 provides for Long-term Management plans which would be satisfactory within an urban context. In a rural location like the East End, such plans are no substitute for natural wild spaces. A ‘managed’ green space set among streets is less likely to promote biodiversity and less likely to conserve wildlife than ‘unmanaged’ green space. Further, the three LWS in AL/BE3 are all already part of an existing LEMP agreement, and since one or all would be removed in the case of development as outlined by BHS under AL/BE3&4, instead of creating a long-term management plan, AL/BE3&4 would all but terminate an existing one. The sentiments expressed in EN1 are mocked by AL/BE3&4.

1 Site policies

AL/BE3 excludes one of the 2 LWS at the site, and the BNP includes both, yet para 5.458 states “Both this policy and BNP draft Policy SSP3 broadly follow the same approach towards the potential for developing this site for a residential development..” This does not appear to be the case. Further, the SHELAA treats this site twice, once including the southern LWS (and excluding Windmill Cottage) and once excluding the LWS and including Windmill Cottage (SHELAA pages 1-3 and pages 18-19). In the second instance, the suggestion is for 67-73 houses, presumably building over the LWS. The first plan is the one adopted in the PSLP and appears to be the more accurate of the two in that it describes the site as “mostly PDL”. The second ignores all greenfield aspects and is almost identical to the plan in the BNP, a plan which BNP claims will prevail if it wins a referendum. Is AL/BE3 presenting us with the wrong plan?

AL/BE3 and AL/BE4 provide for a phased timetable for development of the two sites at different time intervals without calling for a comprehensive masterplan for the hospital site as a whole i.e. for the entire built up area. This is inconsistent with STR2, which requires a masterplan for large developments. The full extent of the area to be developed must be clear. See para 1a of Policy AL/BE3 which states that there is a need to “show indicatively how the other areas included within Policies AL/BE3 and AL/BE 4 can be developed to meet the overall policy requirements as set out within each of these policies, and *how the future needs for Benenden Hospital will be met on areas to the north west and south west that currently comprise the hospital buildings and associated ancillary uses and is previously developed land.*” It is not sound to proceed with an LP where the land to be developed is not indicated from the start.

AL/BE3&4 both call for an active travel link between the site and Benenden village. This proposal has been costed (see BPC’s April 2021 reply to the Independent Examiner) at between £180,000 and £220,000 for a 3m wide tarmacked surface, plus costs to upgrade it to a bridleway, plus the costs associated with obtaining landowners’ consent or, failing that, of starting compulsory purchase proceedings which TWBC expresses reluctance to undertake because of the significant compensation costs and legal costs which would be involved. No steps have been taken either by the BNP or TWBC to ascertain the willingness of landowners to give up their land although the major landowner involved wrote to BNP on 11th Sept. 2019 objecting to the plan. It is understood that he was not contacted for subsequent discussion.

AL/BE3&4 calls for the repurposing of the existing tennis courts for the use of local residents, which BHS denies it will offer for public use; for the public use of the hospital's café; for the creation of a hospital shop (5.413); for a minibus service linking the hospital to the village ("The Society is not a transport provider" is BHS' response); for green space, a playground and provision of a community hall - most of these policies are refuted in Savills' comments on behalf of BHS, in the first draft of the LP, DLP_ 4956 paras 3.14, 3.18, 3.19, 3.20, 3.46 and 3.47. Rather than agreeing to such policies, the hospital is calling on TWBC to introduce a more flexible funding system to allow a *reduction* of developer costs. BHS argues these will be high because they wish to demolish existing buildings. It is unsound to propose policies which cannot be implemented. Once the sites are sold, no relevant conditions to this effect could be imposed.

1 The PSLP is unsound because of inconsistencies in the treatment of different sites.

(i) **Uphill, AL/BE1** is described as having archaeological potential (para 5.428) requiring possible mitigation measures. This is not because of historical finds on the site, but because they might be found. A listed manor house lies on the other side of New Pond Road and, according to AL/BE1, "the site lies within, or very close to the relevant impact risk zone for Parsonage Wood", a SSSI which is, in fact, several miles away. The archaeological significance of AL/BE 3&4 is far more certain and substantial. The hospital sites are where a bronze age palstaff was found (see the National Monument Register - SMR Number /Hob UID)) and the sites lie close to two ancient routeways. A Roman Road runs west-east (on BHS farmland) a few yards to the south of AL/BE3 and a medieval drove road (GGR), runs west-east between the two sites. Further, two Grade II Listed Buildings are sited here, also on BHS land. The Lister building stands a few yards to the west of AL/BE3 and Cleveland Farm house (the farmyard of which BHS is trying to develop separately and simultaneously as if a minor planning project) lies a few yards to the south. Instead of mentioning these facts, AL/BE3&4 reads (5.456 and 5.468) "Kent County Council states that the site includes significant archaeology, which could be dealt with through suitable conditions on a planning approval." The imbalance in the treatment of the two sites is substantial and suggests prejudice.

(ii) The SHELAA assessment of site 158 suggests a potential yield of 50-65 houses, but then concludes that only the Uphill part of the site is suitable (20 houses). It states that "the remainder of the site is sensitive in landscaping terms and there is concern regarding scale and impact on the character of the landscape and settlement pattern". This is contrary to the views of TW's 2006 SA; to the TW 2018 document proposing 174 houses; and to the first draft of the LP. The dismissal of 158 as a suitable site is not supported by the evidence and suggests prejudice.

(iii) Site 222, west of the cross roads, was also considered in 2006, as a possible site for the new village school, though it was not one of the top two sites put to a referendum. The SHELAA suggests 222 has a potential for 76 houses. The site is considered unsuitable partly because the new LBD, if adopted, will exclude all houses west of the cross roads, when the village actually extends a considerable length along this road to the west. There is no mention of the fact that the owners of this site are offering the pond at the south west corner of the crossroads as village green space. The dismissal of 222 is not supported by the evidence and suggests prejudice.

(iiii) The SHELAA suggests a capacity of 26 houses at Site LS8 in Iden Green, stating that it lies adjacent to the recreation ground and a children's nursery and that there is a pavement on both sides of Iden Green's main road. It fails to mention that the easternmost side of this pavement connects the village to the village primary school. The SHELAA dismisses the site as unsuitable saying that it is located in a remote location relative to services, facilities and public transport, but this site is far less remote than sites AL/BE 3&4. The dismissal of site LS8 is not supported by the evidence and suggests prejudice.

(v) The proposed new LBD has been constructed so as to include the new site at Uphill and to exclude 222, when in fact, the actual built development extends westwards from the crossroads and includes site 222. The LBD is ignored in respect of AL/BE3&4. Manipulation of the LBD to suit allocated sites is inappropriate.

As a general comment, I have found the process unnecessarily difficult to navigate. In fact, from the point of view of the ordinary lay-man, I would term the process 'hostile'. The interactive on-line site was unmanageable. Question 4a is very badly worded. The PSLP's prose entirely suited the opacity of the procedure. Here is one example from the SA (page 163) "However, the education objective does not deteriorate when considering cumulative effects as the schools in Tenterden will be a viable option for residents in East End and thus are likely to take the pressure off Benenden Primary School." What does that mean?

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan 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 modifications needed are included in the submissions set out above. In summary, development on site AL/BE 3 should be limited to the existing, so far unused, planning permission for 24 houses, preferably by adapting the Garland Wing, which is a building of historic value, either to a wellness centre, in accordance with its original intention, or to a row of up to 10 terraced houses. Site AL/BE 4 already has 18 semi-detached houses on it, and cannot support any more. It should therefore be excluded. Housing should be allocated to sites (such as 158 and 222 in the village centre or LS8 in Iden Green) which lie on bus routes or are within walking distance of the village centre and school. Paragraphs 5.421 and 5.422 should be omitted.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Question 8

If you have any separate comments you wish to make on the accompanying Sustainability Appraisal, please make them here.

1. The Sustainability Appraisal (SA) is misleading. Table 58 on page 163 states that all Benenden sites "lack services, facilities and travel options". This belies the fact that AL/BE2 (Feoffee almshouses) is close to the Street as is AL/BE1 (Uphill). Both sites are within walking distance of the bus stop for daily bus services, the post office, village shop, the primary school, the village green, the butchers, pub, community hall, church, recreation ground and children's playground. AL/BE 3 & 4 are three miles north east of the village with no daily bus service and no amenities whatsoever.
2. The commentary on Table 58, (page 163 of the SA), states that East End sites score badly on Climate Change and Travel, yet these are the sites promoted for most houses.
3. The SA argues on page 163 that East End residents will send their children to schools in Tenterden instead of to the village primary school, and that this will lessen the otherwise seriously negative effects of the two hospital sites. This is pure conjecture and possibly wishful thinking. The school has a good reputation and currently between 70 and 75% of children there come from outside the parish. East End children will have precedence over these, since intake depends on the distance of a child's residence from the school. Pressure on Benenden Primary School will increase, not decrease. Further, the use of a car, whether it drives to Tenterden (5-6 miles) or to Benenden (3 miles), pollutes and deprives residents of the health-giving pleasure of walking to school. The AL/BE 3&4 are contrary to STR2, to the NPPF and to KCC policy on climate change.
4. Appendix L (pp331-2) shows Scores for Reasonable Sites in Benenden. Here we see scores for 158 and 222, two sites close to the village centre. Of 158, we read "A site that scores several neutrals with some positives, let down by its land use and landscape score impacted by a loss of a greenfield

site in the AONB and lack of services and facilities including public transport at the settlement.” This SA report compares poorly with the SA which TWBC carried out on site 158 in 2006. 158 is parallel to and just north of the Street with its exit onto New Pond Road. In 2006 site 158 was chosen in a village referendum as the site for a new C of E primary school. It was the preferred site out of a choice of two, both of which were greenfield. TWBC’s 2006 SA on 158 decided (see page 18 of the Sustainability Appraisal Benenden Church of England Primary School Land Allocation DPD - Issues and Options report), that 158 was one of two top sites. “Situated adjacent to an area of ancient woodland, the site provides the potential for habitat linkages and wildlife corridors. The site is not adjacent to the CA [Conservation Area] and does not form a significant role in its setting. There are no Listed Buildings on or adjacent to the site. The site is consistent with the surrounding landscape character. There are limited views into the site and no public rights of way over the site.” On page 38, we read, “This site is anticipated to have a major beneficial effect on improving educational standards and travel choice/traffic levels”. In spite of the referendum result, the school was eventually built at the less preferred site and, since then, TWBC had been in consultation with 158’s owners to build houses there.

5. In April 2018, BNP Steering Committee Deputy Chair, a borough councillor, showed the committee a piece of paper from TWBC saying that TWBC wishes to build 174 houses on site 158. He committed himself to seeing these numbers reduced and the numbers at the East End raised. After a meeting between representatives from the BNP group and TW planners on June 19th, 2018, the minutes reported that “At times the workshop was emotive ...” Following that meeting TW planners put site 158 on temporary hold, limiting development there to a future Local Plan by asking, in the first draft of the LP on page 270, that the Uphill site on New Pond Road, adjacent to 158 and allocated at that time as AL/BE3, should, under Clause 8, provide for vehicular access through Uphill to the site behind (158) “which may be allocated for development as part of a future Local Plan.” In the PSLP, this wording for Clause 8 has disappeared. Where is the evidence-base for such wording to be included in the first draft and excluded in the second? Why is the site considered suitable in 2006, in 2018, and in the first draft, but not suitable in the PSLP?

6. Site 222, like 158 is described in Appendix L of the PSLP’s SA as suffering from “a lack of services and facilities including public transport at the settlement.” This is inaccurate. There is a daily bus service along Benenden Street and site 222 is within easy walking distance of the bus stop, shops, pub, community hall, primary school and all other amenities.

7. Site LS8, in the heart of Iden Green is, along with site 158 and 222, a site which on-the-ground evidence suggests is eminently suitable for development, but which the SA fails to allocate. Appendix L of the SA gives LS8 virtually the same scores as Uphill (LS16 of AL/BE1) yet the latter is included for development and the former is not. The commentary states of LS8 “A number of scores are negative however, reflecting the remote location of the site from services and facilities and public transport. It scores negatively in heritage terms as the site is a relatively sizeable piece of the Iden Green Conservation Area.” This site is far less remote than sites AL/BE 3 & 4. It is one mile from the village and connected to it by a paved footpath running past a Roadside Conservation Area and then (still paved) through a field to the church and primary school. It is on a bus route and the bus stop is next to LS8. Iden Green has a community hall, tennis courts, a children’s playground and pub/restaurant. The SA information is unreliable and the PSLP’s use of it for site allocation is unwise.

8. In so far as Benenden is concerned, the sites were allocated before any sustainability appraisal was commissioned. It is not therefore a relevant factor in the allocation of sites for housing.

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

No, I do not wish to be notified of future stages of the Local Plan

Comment

Consultee	Mr Edward Stevenson-Rouse [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] Fosten Green Biddenden [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Mr Edward Stevenson-Rouse [REDACTED]
Comment ID	PSLP_171
Response Date	14/05/21 10:44
Consultation Point	Policy AL/BE 4 Land at Benenden Hospital (north of Goddards Green Road), East End (View)
Status	Processed
Submission Type	Other
Version	0.7
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Edward Stevenson-Rouse
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy AL/BE 4: Land at Benenden Hospital (north of Goddards Green Road), East End

[TWBC: this representation has been input against Policies PSTR/BE 1, AL/BE 3 and AL/BE 4 - see Comment Numbers PSLP_169, PSLP_170 and PSLP_171]

Question 4

Do you consider that the Local Plan:

Is legally compliant	No
Is sound	No
Complies with the Duty to Cooperate	No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:	<ul style="list-style-type: none"> . It is not positively prepared . It is not effective . It is not justified . It is not consistent with national policy
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Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

Paragraph No(s) Para 5.413, 5.414, 5.416, 5.420, 5.421, 5.422, 5.428, 5.452, 5.453, 5.454, 5.456, 5.458, 5.467, 5.468 Policy No. Objective 1, Objective 2, STR1, STR2, STR3, STR5, STR6, STR7, STR8, PSTR/BE1, Policy AL/BE1, Policy AL/BE3, Policy AL/BE4, EN1 Sustainability Appraisal SHELAA Policies Map (Inset Map No(s)) Inset Map 18

This submission concerns the parish of Benenden, the only parish in the borough to have made its own allocations. The Benenden Neighbourhood Plan (BNP) has been developed in close consultation with TWBC, with the BNP in the lead. The BNP announced its allocations in February 2019, before inviting AECOM to produce its Strategic Environmental Assessment. Pre-Submission Local Plan, para 5.420 reads "The BNP was submitted to TWBC in October 2020 and was consulted on between 30 October and 11 December 2020." But the allocations had been made and published in February 2019. Further, Para 5.420 states "The BNP proposes to include site allocation policies that follow the approach of the site allocation policies for Benenden in this Local Plan." BNP allocations were first published in February 2019 i.e. before LP site allocation policies.

Allocations made by the LP, when it took up the BNP's baton, are therefore inevitably linked to BNP's weaknesses. Yet if the BNP passes a referendum before acceptance of the LP, it is said that it will take precedence over the LP (see para 5.421), with the exception of its plans for the northern site at Benenden hospital, which will be overruled by the plans advanced in the LP (see Benenden Parish Council April 2021 response to Independent Examiner queries on the BNP). This is in contravention of para 5.422 which talks of making "modifications to the LP" so that it matches the BNP.

1 Community involvement. EN1: this requirement has not been respected.

- . In Benenden, almost all new housing is slated for the East End, yet the Friends of the East End (FEE), were never asked to meet with the BNP steering group.
- . See EN1 para 9 requiring the effective engagement of the local community, neighbours of sites and others. The FEE submitted three petitions, two to the BNP and one in relation to the LP. A FEE submission with 127 signatures was submitted on April 4th 2019 in response the Informal Draft NP (published on February 23, 2019), in which the allocations later adopted by the LP were first set out. A FEE submission with 164 signatures was submitted in October 2019 objecting to the first draft of the LP, and in the same month, a FEE submission with 167 signatures was submitted in relation to the Reg 16 draft BNP. See the FEE's current online petition with more than 450 signatures <https://www.change.org/EastEndFriends>

- . Instead of being consulted, the FEE were ignored and belittled. They were informed on 11th March 2019 by the editor of the Parish Magazine (PM), husband of the Chair of the Parish Council, that “I’m of the view that much of the uncertainty has passed since the presentation of the plan to the village - to a highly favourable reception. At least we no longer have to give polite credence to *uninformed views* that fly in the face of TWBC policy and advocate direct and *pointless confrontation* with TWBC, thereby running the risk of having the entire BNDP thrown back in our faces. *The ensuing chaos hardly bears thinking about.* At least it seems the opinions now being afforded most weight are those of *people who have worked hard for two years to understand the issues* and come up with a coherent way forward.”
- . One of the regular articles on the BNP submitted by the chair of the BNP Steering Group appeared in January 2020. It dismisses FEE opposition suggesting only “31 residents from the East End” sent in comments.
- . The core group behind the BNP has consistently tried to persuade those who support the FEE to desist. The chair of the Parish Council and the chair of the BNP Steering Group have twice asked to meet a Tunbridge Wells Alliance (TWA) Borough Councillor for the parish, once together with a TWA borough council candidate, in efforts to persuade them to adhere to the BNP’s approach and not to listen to the FEE.
- . The organiser of the FEE was a member of the Steering Committee 2017/2018 as chair of the Environmental Group. She expressed strong disagreement with a Borough Councillor who lives in the village (on occasion, he deputises as chair of the Steering Group) about his wish to step up allocations in the East End and suppress TWBC’s wish to build 174 houses on site 158. As a result, the Steering Group chair (using his own word), “sacked” her. This is contrary to EN1 para 9, encouraging early, proactive and effective engagements and the requirement that views expressed should be properly considered.
- . Consultation also failed in relation to the neighbouring parish of Biddenden. The Clerk of Biddenden Council has repeatedly responded to BPC in the course of the BNP consultation process, but received only acknowledgments. A Kent County Councillor and Ashford Borough Councillor wrote an article about BNP’s mismanagement of the parish of Biddenden in the Biddenden Parish Magazine, February 2021.
- . The LP is based on the BNP and BNP allocations were made before consultations with stakeholders such as the AONB. This is not consulting in a timely fashion. Further, the LP requires surveys of the hospital sites *after* the designation of the sites for development, for example, archaeological surveys (see AL/BE 3&4). Historic England (HE) asks for the surveys to be carried out *before*. See HE’s comments on the first draft LP (DLP_4556) - “we would expect the allocation of sites following on from this Strategy policy (STR1) to be subject to appropriately robust and detailed heritage impact assessment *prior to the allocations being adopted.*”
- 1 **The PSLP is not based on sound evidence**
 - . Throughout the LP process, misstatements have been made about amenities in Benenden’s East End. These may be traced back to a submission made by traffic and highways consultants, Transport Planning Associates (TPA) to Benenden Healthcare Society Ltd. (BHS). This submission was recently disclosed in BHS’s response to the Independent Examiner’s queries in relation to the BNP. TPA’s information is sometimes inaccurate and sometimes misleading and we consider it here in detail because it is difficult otherwise, to understand how the LP was able to continue, iteration after iteration, to relate false information about the hospital site.
 - . In October 2019, TPA reported (para 2.6) that there was a footpath along the southern edge of Goddards Green Road (GGR) and the PSLP, para 5.452 states “There is an intermittent pavement along GGR”. The GGR is a long road running from New Pond Road to Castleton’s Oak crossroads, and was formerly a lane. The pavement is limited to the short section immediately outside the hospital buildings. To say that there is an intermittent pavement along GGR is misleading.
 - . The TPA refers to the East End as a village, which it is not. The East End runs from the junction of GGR and Walkhurst Road, along the GGR to the border with Tenterden, then turns south to reach close to Hole Park in Rolvenden, then east back to Walkhurst Road at the site of the stream, then along Walkhurst Road back to GGR (see the old Electoral Roll for 2004 when the East End had its own polling station). It is a large, totally rural area of several square miles, which was why it was chosen as the site for an isolation hospital in 1906. Today it contains only 76 houses scattered across the entire area. The PSLP consistently refers to the East End as a hamlet. It is not, which is why BPC is able to advertise itself on its website as “Serving the people of Benenden and Iden Green” without any reference to the East End.

- . The TPA says that “a day nursery is located immediately to the north of the Site within 400m.” There is incorrect, yet this error is repeated in para 5.413 of the PSLP “There are also nursery/pre-school facilities at Iden Green and East End.” An accurate account would mention Iden Green only.
- . The TPA states that there are daily bus services along GGR provided by bus nos. 24 and 299, and twice a day service provided by the Hopper bus. This information is incorrect. The 2019 Hopper bus, operated by the Tenterden social services hub on an experimental basis, failed in only a matter of months. While the 24 and the 299 buses pass along GGR, they do so on only one day a week. The 24 on Tuesdays and the 299 on Wednesdays. The East End has almost no public transport.
- . The TPA makes several statements in relation to traffic which have fed misinformation into the system to be reflected in AL/BA3&4. This misinformation was only recently revealed when documents were provided by BHS following April 2021 queries raised by the Independent Examiner on the BNP. These documents include a TPA ‘Scoping Note’ on road and traffic conditions at the site and a letter written in response to this Note from KCC Highways, dated 13 Nov. 2019. The TPA states that the GGR is 7m wide at the hospital site which detracts from the fact that it is actually a winding rural lane, now called a road, and varies considerably in width. It may at some point be 7m wide, but at others, it is so narrow that two lorries have difficulty passing each other. The TPA claims that there is no need for a road safety review because there have been “no personal injury accidents” recorded within 1,000m. Castleton’s Oak crossroads lie 1.5 km from the site and accidents there are frequent, largely due to increasing traffic at the hospital. The hospital has turned itself into an almost exclusively out-patient centre and almost all its 300 employees drive in to work from outside the parish (formerly, they were housed on site in hospital staff buildings). Kent County Council (KCC) Highways make constant and repeated attempts to lower the risk of injury at the crossroads. Works there are ongoing at this time. The TPA claims that no traffic surveys are necessary which is a point queried in the KCC Highways’ email. The email talks of the “heavy car dependency” of residents in any housing in this location and says this was one of its concerns, even at the time of the original application asking for only 24 houses. The email states that BHS’s plans (and therefore AL/BE 3&4) are contrary to the NPPF and to KCC’s own policy objectives, and points out that the hospital has not co-operated over the idea of a minibus to provide transport from the site to Benenden. The letter calls for: traffic counts along the GGR; a wider crash analysis; and expresses concern over the proposed access points to the SE Quadrant - 2 on Green Lane and 2 on GGR. Lastly, on trip generation, the TPA projects that 47 houses at the site will produce only 106 trips a day, though the consultants admit that they have difficulty in basing their estimate on comparable sites because there are none. These trip generation figures ignore existing traffic from local residents, from patients, from hospital staff and from the newly (January 2021) proposed housing estate at Cleveland. The AL/BE 3&4 fails to provide a traffic count, fails to ask for a road safety review and fails to acknowledge frequent traffic accidents near the sites.
- . Pre-submission supporting documents also produce inaccurate and sometimes irrelevant evidence. The hospital sites are within the setting of an AONB and even overlap into it, yet *Inset Map 18* (Benenden Hospital), unlike other maps attached, makes no reference to the AONB boundary. The BNP claims that the hospital is outside the AONB and on this basis, since the rest of the village is wholly within the AONB, largely justifies placing most of Benenden’s housing in the East End. The relationship of the AONB boundary to the hospital sites is important yet it is ignored on the map. This looks like prejudice.
- . Hankinson Duckett Associates’s *AONB Setting Analysis Report* (a supporting document for the PSLP, referred to as an evidence base) is, in its analysis of AL/BE3&4, unsound. The analysis argues that development at these sites will enhance the setting of the AONB. It illustrates the argument with photos of the hospital chapel and its carpark. Neither chapel nor car park are in the area up for development.
- 1 **Policies AL/BE3&4 are not consistent with the PSLP’s Vision objectives nor with its strategies, nor with KCC’s policies, nor with the NPPF.**
- . The PSLP’s Vision Objective 1 is : “to improve access to suitable, especially affordable housing, including for local young people and older households.” But this is inconsistent with allocations AL/BE 3 &4. BHS is asking in its comments on the LP first draft, for a lower number of affordable homes because of the high cost of brownfield development. Living isolated in the countryside, families will need at least two cars. Old and young will be unable to walk to schools, shops or

any other amenities. This is not a suitable site for a borough which (see para 2.16) expects the population over the age of 65 + to increase by around 40% between 2020 and 2038. The PSLP's Vision Objective 2 is to ensure sustainable development which allocations at AL/BE 3&4 do not achieve. On the contrary, the KCC warns that even with the existing permission for 24 houses on AL/BE3, the highway authority had concerns. This is an isolated location, deep in the countryside (see KCC Highways email 13 Nov 2019). More than 24 houses in this location is not sustainable.

- . **Policy PSTR/BE1**, LBD 5.416 states "the LBD around Benenden village sets the extent of existing and planned development .." This conflicts with the recommendation that major development be instated three miles beyond the LBD, on the border with Biddenden.
- . **Policy STR 2** "The Council requires the use of masterplanning, including the use of design codes and sustainable design standards where appropriate, for strategic and larger-scale developments.." This is undermined by AL/BE 3&4 which calls for a masterplan for an area not included in the PSLP and not presented. Para 1a of Policy AL/BE3 states that there is a need to "show indicatively how the other areas included within Policies AL/BE3 and AL/BE 4 can be developed to meet the overall policy requirements as set out within each of these policies, and *how the future needs for Benenden Hospital will be met on areas to the north west and south west that currently comprise the hospital buildings and associated ancillary uses and is previously developed land.*" It is not sound to proceed with an LP where the land to be developed is not clearly indicated from the start.
- . **A masterplan is essential to avoid current inconsistencies on the size of areas to be developed:** AL/BE3 excludes one of the 2 Local Wildlife Sites (LWS) at the site, yet the BNP includes both. Para 5.458 states "Both this policy and BNP draft Policy SSP3 broadly follow the same approach towards the potential for developing this site for a residential development.." They do not. The PSLP states that in the event of a successful referendum, the BNP's proposals will prevail. If this is so, are we supposed to assume that AL/BE3 map is inaccurate?
- . A similar problem arises at the northern site (AL/BE4) here there are currently 18 dwellings. The proposal allows for these to be demolished and another 25 dwellings added to the site. The size of the area to be developed varies between the LP and the BNP. The LP includes the LWS in the area to be developed but the BNP includes only a small section, but says in the event of a successful referendum the BNP plan will be over-ruled by the LP plan (see the BPC response April 2021 to the Independent Examiner's queries). This is the reverse of 5.421 & 2. It is unsound to proceed with a plan when the NP and the LP are at odds with each other.
- . **The PSLP claims building will only be within existing footprints**, an approach which is at odds with that of the BHS. Plans for 47 new houses in AL/BE3, presented to the village on 17th February 2020 by the hospital architects, show the buildings are not to be built within the footprint of previous buildings nor to respect LWS.
- . **Policy STR 3** calls for the use of brownfield sites "within settlements" and in "sustainable locations." AL/BE 3 consists of disused medical buildings and 2 LWS with parkland and veteran trees (depending on whether this second LWS is included or not). 5.448 is therefore incorrect. The site should be described not as brownfield but as partly brownfield. It is not on the brownfield register. Because of its remote location and its valuable LWS sites, it is not free from constraints which could be mitigated. As such, Policy AL/BE3 does not meet the criteria needed under the NPPF, Section 11, para 117 for development in "a way that makes as much use as possible of previously-developed or 'brownfield' land." AL/BE 4 contains in-use residential housing and an LWS and therefore is not entirely brownfield.
- . **Policy STR 5** states that "New residential ... development will be supported if sufficient infrastructure capacity is either available or can be provided in time to serve the development." Will this happen at AL/BE3&4? Developers themselves are to provide the infrastructure at AL/BE 3&4. The LP proposes to take on trust suggestions that the BHS will avoid building on the LWS and will provide play-grounds, sports facilities and tennis courts. We know from submissions following the first draft LP, that BHS is actually planning to remove one LWS entirely and that its plans include building on the LWS and beyond the foot print of previous buildings. BHS suggests, in its response to the first draft LP (DLP_4956) that it is unlikely to provide play-grounds, sports facilities and tennis courts. The PSLP's approach does not take comments to the first draft LP into account.
- . **Policy STR 6** proposes to "Deliver future development in accessible locations, normally within or in close proximity to existing towns and villages across the borough." In the case of the two isolated hospital sites, the PSLP contradicts its own strategic policy and fails to offer choices in transport or to prioritise active travel and public transport. The Benenden hospital sites have no

daily bus service and no active travel link to the village, and neither the PSLP nor the BHS provide credible information on how these links are to be provided. The KCC email of Nov 13 suggests that the hospital is uncooperative on the proposal to organise a minibus service and the SHELAA says of AL/BE3 that it is "Remote from a settlement centre," (unlike sites 158, 222 and LS8); that residents will rely heavily on private cars and thus air quality and travel objectives score negatively; and that, "although promoted by the policy, shared transport and active travel options are unlikely to take precedence over private vehicle use thus air quality and climate change score negatively." This we feel is the nub of the issue. For all the talk of mitigating the remoteness of the hospital sites with a minibus link and cycle routes, nobody actually believes that any of these measures will succeed. As for the proposal to create links suitable for electric personal vehicles, such as mobility scooters (as suggested under STR 6), it is difficult to see, when the closest link with the village is a single-track lane (Walkhurst Road), how any personal electric vehicle could make that journey. The PSLP is creating, through its policies AL/BE3&4, a car dependent community. This thereby negates the sense of the LP's supporting document, *Transport Strategy Review Sept 2019* which urges reducing the need to travel.

- . AL/BE3&4 also undermine TWBC's Full Council motion of July 2019 to reduce CO2 emissions. "The dominance of the car as a mode of transport can lead to congestion, more road accidents, air and noise pollution. In addition it contributes to climate change, reduces social cohesion and leads to less healthy lifestyles" (para 44 *Transport Review*). According to TW's own SA from 2006, if social cohesion, reduction in air pollutants, and public health were indeed the borough's priorities, site 158 would have been among those chosen for Benenden, as originally intended.
- . **PSLP paras 5.453 and 5.467** state that "residents of development in this location will rely heavily on private cars." These plans runs counter to STR6 policy on the environment see paras 6.8, 6.9, 6.10, 6.11 and 6.13. It also contravenes KCC policies on climate change and the NPPF (see KCC's Nov 13, 2019 letter on this subject).
- . **Para 5.414** "The parish provides two relatively large sources of employment: at Benenden Hospital and at Benenden School." The inference is that the employment opportunities are linked somehow to the population of Benenden. There is in fact little connection. The 300 plus staff at the hospital drive into the parish along GGR to work and, since the hospital is isolated from the village, their contribution to the local economy is negligible.
- . **Policy STR 6 The LP proposes to "Deliver future development in accessible locations, normally within or in close proximity to existing towns and villages across the borough."** In the case of the two isolated hospital sites, the LP contradicts its own strategic policy and fails to offer choices in transport or to prioritise active travel and public transport.
- . **Cycle routes:** The PSLP's standards on the public benefits of cycling and walking are based on the *Cycle Strategy Supporting Document*, but these standards are undermined by site allocation in Benenden. The Cycle document states that: "When more people cycle or walk the health of the population improves and our roads become safer and less congested." Its objectives 4 and 5 are to improve safety for cyclists and air quality for all, but AL/BE 3 & 4 will create a community, deep in the countryside, entirely dependent on the car and will contribute to poorer air quality for all. The allocation of these sites, as opposed to sites such as 158, is difficult to understand.
- . The *Cycle Strategy* states that fear of traffic is possibly the main factor discouraging people from cycling. National Cycle Route 18 runs from the Rolvenden Road, down Stepneyford Lane, to Green Lane, before joining the Benenden Road near the hospital, turning right and leading to Castleton's Oak Cross roads and Gribblebridge Lane. This route is a largely on-road ride travelling through the High Weald, using narrow, picturesque country lanes as much as possible. Green Lane/Stepneyford Lane is mentioned in TWBC's Rural Lanes: Supplementary Planning Guidance. It is particularly high scoring in terms of its landscape, its recreational value, its natural beauty and its history. For these reasons, it is part of National Route 18. Rather than encouraging cycling, AL/BE3, which proposes two exits for this major development on GGR and two on Green Lane (where a second housing estate, at Cleveland's Farm is already leading to Kent Highways calling for road widening and the elimination of grass verges - see building application 20/03267/FULL) will cause an increase in those factors, identified in *TW Cycle Strategy*, as discouraging cyclists, namely, traffic and the loss of unspoilt country lanes. Policy AL/BE3 also contravenes Kent Structure Plan Policy ENV13: "Rural lanes which are of landscape, amenity, nature conservation, historic or archaeological importance will be protected from changes which would damage their character, and enhanced." In any event, the cycle route is purely recreational and will not enhance the sustainability of these sites.

- . **Policy STR 7** proposes, in dealing with TWBC's 2019 legally binding commitment to manage climate change, that all development in the borough will support the Council's target to achieve net zero emissions by 2030. It is unsound, with such a goal, to propose a major development on the parish periphery, 3 miles equidistant from two villages where there is no shop (in spite of the PLSP's statement AL/BE 3&4) and no café (BHS says its café was built for its own use not for the use of the public - see comments on the first draft of the LP). Residents will need their cars for almost everything.
- . **Policy STR1** promotes the effective use of previously developed land, having due regard to relevant Plan policies, but in promoting AL/BE3&4, the PSLP disregards STR6 (environmental goals) & STR7 (transport goals). Under the NPPF, sustainability is the priority, as the PSLP acknowledges in STR3, 4.65 "A presumption of sustainability lies at the heart of the NPPF", but in allocating AL/BE 3&4, the PSLP fails to respect its own and the NPPF's strategic priorities.
- . **Policy STR 8** states that development should contribute to and enhance rural landscapes with particular regard to the High Weald (HW) AONB. The PSLP promotes nature conservation. Its biodiversity objective is to achieve net gains and, where possible, secure long-term management of sites for biodiversity. AL/BE3 runs counter to this strategy since the BHS has produced plans showing houses built over the LWS. It has, furthermore, produced a document requiring that one of the two LWS be dug up and removed to another unspecified location, thereby nullifying the terms of the existing Landscape and Ecology Management Plan (LEMP) for that site. Para 3.21 of the BHS submission on the first draft LP states: *"The Society supports the requirement for long-term management of the core areas of LWS associated with the hospital land. This includes all but the modest area within the SEQ adjoining Peak Lodge which is too constraining on the South East Quadrant redevelopment proposals. Accordingly, the soils in the area will be translocated to a nearby receptor site to try to ensure that the rare fungi can continue to thrive in this local area."* This is a particularly significant site for biodiversity. A letter from Keith Nicholson, former Planning and Conservation officer for the Kent Wildlife Trust, dated 4 March 2013, to TWBC Development Control Officer, Ellen Gilbert states that the hospital LWS are of national importance, mainly for the large number of different varieties of waxcaps. He states that they could well have been designated SSSI. Both in terms of waxcaps and in terms of valuable acid grassland, the hospital sites have high environmental value, see Comment DLP_3458 on the first draft of the LP, from the High Weald AONB Unit. The Benenden Hospital site *"includes rare and vulnerable acid grassland which should form a core area for unimproved grassland as part of a High Weald nature recovery network."* AL/BE3&4 threaten the biodiversity of significant species in the LWS at the hospital sites, contrary to EN1.
- . The LWS to the south of AL/BE3 is included in the BNP and BPC argues that this has been done in order to protect it (see their response to the Independent Examiner April 2021). It is difficult to follow this logic. The inclusion of the site in the area to be developed suggests that it too could be under threat.
- . There is no plan showing the placement of houses on AL/BE 4, which is currently home to a large LWS and is the site of 18 habitable dwellings, almost all of the them currently in use and let. The proposal allows for these to be demolished and another 25 dwellings added to the site. The PSLP includes the LWS in the area to be developed and the BNP excludes most of it. Benenden Parish Council (BPC), in its April 2021 response to the Independent Examiner, has said that, in this case of a successful referendum, the PSLP's plan (which includes the LWS), will prevail. In other words, of the 3 LWS in AL/BE 3&4, one is slated for removal, one will be built over if the PSLP prevails and one may be built over if the BNP prevails. This undermines STR8.
- . The PSLP claims that the hospital development "has the potential to improve the setting of the HW AONB through the delivery of a more sensitive redevelopment of existing buildings" (para 5.454), but the claim is not supported by evidence produced by the *Hankinson & Duckett* (see above) while the HW AONB unit's own view is the opposite. See TW first Draft LP, **DLP_3458 High Weald AONB Unit** (which objects to the Plan) : *"....In our view the development at Benenden Hospital will have a significant effect on the setting of the AONB and the purposes of its designation, and this issue has not been properly considered by the Plan."*
- . Also, the NPPF section 2 para 11 states: *"Plans and decisions should apply a presumption in favour of sustainable development. ... (b) strategic policies should provide for objectively assessed needs for housing ... that cannot be met within neighbouring areas unless ... (i) the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan"*

area.” And see Footnote 6: the policies referred to are those in the Framework ... relating to habitat sites (and those sites listed in para 176) and /or designated as SSSI, AONBs

NPPF para 177 states: "The presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site".

PSLP EN1 para 5. Biodiversity and geodiversity.

AL/BE 3&4 run counter to this policy as stated above in relation to the LWS.

The Environment

STR8 sets high environmental standards but these are undermined in the site allocations. This is particularly startling in the light of the July 2019 Full Council motion to recognise the climate and biodiversity emergency, in fact, the Benenden allocations put into question whether the motion was passed in good faith.

EN1 para 5 (Biodiversity and geodiversity) says that proposals should maximise opportunities to increase biodiversity. This goal may make sense in an urban setting, but development in the countryside, as is proposed in AL/BE 3 & 4, cannot hope to ever mitigate biodiversity loss. The destruction of trees and wild spaces, the introduction of lighting, kerbs, driveways, wider roads and narrower verges, the use of concrete, tarmac, bricks and mortar in a deeply rural setting cannot “increase biodiversity”.

EN1 provides for Long-term Management plans which would be satisfactory within an urban context. In a rural location like the East End, such plans are no substitute for natural wild spaces. A ‘managed’ green space set among streets is less likely to promote biodiversity and less likely to conserve wildlife than ‘unmanaged’ green space. Further, the three LWS in AL/BE3 are all already part of an existing LEMP agreement, and since one or all would be removed in the case of development as outlined by BHS under AL/BE3&4, instead of creating a long-term management plan, AL/BE3&4 would all but terminate an existing one. The sentiments expressed in EN1 are mocked by AL/BE3&4.

1 Site policies

AL/BE3 excludes one of the 2 LWS at the site, and the BNP includes both, yet para 5.458 states “Both this policy and BNP draft Policy SSP3 broadly follow the same approach towards the potential for developing this site for a residential development..” This does not appear to be the case. Further, the SHELAA treats this site twice, once including the southern LWS (and excluding Windmill Cottage) and once excluding the LWS and including Windmill Cottage (SHELAA pages 1-3 and pages 18-19). In the second instance, the suggestion is for 67-73 houses, presumably building over the LWS. The first plan is the one adopted in the PSLP and appears to be the more accurate of the two in that it describes the site as “mostly PDL”. The second ignores all greenfield aspects and is almost identical to the plan in the BNP, a plan which BNP claims will prevail if it wins a referendum. Is AL/BE3 presenting us with the wrong plan?

AL/BE3 and AL/BE4 provide for a phased timetable for development of the two sites at different time intervals without calling for a comprehensive masterplan for the hospital site as a whole i.e. for the entire built up area. This is inconsistent with STR2, which requires a masterplan for large developments. The full extent of the area to be developed must be clear. See para 1a of Policy AL/BE3 which states that there is a need to “show indicatively how the other areas included within Policies AL/BE3 and AL/BE 4 can be developed to meet the overall policy requirements as set out within each of these policies, and *how the future needs for Benenden Hospital will be met on areas to the north west and south west that currently comprise the hospital buildings and associated ancillary uses and is previously developed land.*” It is not sound to proceed with an LP where the land to be developed is not indicated from the start.

AL/BE3&4 both call for an active travel link between the site and Benenden village. This proposal has been costed (see BPC’s April 2021 reply to the Independent Examiner) at between £180,000 and £220,000 for a 3m wide tarmacked surface, plus costs to upgrade it to a bridleway, plus the costs associated with obtaining landowners’ consent or, failing that, of starting compulsory purchase proceedings which TWBC expresses reluctance to undertake because of the significant compensation costs and legal costs which would be involved. No steps have been taken either by the BNP or TWBC to ascertain the willingness of landowners to give up their land although the major landowner involved wrote to BNP on 11th Sept. 2019 objecting to the plan. It is understood that he was not contacted for subsequent discussion.

AL/BE3&4 calls for the repurposing of the existing tennis courts for the use of local residents, which BHS denies it will offer for public use; for the public use of the hospital's café; for the creation of a hospital shop (5.413); for a minibus service linking the hospital to the village ("The Society is not a transport provider" is BHS' response); for green space, a playground and provision of a community hall - most of these policies are refuted in Savills' comments on behalf of BHS, in the first draft of the LP, DLP_ 4956 paras 3.14, 3.18, 3.19, 3.20, 3.46 and 3.47. Rather than agreeing to such policies, the hospital is calling on TWBC to introduce a more flexible funding system to allow a *reduction* of developer costs. BHS argues these will be high because they wish to demolish existing buildings. It is unsound to propose policies which cannot be implemented. Once the sites are sold, no relevant conditions to this effect could be imposed.

1 The PSLP is unsound because of inconsistencies in the treatment of different sites.

(i) **Uphill, AL/BE1** is described as having archaeological potential (para 5.428) requiring possible mitigation measures. This is not because of historical finds on the site, but because they might be found. A listed manor house lies on the other side of New Pond Road and, according to AL/BE1, "the site lies within, or very close to the relevant impact risk zone for Parsonage Wood", a SSSI which is, in fact, several miles away. The archaeological significance of AL/BE 3&4 is far more certain and substantial. The hospital sites are where a bronze age palstaff was found (see the National Monument Register - SMR Number /Hob UID)) and the sites lie close to two ancient routeways. A Roman Road runs west-east (on BHS farmland) a few yards to the south of AL/BE3 and a medieval drove road (GGR), runs west-east between the two sites. Further, two Grade II Listed Buildings are sited here, also on BHS land. The Lister building stands a few yards to the west of AL/BE3 and Cleveland Farm house (the farmyard of which BHS is trying to develop separately and simultaneously as if a minor planning project) lies a few yards to the south. Instead of mentioning these facts, AL/BE3&4 reads (5.456 and 5.468) "Kent County Council states that the site includes significant archaeology, which could be dealt with through suitable conditions on a planning approval." The imbalance in the treatment of the two sites is substantial and suggests prejudice.

(ii) The SHELAA assessment of site 158 suggests a potential yield of 50-65 houses, but then concludes that only the Uphill part of the site is suitable (20 houses). It states that "the remainder of the site is sensitive in landscaping terms and there is concern regarding scale and impact on the character of the landscape and settlement pattern". This is contrary to the views of TW's 2006 SA; to the TW 2018 document proposing 174 houses; and to the first draft of the LP. The dismissal of 158 as a suitable site is not supported by the evidence and suggests prejudice.

(iii) Site 222, west of the cross roads, was also considered in 2006, as a possible site for the new village school, though it was not one of the top two sites put to a referendum. The SHELAA suggests 222 has a potential for 76 houses. The site is considered unsuitable partly because the new LBD, if adopted, will exclude all houses west of the cross roads, when the village actually extends a considerable length along this road to the west. There is no mention of the fact that the owners of this site are offering the pond at the south west corner of the crossroads as village green space. The dismissal of 222 is not supported by the evidence and suggests prejudice.

(iiii) The SHELAA suggests a capacity of 26 houses at Site LS8 in Iden Green, stating that it lies adjacent to the recreation ground and a children's nursery and that there is a pavement on both sides of Iden Green's main road. It fails to mention that the easternmost side of this pavement connects the village to the village primary school. The SHELAA dismisses the site as unsuitable saying that it is located in a remote location relative to services, facilities and public transport, but this site is far less remote than sites AL/BE 3&4. The dismissal of site LS8 is not supported by the evidence and suggests prejudice.

(v) The proposed new LBD has been constructed so as to include the new site at Uphill and to exclude 222, when in fact, the actual built development extends westwards from the crossroads and includes site 222. The LBD is ignored in respect of AL/BE3&4. Manipulation of the LBD to suit allocated sites is inappropriate.

As a general comment, I have found the process unnecessarily difficult to navigate. In fact, from the point of view of the ordinary lay-man, I would term the process 'hostile'. The interactive on-line site was unmanageable. Question 4a is very badly worded. The PSLP's prose entirely suited the opacity of the procedure. Here is one example from the SA (page 163) "However, the education objective does not deteriorate when considering cumulative effects as the schools in Tenterden will be a viable option for residents in East End and thus are likely to take the pressure off Benenden Primary School." What does that mean?

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan 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 modifications needed are included in the submissions set out above. In summary, development on site AL/BE 3 should be limited to the existing, so far unused, planning permission for 24 houses, preferably by adapting the Garland Wing, which is a building of historic value, either to a wellness centre, in accordance with its original intention, or to a row of up to 10 terraced houses. Site AL/BE 4 already has 18 semi-detached houses on it, and cannot support any more. It should therefore be excluded. Housing should be allocated to sites (such as 158 and 222 in the village centre or LS8 in Iden Green) which lie on bus routes or are within walking distance of the village centre and school. Paragraphs 5.421 and 5.422 should be omitted.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Question 8

If you have any separate comments you wish to make on the accompanying Sustainability Appraisal, please make them here.

1. The Sustainability Appraisal (SA) is misleading. Table 58 on page 163 states that all Benenden sites "lack services, facilities and travel options". This belies the fact that AL/BE2 (Feoffee almshouses) is close to the Street as is AL/BE1 (Uphill). Both sites are within walking distance of the bus stop for daily bus services, the post office, village shop, the primary school, the village green, the butchers, pub, community hall, church, recreation ground and children's playground. AL/BE 3 & 4 are three miles north east of the village with no daily bus service and no amenities whatsoever.
2. The commentary on Table 58, (page 163 of the SA), states that East End sites score badly on Climate Change and Travel, yet these are the sites promoted for most houses.
3. The SA argues on page 163 that East End residents will send their children to schools in Tenterden instead of to the village primary school, and that this will lessen the otherwise seriously negative effects of the two hospital sites. This is pure conjecture and possibly wishful thinking. The school has a good reputation and currently between 70 and 75% of children there come from outside the parish. East End children will have precedence over these, since intake depends on the distance of a child's residence from the school. Pressure on Benenden Primary School will increase, not decrease. Further, the use of a car, whether it drives to Tenterden (5-6 miles) or to Benenden (3 miles), pollutes and deprives residents of the health-giving pleasure of walking to school. The AL/BE 3&4 are contrary to STR2, to the NPPF and to KCC policy on climate change.
4. Appendix L (pp331-2) shows Scores for Reasonable Sites in Benenden. Here we see scores for 158 and 222, two sites close to the village centre. Of 158, we read "A site that scores several neutrals with some positives, let down by its land use and landscape score impacted by a loss of a greenfield

site in the AONB and lack of services and facilities including public transport at the settlement.” This SA report compares poorly with the SA which TWBC carried out on site 158 in 2006. 158 is parallel to and just north of the Street with its exit onto New Pond Road. In 2006 site 158 was chosen in a village referendum as the site for a new C of E primary school. It was the preferred site out of a choice of two, both of which were greenfield. TWBC’s 2006 SA on 158 decided (see page 18 of the Sustainability Appraisal Benenden Church of England Primary School Land Allocation DPD - Issues and Options report), that 158 was one of two top sites. “Situated adjacent to an area of ancient woodland, the site provides the potential for habitat linkages and wildlife corridors. The site is not adjacent to the CA [Conservation Area] and does not form a significant role in its setting. There are no Listed Buildings on or adjacent to the site. The site is consistent with the surrounding landscape character. There are limited views into the site and no public rights of way over the site.” On page 38, we read, “This site is anticipated to have a major beneficial effect on improving educational standards and travel choice/traffic levels”. In spite of the referendum result, the school was eventually built at the less preferred site and, since then, TWBC had been in consultation with 158’s owners to build houses there.

5. In April 2018, BNP Steering Committee Deputy Chair, a borough councillor, showed the committee a piece of paper from TWBC saying that TWBC wishes to build 174 houses on site 158. He committed himself to seeing these numbers reduced and the numbers at the East End raised. After a meeting between representatives from the BNP group and TW planners on June 19th, 2018, the minutes reported that “At times the workshop was emotive ...” Following that meeting TW planners put site 158 on temporary hold, limiting development there to a future Local Plan by asking, in the first draft of the LP on page 270, that the Uphill site on New Pond Road, adjacent to 158 and allocated at that time as AL/BE3, should, under Clause 8, provide for vehicular access through Uphill to the site behind (158) “which may be allocated for development as part of a future Local Plan.” In the PSLP, this wording for Clause 8 has disappeared. Where is the evidence-base for such wording to be included in the first draft and excluded in the second? Why is the site considered suitable in 2006, in 2018, and in the first draft, but not suitable in the PSLP?

6. Site 222, like 158 is described in Appendix L of the PSLP’s SA as suffering from “a lack of services and facilities including public transport at the settlement.” This is inaccurate. There is a daily bus service along Benenden Street and site 222 is within easy walking distance of the bus stop, shops, pub, community hall, primary school and all other amenities.

7. Site LS8, in the heart of Iden Green is, along with site 158 and 222, a site which on-the-ground evidence suggests is eminently suitable for development, but which the SA fails to allocate. Appendix L of the SA gives LS8 virtually the same scores as Uphill (LS16 of AL/BE1) yet the latter is included for development and the former is not. The commentary states of LS8 “A number of scores are negative however, reflecting the remote location of the site from services and facilities and public transport. It scores negatively in heritage terms as the site is a relatively sizeable piece of the Iden Green Conservation Area.” This site is far less remote than sites AL/BE 3 & 4. It is one mile from the village and connected to it by a paved footpath running past a Roadside Conservation Area and then (still paved) through a field to the church and primary school. It is on a bus route and the bus stop is next to LS8. Iden Green has a community hall, tennis courts, a children’s playground and pub/restaurant. The SA information is unreliable and the PSLP’s use of it for site allocation is unwise.

8. In so far as Benenden is concerned, the sites were allocated before any sustainability appraisal was commissioned. It is not therefore a relevant factor in the allocation of sites for housing.

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

No, I do not wish to be notified of future stages of the Local Plan

Comment

Consultee	Michael & Brenda Stewart [REDACTED]
Email Address	[REDACTED]
Address	- - - -
Event Name	Pre-Submission Local Plan
Comment by	Michael & Brenda Stewart [REDACTED]
Comment ID	PSLP_493
Response Date	27/05/21 11:10
Consultation Point	Policy STR/PW 1 The Strategy for Paddock Wood (View)
Status	Processed
Submission Type	Email
Version	0.7
Data inputter to enter their initials here	KH
Question 1	
Respondent's Name and/or Organisation	Michael & Brenda Stewart
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR/PW 1 The Strategy for Paddock Wood

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

We cannot believe that the proposal to restrict travel over this bridge to buses and emergency vehicles has been made with any serious thought for the impact this would have on the communities to the south of Paddock Wood. A great many people from Yalding and surrounding villages regularly travel to the town for shopping and for essential access to the railway station. Alternative routes to the town would either be significantly longer or via narrow country lanes, or both. It would therefore be environmentally harmful and unquestionably damaging to the commercial viability of many retail outlets in the town.

It is impossible to discern any sense or purpose in such a proposal and we wish to record our strongest objections to it.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

For office use only

If responder hasn't ticked an option on this box, data inputter to tick 'not stated' box. Not Stated

Comment

Consultee	Mrs Sue Lovell ([REDACTED])
Email Address	[REDACTED]
Company / Organisation	Stop Overdevelopment of Paddock Wood
Address	[REDACTED] [REDACTED] Tonbridge TN12 [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Stop Overdevelopment of Paddock Wood (Mrs Sue Lovell - [REDACTED])
Comment ID	PSLP_1947
Response Date	04/06/21 16:54
Consultation Point	Policy STR/PW 1 The Strategy for Paddock Wood (View)
Status	Processed
Submission Type	Email
Version	0.4
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Stop Overdevelopment of Paddock Wood
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR/PW 1 The Strategy for Paddock Wood

Question 4

Do you consider that the Local Plan:

Is legally compliant Don't know

Is sound No

Complies with the Duty to Cooperate Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not positively prepared
- . It is not effective
- . It is not justified
- . It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

(see web link)

This Change.org petition has been signed by Paddock Wood residents, businesses and supporters, as follows:

"Tunbridge Wells Borough Council are about to consult (Regulation 19) on their new Local Plan. In this, they plan to place over 50% of their new housing allocation in Paddock Wood and East Capel, assimilating the two. Paddock Wood should perhaps be 'grateful' that the planned number of new houses has been reduced to 3.6K. However, this is in addition to the 1000+ already in progress over the 3 recent consented developments.

The plan states that TWBC desire public engagement and involvement, to 'include consideration of how the natural and historic environment of the local area is reflected and respected' yet the overwhelming response they received during the Regulation 18 in 2019 consultation have been mostly ignored.

The plan will include building on some of the best farmland in the borough, removing hundreds of trees and building on the floodplain around Paddock Wood, where many properties already suffer from surface water **flooding**.

Flooding - TWBC want to build on category 2 and 3a flood risk areas. Huge amounts of developers' money will inevitably be spent on flood mitigation, diverting funds from other essential infrastructure. Residents in East Paddock Wood have had to spend thousands of pounds purchasing their own pumps due to regularity of flooding down Castle Hill, Mile Oak Road and Queen Street. These areas are currently surrounded by apple orchards which are assisting to disperse the run-off, but if these are developed the situation will be exacerbated. The recently-started Church Farm development has already exacerbated Paddock Wood's flooding issue; indeed the developers have removed a number of mature oak trees, which were not mentioned in the original plans. Mature oaks can draw up 50 gallons of water per day, so any further development will significantly impact the environment, including the flooding issues, not to mention the ecological impact.

Biodiversity - wildlife and plants. Countless creatures will lose their habitat. Save Capel have done their own biodiversity report which can be found here: (see web link)

Green Belt land - an exceptional reason is needed to build upon green belt land. It is important to avoid 'urban sprawl' and its loss will effectively cause Tonbridge to join up with Paddock Wood. 407.576ha of Green Belt land will be de-designated. That's 5.71% overall green belt in the borough, with 148.194ha of this being PW/East Capel.

Sevenoaks has already had its local plan rejected by the government due to this.

Wellbeing - The accessible natural green space standard (ANGSt) recommends that everyone should have accessible natural green space of at least 2 hectares in size, no more than 5 minutes' walk from home... The candidate local nature reserves, to the SW and E of Paddock Wood will not meet this standard for those living in the NW of Paddock Wood.

TWBC already recognise that **air and noise pollution** is a downside to these developments. **Light pollution** will be a factor too (not just from street lamps, which will be low-pollution LED ones.)

If TWBC is successful and this local plan goes ahead, residents will be subjected to continuous development for the next 15-20 years.

Sports provision - A sports hub is now planned for the East side of Capel, with no associated building, i.e. no changing facilities. This area is in flood zones and is also inappropriately located for Paddock Wood residents, especially if they have no private transport.

Roads/Transport - The infrastructure will not be suitable for such an increase in population, without major disadvantages to residents. We are a small rural community, with narrow country lanes, which are already being used by unsuitable HGV traffic - this can only get worse over the next 15-20 years with 350 homes being planned every year, especially with an increased number of commuters vying to get to the railway station. There will be fewer parking spaces to go round, which will lead to more dangerous parking in residential roads. There will not be enough seats on trains (and there's an issue with length of platform so the rail company will not be able to just add more carriages.) Network Rail have suggested they will not increase the width of the current road bridge.

We also envisage a negative impact on **community services**. Our local police station is being sold off for development, but an increase in population = an increase in crime. TWBC wants to double the population of Paddock Wood, so we should at least have a part time police presence. With the removal of the police station, we will have nothing.

Health Provision - Our GP surgery is already over-subscribed. A new surgery has been promised but with fewer doctors taking up general practice, we fail to see how this will be staffed.

Housing need and type - The latest calculations show that much less housing is actually needed (some sources have said it's almost half!) 'Affordable' housing is rated at 80% of market value and Social housing is 60% of market value - but how many local people will actually be able to afford these homes? Homes on the current new developments are already being marketed with a 1-bed apartment at £252-275K. How many local people on low incomes can afford to buy a £200K 'affordable' flat? These are being marketed to people nationwide through Sage Housing. We are open to some new housing in our town and villages to provide housing for the local community but the disproportionate allocation to our area is unfair, unnecessary and environmentally disastrous.

This plan is not demonstrably sound and, we would suggest, not legally compliant.

Tunbridge Wells Borough Council needs to appreciate the scale of opposition to this development. Please sign this petition to help us become a voice they can hear.

We would like to encourage all residents of Paddock Wood to act now and write to their local borough councillors - details can be found at www.writetothem.com We also need proactive help to help organise the campaign over the Regulation 19 consultation. If you would like to join our Facebook group, head over to (see web link) which will give you the most up to date information on how we are progressing.

We, the respondents to this petition respectfully ask that considering the points mentioned, and the fact that this plan is overwhelmingly unpopular with residents and councillors alike, TWBC reconsider pressing forward with this process and rethink the local plan and its alternative options."

816 have signed as at 04/06/2021

Question 6

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Take respondents' views into consideration.

Make a fresh plan, which takes into account the true housing need. Don't build on Green Belt, which is there to prevent urban sprawl.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . Yes, I wish to participate in hearing session(s)

Question 7a

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Stop Overdevelopment of Paddock Wood is an unincorporated residents' association and needs to be actively involved in the planning Paddock Wood.

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box: Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Elizabeth Strang [REDACTED]
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	Elizabeth Strang [REDACTED]
Comment ID	PSLP_813
Response Date	01/06/21 17:00
Consultation Point	Policy AL/RTW 5 Land to the south of Speldhurst Road and west of Reynolds Lane at Caenwood Farm, Speldhurst Road (View)
Status	Processed
Submission Type	Web
Version	0.2
Question 1	
Respondent's Name and/or Organisation	Elizabeth Strang
Question 3	
To which part of the Local Plan does this representation relate?	Paragraph(s)
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Table 6 Green Belt Sites AL/RTW5	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	No
Is sound	No
Complies with the Duty to Cooperate	Don't know
Question 4a	

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not positively prepared
- . It is not justified
- . It is not consistent with national policy

Question 5

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I believe that the Local Plan is **not legally compliant** because the information that AL/RTW 5 was to be removed from Green Belt and developed was not made available to local residents and the general public in time for them to be able to raise objections at the full council meeting of the 3rd February. In November 2019 residents were assured that this site was deemed unsuitable to be part of any future development plan. This changed (though without any reason being given for the change) in November 2020 with the Green Belt Study 3. However, this Study was not made available to the General Public until "late Feb/Early March" (Steven Baughen Head of Planning's own words to me in an email dated 15th Feb). In that document the site was known as AL/RTW XX. Most people did not know of the inclusion of this site and the intention to remove it from the Green Belt until the meeting of the 3rd Feb. It is invidious to say that the documents were available to some members of council before that and so the public could have access to them. It is not reasonable, or legally compliant, to expect residents to constantly go on to TWBC's website to see if land, last deemed protected, is being removed from the Green Belt.

I claim the Local Plan is **not legally compliant** because it constantly uses the present tense to describe something that has not yet happened. Thus the site AL/RTW5 is described as "removed" from the Green Belt when this is not true. It does not allow for the possibility that this is still under discussion. The purpose of the exercise is to propose such a removal and allow argument against it. It is misleading to the general public. TWBC does explain this anomaly in one small paragraph but this is not sufficient in such a large document. To the uninitiated this is unfair and adds to the overall impression that representation in this form, and on this form, is only for the learned and legally competent.

I claim the Local Plan is **Not Sound** on the following Basis:

Positively Prepared: It was not positively prepared because as can be clearly understood from the minutes / transcript of the Full Council Meeting of the 3rd February, there were many councillors who had not had full access to all the documents before that meeting. This, it would appear, arose through a complicated system of (limited) access to passwords and codes. Whatever the system, it was the duty of TWBC to ensure that all councillors were in possession of all relevant documents and that they had time to read them and inwardly digest them before the 3rd February. No organisation that did not ensure such overall availability, and thus invalidate the outcome of the vote, could be called positively prepared.

It was **not positively prepared** because the insertion of the site AL/RTW5 shows signs of great haste and last minute lack of detail.

a) It was not given an official reference number originally. Having been regarded as an unsatisfactory site for development in November 2019, it was hastily inserted into the Green Belt study of November 2020 (not available to the public until Feb/March 2021). In this study it was known as AL/RTWXX as stated above, and was not given the site number AL/RTW5 until the PSLP under discussion now. (draft published 21st January 2021)

b) There are discrepancies in the area of the site shown on maps and descriptions. In the Reg 19 Consultation (Published Jan 2021) it is shown as AL/RTW5 sized **5.611 Ha** whereas in the Site Assessment Sheet for RTW also published January 2021 it is shown as **7.40 Ha**.

This does not indicate **positive preparation**.

It is not justified

The removal of the Green Belt from this site is not justified at all. The Green Belt Status can only be removed from established Green Belt Boundaries "under exceptional circumstances." (NPPF) Despite asking TWBC on many occasions what are the exceptional circumstances which allow their decision, they have been unable to come up with any satisfactory answer. I thus deduct it must be "the need for more houses". I therefore argue that based on **this** reason the removal of the green belt from this site is **not justified** as TWBC has **not** looked closely enough nor allowed enough time to consider the possible future availability of Brown Field Sites in the Borough.

a) The council itself recognises the need to "assist in urban regeneration by encouraging the recycling of derelict and urban land". (Green Belt Study).

b) They have employed consultants Nexus to (amongst other things) "look into the substantial number of properties which might become available due to the failing retail sector"

c) They are proudly instigating a Town Centre plan. (due to start 2022?). Why not wait until such a plan reveals facts before removing any green belt hastily. In the process of their investigation they will surely look into all windfall and brownfield sites. It would be improper not to wait until this information were available.

d) The large Royal Victoria Place has recently been bought by British Land who one presumes will want to make money from such a purchase. It is muted they will turn the top floors of the car park into a residential area. This would be very suitable for multiple **truly** affordable housing.

I am aware these are not facts but they are **real** possibilities. The idea that the council should remove Green Belt from certain sites solely to build houses before such alternatives are **fully** investigated **is not only unjustified it is irresponsible**. The council should pay more heed here to the *Government Response to local housing needs proposals in "Changes the current planning system"* ..i.e. "We should be clear that meeting housing needs is **never** a reason to cause unacceptable harm to such places (i.e. protected landscapes and Green Belt)"

Consistent with National Policy

It is **not** consistent with **Green Belt Policy**.

This site satisfies all 5 purposes of the Green Belt

1. It prevents the unrestricted sprawl of the built up areas of Tunbridge Wells and Southborough.
2. It prevents the two towns - Tunbridge Wells and Southborough from merging into one another and becoming a characterless border area
3. It assists, in a very positive and real manner, the countryside from encroachment. It is a breathing space between houses and ancient woodland with preserved wildlife.
4. It preserves the setting and special character of both towns, allowing each to have their own individual character and not merge into an indeterminate built up area
5. By doing all the above, it assists in the urban regeneration (as mentioned above) as it encourages the use of other urban and abandoned sites.

Therefore they are **not** consistent with Green Belt Policy

They are **not** consistent with NPPF Policy

I have already quoted the NPPF paras 135 and 136 i.e. that **"Once established Green Belt boundaries should only be altered where exceptional circumstances are fully evidenced and justified"**.

Not only have TWBC **NOT** fully evidenced and justified the exceptional circumstances that they believe allow them to remove the green belt from AL/RTW5, they have not even presented us with any circumstances, exceptional or otherwise.

Yet again, they are **not** in keeping with National Policy

In Conclusion : I therefore claim that the proposal in the PSLP to remove the Green Belt from site AL/RTW5 is totally unjustified and unsound.

1. . It is a totally inappropriate proposed development both as regards the reason (housing) in the area chosen (green belt)
2. TWBC have not fully investigated the possibility of other sites they can use for **affordable** housing before diminishing the Green Belt.
- 3 . The effect on the whole of the Green Belt in this area would not be "negligable" as they claim, but would have serious **long term** effects. The removal of what they describe as "3 fields of *moderate distinction*" would allow the first inroads into a very clearly defined and key area of the rural space that defines the separation of Tunbridge Wells and Southborough . An area, which for many years they have been defining, and rightly so, as being vital to such a task. I argue nothing has changed in the importance of the role played by this site towards the enhancement of **all** aspects of the local area.

Question 6

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I have covered this I think in full above and do not want to repeat.

For the plan to be **sound** at all, TWBC should closely examine their belief that the need for housing constitutes *exceptional circumstances*. Are they sure such a need exists (census /population figures/ density of housing?) and have they looked at **all** other possible sites where such housing could be sited.

Until all that is done, and done thoroughly and over a reasonable period, any removal of Green Belt should not be countenanced.

Question 7

Please note *the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.*

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . Yes, I wish to participate in hearing session(s)

Question 7a

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If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

I consider this to be necessary, or at least perhaps useful, as filling in this form is so very difficult and limiting. . A chance to put forward an argument verbally and in response to intelligent questions would be welcome.

Supporting Information File Ref No: SI_100a-c

Comment

Agent	S D Downes [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Downes Planning
Address	[REDACTED] LONDON [REDACTED]
Consultee	Barry Street [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] Cranbrook [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Barry Street [REDACTED]
Comment ID	PSLP_1774
Response Date	03/06/21 14:50
Consultation Point	Policy STR/CRS 1 The Strategy for Cranbrook and Sissinghurst parish (View)
Status	Processed
Submission Type	Email
Version	0.4
Files	PSLP_1773-1774_Downes_Planning_for_Mr_&_Mrs_Street_SI-2_Appendix_1_&_2 PSLP_1773-1774_Downes_Planning_for_Mr_&_Mrs_Street_SI-1_Representation_&_Appendix_3_Redacted PSLP_1773-1774_Downes_Planning_for_Mr_&_Mrs_Street_SI-3_Site_Plan
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Mr & Mrs Street
Question 2	
Agent's Name and Organisation (if applicable)	Downes Planning

Question 3

To which part of the Local Plan does this representation relate? Policy

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR/CRS 1 The Strategy for Cranbrook and Sissinghurst parish

Question 4

Do you consider that the Local Plan:

Is legally compliant Yes

Is sound No

Complies with the Duty to Cooperate Yes

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because: . It is not positively prepared
It is not consistent with national policy

Question 5

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Due to the council's failure to meet the 5 year Land Supply for a number of years, they should be following Government advice as outlined in the NPPF, and providing a 20% buffer in their housing targets. This means that further sites, such as my clients, should be allocated as housing sites in the Plan. See my attached representations.

[TWBC: for full representation, please see supporting documents]

1 Site Description and Location

The site lies 1.2 km (0.75 miles) to the north east of Cranbrook between Wilsley Pond and Wilsley Green. It lies to the west of the junction of the A229 and the A262. The site originally included the curtilage of The Barracks, a Grade II listed house, together with various outbuildings which have now been converted to dwellings. These have all been sold, and what remains is 5.35 ha (13.2 acres) of pasture land contained within 3 paddocks.

The site lies within the High Weald Area of Outstanding Natural Beauty (AONB) and adjoins the Wilsley Green Conservation Area (The Barracks is within).

Figure 1 is the Land Registry title plan at 1:2500 and figure 2 is a site location plan showing the distance to Cranbrook.

1 Housing Land Supply

The site is 5.35 ha, and if 50 dwellings per ha could be achieved then approximately 268 dwellings could be provided. This is a significant number of dwellings on a medium size site.

The Council recently updated its 5 year housing land supply position for 2018/19 which identified that the Council, inclusive of a 5% buffer as determined by the Housing Delivery Test, does not have a 5 year housing land supply, but rather a 4.69 year supply.

The Council's current position on the Housing Delivery Test indicates that for 2018, the housing delivery requirement was 1,656, whereas the delivery in the borough was at 1,457, meaning that the Council was achieving 88% of its requirement. The consequence of this as per the national planning guidance is that the Council has to provide a 5% buffer on its 5 year housing land supply as well as produce an Action Plan outlining ways in which delivery will be improved in the forthcoming years.

I believe the shortfall will be even greater for the following reasons:

- 1 The Council rely on 'windfall' sites with as many as 1232 coming forward over the plan period. The problem with windfall sites is that they diminish over time. They become harder to find and therefore the figure must be reduced.
- 2 Obtaining planning permission has become a very expensive business and very time consuming. The introduction of validation requirements has caused time delays and costs, all of which have reduced the flow of housing sites. A typical large housing scheme, even on an allocated site may have to overcome a number of obstacles. For example:
 - . A planning application may need to have an ecology survey, a tree survey, a Section 106 Agreement to provide costs for highway improvements, a contribution towards education, a transport statement, a heritage assessment, a landscape assessment, affordable housing etc. etc.

against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than 5 years old. The supply of specific deliverable sites should in addition include a buffer (moved forward from later in the plan period) of:

- . **5% to ensure choice and competition in the market for land; or**
- . **10% where the Local Planning Authority wishes to demonstrate a 5 year supply of deliverable sites through an annual position statement or recently adopted plan, to account for any fluctuations in the market during that year; or**
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The position changes significantly if a 20% buffer is included (see Appendix 3).

Only 76% of dwellings will be realistically delivered and more sites must be allocated. This site could produce 268 dwellings giving 1725 dwellings (90% of requirement). This together with a few other sites would achieve the correct supply.

1 Appendices

1. Highway report of Mr. Rollings.
2. Historic hedgerow boundaries.
3. 20% buffer.

[TWBC: for appendices, please see supporting documents]

For office use only

New Site Submission? Enter site address

The Barracks, Wilsley Green, Cranbrook, Kent, TN17 2LG

Question 6

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- 1 Apply the 20% buffer and identify further sites accordingly.
- 2 Do not assume Windfall sites will come forward in the same numbers as historically.
- 3 Be mindful of additional costs L.A. seek in Section 106 Agreements which may reduce sites coming forward.

Question 7

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Question 7a

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If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

To ensure the message is fully understood

If you would like to attach a file in support of your comments, please upload it here. [PSLP 1773-1774 Downes Planning for Mr & Mrs Street SI-1 Representation & Appendix 3 Redacted](#)

If you would like to attach a file in support of your comments, please upload it here. [PSLP 1773-1774 Downes Planning for Mr & Mrs Street SI-2 Appendix 1 & 2](#)

If you would like to attach a file in support of your comments, please upload it here. [PSLP 1773-1774 Downes Planning for Mr & Mrs Street SI-3 Site Plan](#)

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Supporting Information File Ref No: SI_100a-c

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Event Name	Pre-Submission Local Plan
Comment by	Barry Street [REDACTED]
Comment ID	PSLP_1773
Response Date	03/06/21 14:50
Consultation Point	Housing (View)
Status	Processed
Submission Type	Email
Version	0.6
Files	PSLP_1773-1774_Downes Planning for Mr & Mrs Street_SI-1_Representation & Appendix 3_Redacted PSLP_1773-1774_Downes Planning for Mr & Mrs Street_SI-3_Site Plan PSLP_1773-1774_Downes Planning for Mr & Mrs Street_SI-2_Appendix 1 & 2
Data inputter to enter their initials here	HB
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Question 3

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Paragraph(s)

Question 3a

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Paragraph No(s) 6.308-6.439 (Housing)

Question 4

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Is legally compliant

Yes

Is sound

No

Complies with the Duty to Cooperate

Yes

Question 4a

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2. Historic hedgerow boundaries.
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- 3 Be mindful of additional costs L.A. seek in Section 106 Agreements which may reduce sites coming forward.

Question 7

***Please note** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.*

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . Yes, I wish to participate in hearing session(s)

Question 7a

***Please note** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.*

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

To ensure the message is fully understood

If you would like to attach a file in support of your comments, please upload it here. [PSLP 1773-1774 Downes Planning for Mr & Mrs Street SI-3 Site Plan](#)

If you would like to attach a file in support of your comments, please upload it here. [PSLP 1773-1774 Downes Planning for Mr & Mrs Street SI-1 Representation & Appendix 3 Redacted](#)

If you would like to attach a file in support of your comments, please upload it here. [PSLP 1773-1774 Downes Planning for Mr & Mrs Street SI-2 Appendix 1 & 2](#)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box: Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Ms Hazel Strouts [REDACTED]
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	Ms Hazel Strouts [REDACTED]
Comment ID	PSLP_194
Response Date	08/05/21 16:34
Consultation Point	Policy PSTR/BE 1 The Strategy for Benenden parish (View)
Status	Processed
Submission Type	Email
Version	0.7
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Hazel Strouts
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy PSTR/BE 1 The Strategy for Benenden parish	
Policies AL/BE1, AL/BE3 and AL/BE4	
Inset Map 18	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	No

Is sound No
Complies with the Duty to Cooperate No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not positively prepared
- . It is not effective
- . It is not justified
- . It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

[TWBC Comment: Note response slight variation on PSLP_217, 218, 219 and 220]

This submission concerns the parish of Benenden, the only parish in the borough to have made its own allocations. The Benenden Neighbourhood Plan (BNP) has been developed in close consultation with TWBC, with the BNP in the lead. The BNP announced its allocations in February 2019, before inviting AECOM to produce its Strategic Environmental Assessment. Pre-Submission Local Plan, para 5.420 reads "The BNP was submitted to TWBC in October 2020 and was consulted on between 30 October and 11 December 2020." But the allocations had been made and published in February 2019. Further, Para 5.420 states "The BNP proposes to include site allocation policies that follow the approach of the site allocation policies for Benenden in this Local Plan." BNP allocations were first published in February 2019 i.e. before LP site allocation policies.

Allocations made by the LP, when it took up the BNP's baton, are therefore inevitably linked to BNP's weaknesses. Yet if the BNP passes a referendum before acceptance of the LP, it is said that it will take precedence over the LP (see para 5.421), with the exception of its plans for the northern site at Benenden hospital, which will be overruled by the plans advanced in the LP (see Benenden Parish Council April 2021 response to Independent Examiner queries on the BNP). This is in contravention of para 5.422 which talks of making "modifications to the LP" so that it matches the BNP.

1 Community involvement. EN1: this requirement has not been respected.

In Benenden, almost all new housing is slated for the East End, yet the Friends of the East End (FEE), were never asked to meet with the BNP steering group.

- . See EN1 para 9 requiring the effective engagement of the local community, neighbours of sites and others. The FEE submitted three petitions, two to the BNP and one in relation to the LP. A FEE submission with 127 signatures was submitted on April 4th 2019 in response to the Informal Draft NP (published on February 23, 2019), in which the allocations later adopted by the LP were first set out. A FEE submission with 164 signatures was submitted in October 2019 objecting to the first draft of the LP, and in the same month, a FEE submission with 167 signatures was submitted in relation to the Reg 16 draft BNP. See the FEE's current online petition with more than 450 signatures <https://www.change.org/EastEndFriends>
- . Instead of being consulted, the FEE were ignored and belittled. They were informed on 11th March 2019 by the editor of the Parish Magazine (PM), husband of the Chair of the Parish Council, that "I'm of the view that much of the uncertainty has passed since the presentation of the plan to the village - to a highly favourable reception. At least we no longer have to give polite credence to *uninformed views* that fly in the face of TWBC policy and advocate direct and *pointless*

confrontation with TWBC, thereby running the risk of having the entire BNDP thrown back in our faces. *The ensuing chaos hardly bears thinking about.* At least it seems the opinions now being afforded most weight are those of *people who have worked hard for two years to understand the issues* and come up with a coherent way forward.”

- . One of the regular articles on the BNP submitted by the chair of the BNP Steering Group appeared in January 2020. It dismisses FEE opposition suggesting only “31 residents from the East End” sent in comments.
- . The core group behind the BNP has consistently tried to persuade those who support the FEE to desist. The chair of the Parish Council and the chair of the BNP Steering Group have twice asked to meet a Tunbridge Wells Alliance (TWA) Borough Councillor for the parish, once together with a TWA borough council candidate, in efforts to persuade them to adhere to the BNP’s approach and not to listen to the FEE.
- . The organiser of the FEE was a member of the Steering Committee 2017/2018 as chair of the Environmental Group. She expressed strong disagreement with a Borough Councillor who lives in the village (on occasion, he deputises as chair of the Steering Group) about his wish to step up allocations in the East End and suppress TWBC’s wish to build 174 houses on site 158. As a result, the Steering Group chair (using his own word), “sacked” her. This is contrary to EN1 para 9, encouraging early, proactive and effective engagements and the requirement that views expressed should be properly considered.
- . Consultation also failed in relation to the neighbouring parish of Biddenden. The Clerk of Biddenden Council has repeatedly responded to BPC in the course of the BNP consultation process, but received only acknowledgments. A Kent County Councillor and Ashford Borough Councillor wrote an article about BNP’s mismanagement of the parish of Biddenden in the Biddenden Parish Magazine, February 2021.
- . The LP is based on the BNP and BNP allocations were made before consultations with stakeholders such as the AONB. This is not consulting in a timely fashion. Further, the LP requires surveys of the hospital sites *after* the designation of the sites for development, for example, archaeological surveys (see AL/BE 3&4). Historic England (HE) asks for the surveys to be carried out *before*. See HE’s comments on the first draft LP (DLP_4556) - “we would expect the allocation of sites following on from this Strategy policy (STR1) to be subject to appropriately robust and detailed heritage impact assessment *prior to the allocations being adopted*.”
- 1 **The PSLP is not based on sound evidence**
 - . Throughout the LP process, misstatements have been made about amenities in Benenden’s East End. These may be traced back to a submission made by traffic and highways consultants, Transport Planning Associates (TPA) to Benenden Healthcare Society Ltd. (BHS). This submission was recently disclosed in BHS’s response to the Independent Examiner’s queries in relation to the BNP. TPA’s information is sometimes inaccurate and sometimes misleading and we consider it here in detail because it is difficult otherwise, to understand how the LP was able to continue, iteration after iteration, to relate false information about the hospital site.
 - . In October 2019, TPA reported (para 2.6) that there was a footpath along the southern edge of Goddards Green Road (GGR) and the PSLP, para 5.452 states “There is an intermittent pavement along GGR”. The GGR is a long road running from New Pond Road to Castleton’s Oak crossroads, and was formerly a lane. The pavement is limited to the short section immediately outside the hospital buildings. To say that there is an intermittent pavement along GGR is misleading.
 - . The TPA refers to the East End as a village, which it is not. The East End runs from the junction of GGR and Walkhurst Road, along the GGR to the border with Tenterden, then turns south to reach close to Hole Park in Rolvenden, then east back to Walkhurst Road at the site of the stream, then along Walkhurst Road back to GGR (see the old Electoral Roll for 2004 when the East End had its own polling station). It is a large, totally rural area of several square miles, which was why it was chosen as the site for an isolation hospital in 1906. Today it contains only 76 houses scattered across the entire area. The PSLP consistently refers to the East End as a hamlet. It is not, which is why BPC is able to advertise itself on its website as “Serving the people of Benenden and Iden Green” without any reference to the East End.
 - . The TPA says that “a day nursery is located immediately to the north of the Site within 400m.” There is incorrect, yet this error is repeated in para 5.413 of the PSLP “There are also nursery/pre-school facilities at Iden Green and East End.” An accurate account would mention Iden Green only.
 - . The TPA states that there are daily bus services along GGR provided by bus nos. 24 and 299, and twice a day service provided by the Hopper bus. This information is incorrect. The 2019

Hopper bus, operated by the Tenterden social services hub on an experimental basis, failed in only a matter of months. While the 24 and the 299 buses pass along GGR, they do so on only one day a week. The 24 on Tuesdays and the 299 on Wednesdays. The East End has almost no public transport.

- . The TPA makes several statements in relation to traffic which have fed misinformation into the system to be reflected in AL/BA3&4. This misinformation was only recently revealed when documents were provided by BHS following April 2021 queries raised by the Independent Examiner on the BNP. These documents include a TPA 'Scoping Note' on road and traffic conditions at the site and a letter written in response to this Note from KCC Highways, dated 13 Nov. 2019. The TPA states that the GGR is 7m wide at the hospital site which detracts from the fact that it is actually a winding rural lane, now called a road, and varies considerably in width. It may at some point be 7m wide, but at others, it is so narrow that two lorries have difficulty passing each other. The TPA claims that there is no need for a road safety review because there have been "no personal injury accidents" recorded within 1,000m. Castleton's Oak crossroads lie 1.5 km from the site and accidents there are frequent, largely due to increasing traffic at the hospital. The hospital has turned itself into an almost exclusively out-patient centre and almost all its 300 employees drive in to work from outside the parish (formerly, they were housed on site in hospital staff buildings). Kent County Council (KCC) Highways make constant and repeated attempts to lower the risk of injury at the crossroads. Works there are ongoing at this time. The TPA claims that no traffic surveys are necessary which is a point queried in the KCC Highways' email. The email talks of the "heavy car dependency" of residents in any housing in this location and says this was one of its concerns, even at the time of the original application asking for only 24 houses. The email states that BHS's plans (and therefore AL/BE 3&4) are contrary to the NPPF and to KCC's own policy objectives, and points out that the hospital has not co-operated over the idea of a minibus to provide transport from the site to Benenden. The letter calls for: traffic counts along the GGR; a wider crash analysis; and expresses concern over the proposed access points to the SE Quadrant - 2 on Green Lane and 2 on GGR. Lastly, on trip generation, the TPA projects that 47 houses at the site will produce only 106 trips a day, though the consultants admit that they have difficulty in basing their estimate on comparable sites because there are none. These trip generation figures ignore existing traffic from local residents, from patients, from hospital staff and from the newly (January 2021) proposed housing estate at Cleveland. The AL/BE 3&4 fails to provide a traffic count, fails to ask for a road safety review and fails to acknowledge frequent traffic accidents near the sites.
- . Pre-submission supporting documents also produce inaccurate and sometimes irrelevant evidence. The hospital sites are within the setting of an AONB and even overlap into it, yet *Inset Map 18* (Benenden Hospital), unlike other maps attached, makes no reference to the AONB boundary. The BNP claims that the hospital is outside the AONB and on this basis, since the rest of the village is wholly within the AONB, largely justifies placing most of Benenden's housing in the East End. The relationship of the AONB boundary to the hospital sites is important yet it is ignored on the map. This looks like prejudice.
- . Hankinson Duckett Associates's *AONB Setting Analysis Report* (a supporting document for the PSLP, referred to as an evidence base) is, in its analysis of AL/BE3&4, unsound. The analysis argues that development at these sites will enhance the setting of the AONB. It illustrates the argument with photos of the hospital chapel and its carpark. Neither chapel nor car park are in the area up for development.
- . The *Sustainability Appraisal* (SA) is misleading. Table 58 on page 163 states that all Benenden sites "lack services, facilities and travel options". This belies the fact that AL/BE2 (Feoffee almshouses) is close to the Street as is AL/BE1 (Uphill). Both sites are within walking distance of the bus stop for daily bus services, the post office, village shop, the primary school, the village green, the butchers, pub, community hall, church, recreation ground and children's playground. AL/BE 3 & 4 are three miles northeast of the village with no daily bus service and no amenities whatsoever.
- . The commentary on Table 58, (page 163 of the SA), states that East End sites score badly on Climate Change and Travel, yet these are the sites promoted for most houses.
- . The SA argues on page 163 that East End residents will send their children to schools in Tenterden instead of to the village primary school, and that this will lessen the otherwise seriously negative effects of the two hospital sites. This is pure conjecture and possibly wishful thinking. The school has a good reputation and currently between 70 and 75% of children there come from outside the parish. East End children will have precedence over these, since intake depends on the

distance of a child's residence from the school. Pressure on Benenden Primary School will increase, not decrease. Further, the use of a car, whether it drives to Tenterden (5-6 miles) or to Benenden (3 miles), pollutes and deprives residents of the health-giving pleasure of walking to school. The AL/BE 3&4 are contrary to STR2, to the NPPF and to KCC policy on climate change.

- . Appendix L (pp331-2) shows *Scores for Reasonable Sites in Benenden*. Here we see scores for 158 and 222, two sites close to the village centre. Of 158, we read "A site that scores several neutrals with some positives, let down by its land use and landscape score impacted by a loss of a greenfield site in the AONB and *lack of services and facilities including public transport at the settlement*." This SA report compares poorly with the SA TWBC carried on site 158 in 2006. 158 is parallel to and just north of the Street with its exit onto New Pond Road. In 2006 site 158 was chosen in a village referendum as the site for a new C of E primary school. It was the preferred site out of a choice of two, both of which were greenfield. TWBC's 2006 SA on 158 decided (see page 18 of the *Sustainability Appraisal Benenden Church of England Primary School Land Allocation DPD - Issues and Options* report), that 158 was one of two top sites. "Situated adjacent to an area of ancient woodland, the site provides the potential for habitat linkages and wildlife corridors. The site is not adjacent to the CA and does not form a significant role in its setting. There are no Listed Buildings on or adjacent to the site. The site is consistent with the surrounding landscape character. There are limited views into the site and no public rights of way over the site." On page 38, we read, "This site is anticipated to have a major beneficial effect on improving educational standards and travel choice/traffic levels". In spite of the referendum result, the school was eventually built at the less preferred site and, since then, TWBC had been in consultation with 158's owners to build houses there. In April 2018, BNP Steering Committee Deputy Chair, a borough councillor, showed the committee a piece of paper from TWBC saying that TWBC wishes to build 174 houses on site 158. He committed himself to seeing these numbers reduced and the numbers at the East End raised. After a meeting between representatives from the BNP group and TW planners on June 19th, 2018, the minutes reported that "At times the workshop was emotive ...". Following that meeting TW planners put site 158 on temporary hold, limiting development there to a future Local Plan by asking, in the first draft of the LP on page 270, that the Uphill site on New Pond Road, adjacent to 158 and allocated at that time as AL/BE3, should, under Clause 8, provide for vehicular access through Uphill to the site behind (158) "which may be allocated for development as part of a future Local Plan." In the PSLP, this wording for Clause 8 has disappeared. Where is the evidence-base for such wording to be included in the first draft and excluded in the second? Why is the site considered suitable in 2006, in 2018, and in the first draft, but not suitable in the PSLP?
 - . Site 222, like 158 is described in Appendix L of the PSLP's SA as suffering from "a lack of services and facilities including public transport at the settlement." This is inaccurate. There is a daily bus service along Benenden Street and site 222 is within easy walking distance of the bus stop, shops, pub, community hall, primary school and all other amenities.
 - . Site LS8, in the heart of Iden Green is, along with site 158 and 222, a site which on-the-ground evidence suggests is eminently suitable for development, but which the SA fails to allocate. Appendix L of the SA gives LS8 virtually the same scores as Uphill (LS16 of AL/BE1) yet the latter is included for development and the former is not. The commentary states of LS8 "A number of scores are negative however, reflecting the remote location of the site from services and facilities and public transport. It scores negatively in heritage terms as the site is a relatively sizeable piece of the Iden Green Conservation Area." This site is far less remote than sites AL/BE 3 & 4. It is one mile from the village and connected to it by a paved footpath running past a Roadside Conservation Area and then (still paved) through a field to the church and primary school. It is on a bus route and the bus stop is next to LS8. Iden Green has a community hall, tennis courts, a children's playground and pub/restaurant. The SA information is unreliable and the PSLP's use of it for site allocation is unwise.
- 1 **Policies AL/BE3&4 are not consistent with the PSLP's Vision objectives nor with its strategies, nor with KCC's policies, nor with the NPPF.**

The PSLP's Vision Objective 1 is : "to improve access to suitable, especially affordable housing, including for local young people and older households." But this is inconsistent with allocations AL/BE 3 & 4. BHS is asking in its comments on the LP first draft, for a lower number of affordable homes because of the high cost of brownfield development. Living isolated in the countryside, families will need at least two cars. Old and young will be unable to walk to schools, shops or any other amenities.

This is not a suitable site for a borough which (see para 2.16) expects the population over the age of 65 + to increase by around 40% between 2020 and 2038.

The PSLP's Vision Objective 2 is to ensure sustainable development which allocations at AL/BE 3&4 do not achieve. On the contrary, the KCC warns that even with the existing permission for 24 houses on AL/BE3, the highway authority had concerns. This is an isolated location, deep in the countryside (see KCC Highways email 13 Nov 2019). More than 24 houses in this location is not sustainable.

Policy PSTR/BE1, LBD 5.416 states "the LBD around Benenden village sets the extent of existing and planned development .." This conflicts with the recommendation that major development be instated three miles beyond the LBD, on the border with Biddenden.

Policy STR 2 "The Council requires the use of masterplanning, including the use of design codes and sustainable design standards where appropriate, for strategic and larger-scale developments.." This is undermined by AL/BE 3&4 which calls for a masterplan for an area not included in the PSLP and not presented. Para 1a of Policy AL/BE3 states that there is a need to "show indicatively how the other areas included within Policies AL/BE3 and AL/BE 4 can be developed to meet the overall policy requirements as set out within each of these policies, and *how the future needs for Benenden Hospital will be met on areas to the north west and south west that currently comprise the hospital buildings and associated ancillary uses and is previously developed land.*" It is not sound to proceed with an LP where the land to be developed is not clearly indicated from the start.

A masterplan is essential to avoid current inconsistencies on the size of areas to be developed: AL/BE3 excludes one of the 2 Local Wildlife Sites (LWS) at the site, yet the BNP includes both. Para 5.458 states "Both this policy and BNP draft Policy SSP3 broadly follow the same approach towards the potential for developing this site for a residential development.." They do not. The PSLP states that in the event of a successful referendum, the BNP's proposals will prevail. If this is so, are we supposed to assume that AL/BE3 map is inaccurate?

A similar problem arises at the northern site (AL/BE4) here there are currently 18 dwellings. The proposal allows for these to be demolished and another 25 dwellings added to the site. The size of the area to be developed varies between the LP and the BNP. The LP includes the LWS in the area to be developed but the BNP includes only a small section, but says in the event of a successful referendum the BNP plan will be over-ruled by the LP plan (see the BPC response April 2021 to the Independent Examiner's queries). This is the reverse of 5.421 & 2. It is unsound to proceed with a plan when the NP and the LP are at odds with each other.

The PSLP claims building will only be within existing footprints, an approach which is at odds with that of the BHS. Plans for 47 new houses in AL/BE3, presented to the village on 17th February 2020 by the hospital architects, show the buildings are not to be built within the footprint of previous buildings nor to respect LWS.

Policy STR 3 calls for the use of brownfield sites "within settlements" and in "sustainable locations." AL/BE 3 consists of disused medical buildings and 2 LWS with parkland and veteran trees (depending on whether this second LWS is included or not). 5.448 is therefore incorrect. The site should be described not as brownfield but as partly brownfield. It is not on the brownfield register. Because of its remote location and its valuable LWS sites, it is not free from constraints which could be mitigated. As such, Policy AL/BE3 does not meet the criteria needed under the NPPF, Section 11, para 117 for development in "a way that makes as much use as possible of previously-developed or 'brownfield' land." AL/BE 4 contains in-use residential housing and an LWS and therefore is not brownfield.

Policy STR 5 states that "New residential ... development will be supported if sufficient infrastructure capacity is either available or can be provided in time to serve the development." Will this happen at AL/BE3&4? Developers themselves are to provide the infrastructure at AL/BE 3&4. The LP proposes to take on trust suggestions that the BHS will avoid building on the LWS and will provide play-grounds, sports facilities and tennis courts. We know from submissions following the first draft LP, that BHS is actually planning to remove one LWS entirely and that its plans include building on the LWS and beyond the foot print of previous buildings. BHS suggests, in its response to the first draft LP (DLP_4956) that it is unlikely to provide play-grounds, sports facilities and tennis courts. The PSLP's approach does not take comments to the first draft LP into account.

Policy STR 6 proposes to "Deliver future development in accessible locations, normally within or in close proximity to existing towns and villages across the borough." In the case of the two isolated hospital sites, the PSLP contradicts its own strategic policy and fails to offer choices in transport or to

prioritise active travel and public transport. The Benenden hospital sites have no daily bus service and no active travel link to the village, and neither the PSLP nor the BHS provide credible information on how these links are to be provided. The KCC email of Nov 13 suggests that the hospital is uncooperative on the proposal to organise a minibus service and the SHELAA says of AL/BE3 that it is "Remote from a settlement centre," (unlike sites 158, 222 and LS8); that residents will rely heavily on private cars and thus air quality and travel objectives score negatively; and that, "although promoted by the policy, shared transport and active travel options are unlikely to take precedence over private vehicle use thus air quality and climate change score negatively." This we feel is the nub of the issue. For all the talk of mitigating the remoteness of the hospital sites with a minibus link and cycle routes, nobody actually believes that any of these measures will succeed. As for the proposal to create links suitable for electric personal vehicles, such as mobility scooters (as suggested under STR 6), it is difficult to see, when the closest link with the village is a single-track lane (Walkhurst Road), how any personal electric vehicle could make that journey. The PSLP is creating, through its policies AL/BE3&4, a car dependent community. This thereby negates the sense of the LP's supporting document, *Transport Strategy Review Sept 2019* which urges reducing the need to travel.

AL/BE3&4 also undermine TWBC's Full Council motion of July 2019 to reduce CO2 emissions. "The dominance of the car as a mode of transport can lead to congestion, more road accidents, air and noise pollution. In addition it contributes to climate change, reduces social cohesion and leads to less healthy lifestyles" (para 44 *Transport Review*). According to TW's own SA from 2006, if social cohesion, reduction in air pollutants, and public health were indeed the borough's priorities, sites chosen for development in Benenden would have included site 158.

PSLP paras 5.453 and 5.467 state that "residents of development in this location will rely heavily on private cars." These plans runs counter to STR6 policy on the environment see paras 6.8, 6.9, 6.10, 6.11 and 6.13. It also contravenes KCC policies on climate change and the NPPF (see KCC's Nov 13, 2019 letter on this subject).

Para 5.414 "The parish provides two relatively large sources of employment: at Benenden Hospital and at Benenden School." The inference is that the employment opportunities are linked somehow to the population of Benenden. There is in fact little connection. The 300 plus staff at the hospital drive into the parish along GGR to work and, since the hospital is isolated from the village, their contribution to the local economy is negligible.

Policy STR 6 The LP proposes to "**Deliver future development in accessible locations, normally within or in close proximity to existing towns and villages across the borough.**" In the case of the two isolated hospital sites, the LP contradicts its own strategic policy and fails to offer choices in transport or to prioritise active travel and public transport.

Cycle routes

The PSLP's standards on the public benefits of cycling and walking are based on the *Cycle Strategy Supporting Document*, but these standards are undermined by site allocation in Benenden. The Cycle document states that: "When more people cycle or walk the health of the population improves and our roads become safer and less congested." Its objectives 4 and 5 are to improve safety for cyclists and air quality for all, but AL/BE 3 & 4 will create a community, deep in the countryside, entirely dependent on the car and will contribute to poorer air quality for all. The allocation of these sites, as opposed to sites such as 158, is difficult to understand.

The *Cycle Strategy* states that fear of traffic is possibly the main factor discouraging people from cycling. National Cycle Route 18 runs from the Rolvenden Road, down Stepneyford Lane, to Green Lane, before joining the Benenden Road near the hospital, turning right and leading to Castleton's Oak Cross roads and Gribblebridge Lane. This route is a largely on-road ride travelling through the High Weald, using narrow, picturesque country lanes as much as possible. Green Lane/Stepneyford Lane is mentioned in TWBC's Rural Lanes: Supplementary Planning Guidance. It is particularly high scoring in terms of its landscape, its recreational value, its natural beauty and its history. For these reasons, it is part of National Route 18. Rather than encouraging cycling, AL/BE3, which proposes two exits for this major development on GGR and two on Green Lane (where a second housing estate, at Cleveland Farm is already leading to Kent Highways calling for road widening and the elimination of grass verges - see building application 20/03267/FULL) will cause an increase in those factors, identified in *TW Cycle Strategy*, as discouraging cyclists, namely, traffic and the loss of unspoilt country lanes. Policy AL/BE3 also contravenes Kent Structure Plan Policy ENV13: "Rural lanes which are of landscape, amenity, nature conservation, historic or archaeological importance will be protected from

changes which would damage their character, and enhanced.” In any event, the cycle route is purely recreational and will not enhance the sustainability of these sites.

Policy STR 7 proposes, in dealing with TWBC’s 2019 legally binding commitment to manage climate change, that all development in the borough will support the Council’s target to achieve net zero emissions by 2030. It is unsound, with such a goal, to propose a major development on the parish periphery, 3 miles equidistant from two villages where there is no shop (in spite of the PLSP’s statement AL/BE 3&4) and no café (BHS says its café was built for its own use not for the use of the public - see comments on the first draft of the LP). Residents will need their cars for almost everything.

Policy STR1 promotes the effective use of previously developed land, having due regard to relevant Plan policies, but in promoting AL/BE3&4, the PSLP disregards STR6 (environmental goals) & STR7 (transport goals).

Under the NPPF, sustainability is the priority, as the PSLP acknowledges in STR3, 4.65 “A presumption of sustainability lies at the heart of the NPPF”, but in allocating AL/BE 3&4, the PSLP fails to respect its own and the NPPF’s strategic priorities.

Policy STR 8 states that development should contribute to and enhance rural landscapes with particular regard to the High Weald (HW) AONB. The PSLP promotes nature conservation. Its biodiversity objective is to achieve net gains and, where possible, secure long-term management of sites for biodiversity. AL/BE3 runs counter to this strategy since the BHS has produced plans showing houses built over the LWS. It has, furthermore, produced a document requiring that one of the two LWS be dug up and removed to another unspecified location, thereby nullifying the terms of the existing Landscape and Ecology Management Plan (LEMP) for that site. Para 3.21 of the BHS submission on the first draft LP states: *“The Society supports the requirement for long-term management of the core areas of LWS associated with the hospital land. This includes all but the modest area within the SEQ adjoining Peak Lodge which is too constraining on the South East Quadrant redevelopment proposals. Accordingly, the soils in the area will be translocated to a nearby receptor site to try to ensure that the rare fungi can continue to thrive in this local area.”* This is a particularly significant site for biodiversity. A letter from Keith Nicholson, former Planning and Conservation officer for the Kent Wildlife Trust, dated 4 March 2013, to TWBC Development Control Officer, Ellen Gilbert states that the hospital LWS are of national importance, mainly for the large number of different varieties of waxcaps. He states that they could well have been designated SSSI. Both in terms of waxcaps and in terms of valuable acid grassland, the hospital sites have high environmental value, see Comment DLP_3458 on the first draft of the LP, from the High Weald AONB Unit. The Benenden Hospital site *“includes rare and vulnerable acid grassland which should form a core area for unimproved grassland as part of a High Weald nature recovery network.”* AL/BE3&4 threaten the biodiversity of significant species in the LWS at the hospital sites, contrary to EN1.

The LWS to the south of AL/BE3 is included in the BNP and BPC argues that this has been done in order to protect it (see their response to the Independent Examiner April 2021). It is difficult to follow this logic. The inclusion of the site in the area to be developed suggests that it too could be under threat.

There is no plan showing the placement of houses on AL/BE 4, which is currently home to a large LWS and is the site of 18 habitable dwellings, almost all of the them currently in use and let. The proposal allows for these to be demolished and another 25 dwellings added to the site. The PSLP includes the LWS in the area to be developed and the BNP excludes most of it. Benenden Parish Council (BPC), in its April 2021 response to the Independent Examiner, has said that, in this case of a successful referendum, the PSLP’s plan (which includes the LWS), will prevail. In other words, of the 3 LWS in AL/BE 3&4, one is slated for removal, one will be built over if the PSLP prevails and one may be built over if the BNP prevails. This undermines STR8.

The PSLP claims that the hospital development “has the potential to improve the setting of the HW AONB through the delivery of a more sensitive redevelopment of existing buildings” (para 5.454), but the claim is not supported by evidence produced by the *Hankinson & Duckett* (see above) while the HW AONB unit’s own view is the opposite. See TW first Draft LP, **DLP_3458 High Weald AONB Unit** (which objects to the Plan) : *“...In our view the development at Benenden Hospital will have a significant effect on the setting of the AONB and the purposes of its designation, and this issue has not been properly considered by the Plan.”*

Also, the NPPF section 2 para 11

“Plans and decisions should apply a presumption in favour of sustainable development... (b) strategic policies should provide for objectively assessed needs for housing ...that cannot be met within neighbouring areas unless ... (i) the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area.” And see Footnote 6: the policies referred to are those in the Framework ...relating to habitat sites (and those sites listed in para 176) and /or designated as SSSI, AONBs

NPPF para 177 requires that *“an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site.”* No such assessment has been undertaken.

PSLP EN1 para 5. Biodiversity and geodiversity.

AL/BE 3&4 run counter to this policy as stated above in relation to the LWS.

The Environment

STR8 sets high environmental standards but these are undermined in the site allocations. This is particularly startling in the light of the July 2019 Full Council motion to recognise the climate and biodiversity emergency, in fact, the Benenden allocations put into question whether the motion was passed in good faith.

EN1 para 5 (Biodiversity and geodiversity) says that proposals should maximise opportunities to increase biodiversity. This goal may make sense in an urban setting, but development in the countryside, as is proposed in AL/BE 3 & 4, cannot hope to ever mitigate biodiversity loss. The destruction of trees and wild spaces, the introduction of lighting, kerbs, driveways, wider roads and narrower verges, the use of concrete, tarmac, bricks and mortar in a deeply rural setting cannot “increase biodiversity”.

EN1 provides for Long-term Management plans which would be satisfactory within an urban context. In a rural location like the East End, such plans are no substitute for natural wild spaces. A ‘managed’ green space set among streets is less likely to promote biodiversity and less likely to conserve wildlife than ‘unmanaged’ green space. Further, the three LWS in AL/BE3 are all already part of an existing LEMP agreement, and since one or all would be removed in the case of development as outlined by BHS under AL/BE3&4, instead of creating a long-term management plan, AL/BE3&4 would all but terminate an existing one. The sentiments expressed in EN1 are mocked by AL/BE3&4.

1 Site policies

AL/BE3 excludes one of the 2 LWS at the site, and the BNP includes both, yet para 5.458 states “Both this policy and BNP draft Policy SSP3 broadly follow the same approach towards the potential for developing this site for a residential development..” This does not appear to be the case. Further, the SHELAA treats this site twice, once including the southern LWS (and excluding Windmill Cottage) and once excluding the LWS and including Windmill Cottage (SHELAA pages 1-3 and pages 18-19). In the second instance, the suggestion is for 67-73 houses, presumably building over the LWS. The first plan is the one adopted in the PSLP and appears to be the more accurate of the two in that it describes the site as “mostly PDL”. The second ignores all greenfield aspects and is almost identical to the plan in the BNP, a plan which BNP claims will prevail if it wins a referendum. Is AL/BE3 presenting us with the wrong plan?

AL/BE3 and AL/BE4 provide for a phased timetable for development of the two sites at different time intervals without calling for a comprehensive masterplan for the hospital site as a whole i.e. for the entire built up area. This is inconsistent with STR2, which requires a masterplan for large developments. The full extent of the area to be developed must be clear. See para 1a of Policy AL/BE3 which states that there is a need to “show indicatively how the other areas included within Policies AL/BE3 and AL/BE 4 can be developed to meet the overall policy requirements as set out within each of these policies, and *how the future needs for Benenden Hospital will be met on areas to the north west and south west that currently comprise the hospital buildings and associated ancillary uses and is previously developed land.*” It is not sound to proceed with an LP where the land to be developed is not indicated from the start.

AL/BE3&4 both call for an active travel link between the site and Benenden village. This proposal has been costed (see BPC's April 2021 reply to the Independent Examiner) at between £180,000 and £220,000 for a 3m wide tarmacked surface, plus costs to upgrade it to a bridleway, plus the costs associated with obtaining landowners' consent or, failing that, of starting compulsory purchase proceedings which TWBC expresses reluctance to undertake because of the significant compensation costs and legal costs which would be involved. No steps have been taken either by the BNP or TWBC

to ascertain the willingness of landowners to give up their land although the major landowner involved wrote to BNP on 11th Sept. 2019 objecting to the plan. It is understood that he was not contacted for subsequent discussion.

AL/BE3&4 calls for the repurposing of the existing tennis courts for the use of local residents, which BHS denies it will offer for public use; for the public use of the hospital's café; for the creation of a hospital shop (5.413); for a minibus service linking the hospital to the village ("The Society is not a transport provider" is BHS' response); for green space, a playground and provision of a community hall - most of these policies are refuted in Savills' comments on behalf of BHS, in the first draft of the LP, DLP_ 4956 paras 3.14, 3.18, 3.19, 3.20, 3.46 and 3.47. Rather than agreeing to such policies, the hospital is calling on TWBC to introduce a more flexible funding system to allow a *reduction* of developer costs. BHS argues these will be high because they wish to demolish existing buildings. It is unsound to propose policies which cannot be implemented. Once the sites are sold, no relevant conditions to this effect could be imposed.

1 The PSLP is unsound because of inconsistencies in the treatment of different sites.

- . **Uphill, AL/BE1** is described as having archaeological potential (para 5.428) requiring possible mitigation measures. This is not because of historical finds on the site, but because they might be found. A listed manor house lies on the other side of New Pond Road and, according to AL/BE1, "the site lies within, or very close to the relevant impact risk zone for Parsonage Wood", a SSSI which is, in fact, several miles away. The archaeological significance of AL/BE 3&4 is far more certain and substantial. The hospital sites are where a bronze age palstaff was found (see the National Monument Register - SMR Number /Hob UID)) and the sites lie close to two ancient routeways. A Roman Road runs west-east (on BHS farmland) a few yards to the south of AL/BE3 and a medieval drove road (GGR), runs west-east between the two sites. Further, two Grade II Listed Buildings are sited here, also on BHS land. The Lister building stands a few yards to the west of AL/BE3 and Cleveland Farm house (the farmyard of which BHS is trying to develop separately and simultaneously as if a minor planning project) lies a few yards to the south. Instead of mentioning these facts, AL/BE3&4 reads (5.456 and 5.468) "Kent County Council states that the site includes significant archaeology, which could be dealt with through suitable conditions on a planning approval." The imbalance in the treatment of the two sites is substantial and suggests prejudice.
- . The SHELAA assessment of site 158 suggests a potential yield of 50-65 houses, but then concludes that only the Uphill part of the site is suitable (20 houses). It states that "the remainder of the site is sensitive in landscaping terms and there is concern regarding scale and impact on the character of the landscape and settlement pattern". This is contrary to the views of TW's 2006 SA; to the TW 2018 document proposing 174 houses; and to the first draft of the LP. The dismissal of 158 as a suitable site is not supported by the evidence and suggests prejudice.
- . Site 222, west of the cross roads, was also considered in 2006, as a possible site for the new village school, though it was not one of the top two sites put to a referendum. The SHELAA suggests 222 has a potential for 76 houses. The site is considered unsuitable partly because the new LBD, if adopted, will exclude all houses west of the cross roads, when the village actually extends a considerable length along this road to the west. There is no mention of the fact that the owners of this site are offering the pond at the south west corner of the crossroads as village green space. The dismissal of 222 is not supported by the evidence and suggests prejudice.
- . The SHELAA suggests a capacity of 26 houses at Site LS8 in Iden Green, stating that it lies adjacent to the recreation ground and a children's nursery and that there is a pavement on both sides of Iden Green's main road. It fails to mention that the easternmost side of this pavement connects the village to the village primary school. The SHELAA dismisses the site as unsuitable saying that it is located in a remote location relative to services, facilities and public transport, but this site is far less remote than sites AL/BE 3&4. The dismissal of site LS8 is not supported by the evidence and suggests prejudice.
- . The proposed new LBD has been constructed so as to include the new site at Uphill and to exclude 222, when in fact, the actual built development extends westwards from the crossroads and includes site 222. The LBD is ignored in respect of AL/BE3&4. Manipulation of the LBD to suit allocated sites is inappropriate.

As a general comment, I have found the process unnecessarily difficult to navigate. In fact, from the point of view of the ordinary lay-man, I would term the process 'hostile'. The interactive on-line site was unmanageable. The PSLP's prose entirely suited the opaqueness of the procedure. Here is one example from the SA (page 163) "However, the education objective does not deteriorate when

considering cumulative effects as the schools in Tenterden will be a viable option for residents in East End and thus are likely to take the pressure off Benenden Primary School.”

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan 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 modifications needed are included in the submissions set out above. In summary, development on site AL/BE 3 should be limited to the existing, so far unused, planning permission for 24 houses, preferably by adapting the Garland Wing, which is a building of historic value, either to a wellness centre, in accordance with its original intention, or to a row of up to 10 terraced houses. Site AL/BE 4 already has 18 semi-detached houses on it, and cannot support any more. It should therefore be excluded. Housing should be allocated to sites (such as 158 and 222 in the village centre or LS8 in Iden Green) which lie on bus routes or are within walking distance of the village centre and school.

Paragraphs 5.421 and 5.422 should be omitted.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . Yes, I wish to participate in hearing session(s)

Question 7a

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

In order to put over my case, and to answer those with vested interests who may seek to put forward arguments against it.

Question 8

If you have any separate comments you wish to make on the accompanying Sustainability Appraisal, please make them here.

In so far as Benenden is concerned, the sites were allocated before any sustainability appraisal was commissioned. It is not therefore a relevant factor in the allocation of sites for housing.

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

<input type="checkbox"/>	Yes, I wish to be notified of future stages of the Local Plan
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Comment

Consultee	Ms Hazel Strouts [REDACTED]
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	Ms Hazel Strouts [REDACTED]
Comment ID	PSLP_199
Response Date	08/05/21 16:34
Consultation Point	Policy AL/BE 1 Land adjacent to New Pond Road (known as Uphill), Benenden (View)
Status	Processed
Submission Type	Email
Version	0.6
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Hazel Strouts
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy PSTR/BE 1 The Strategy for Benenden parish	
Policy AL/BE1	
Inset Map 18	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	No

Is sound No

Complies with the Duty to Cooperate No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not positively prepared
- . It is not effective
- . It is not justified
- . It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

[TWBC Comment: Note response slight variation on PSLP_217, 218, 219 and 220]

[TWBC comment - representation copied against policy PST/BE1]

This submission concerns the parish of Benenden, the only parish in the borough to have made its own allocations. The Benenden Neighbourhood Plan (BNP) has been developed in close consultation with TWBC, with the BNP in the lead. The BNP announced its allocations in February 2019, before inviting AECOM to produce its Strategic Environmental Assessment. Pre-Submission Local Plan, para 5.420 reads "The BNP was submitted to TWBC in October 2020 and was consulted on between 30 October and 11 December 2020." But the allocations had been made and published in February 2019. Further, Para 5.420 states "The BNP proposes to include site allocation policies that follow the approach of the site allocation policies for Benenden in this Local Plan." BNP allocations were first published in February 2019 i.e. before LP site allocation policies.

Allocations made by the LP, when it took up the BNP's baton, are therefore inevitably linked to BNP's weaknesses. Yet if the BNP passes a referendum before acceptance of the LP, it is said that it will take precedence over the LP (see para 5.421), with the exception of its plans for the northern site at Benenden hospital, which will be overruled by the plans advanced in the LP (see Benenden Parish Council April 2021 response to Independent Examiner queries on the BNP). This is in contravention of para 5.422 which talks of making "modifications to the LP" so that it matches the BNP.

1 Community involvement. EN1: this requirement has not been respected.

In Benenden, almost all new housing is slated for the East End, yet the Friends of the East End (FEE), were never asked to meet with the BNP steering group.

- . See EN1 para 9 requiring the effective engagement of the local community, neighbours of sites and others. The FEE submitted three petitions, two to the BNP and one in relation to the LP. A FEE submission with 127 signatures was submitted on April 4th 2019 in response the Informal Draft NP (published on February 23, 2019), in which the allocations later adopted by the LP were first set out. A FEE submission with 164 signatures was submitted in October 2019 objecting to the first draft of the LP, and in the same month, a FEE submission with 167 signatures was submitted in relation to the Reg 16 draft BNP. See the FEE's current online petition with more than 450 signatures <https://www.change.org/EastEndFriends>
- . Instead of being consulted, the FEE were ignored and belittled. They were informed on 11th March 2019 by the editor of the Parish Magazine (PM), husband of the Chair of the Parish Council, that "I'm of the view that much of the uncertainty has passed since the presentation of the plan

to the village - to a highly favourable reception. At least we no longer have to give polite credence to *uninformed views* that fly in the face of TWBC policy and advocate direct and *pointless confrontation* with TWBC, thereby running the risk of having the entire BNDP thrown back in our faces. *The ensuing chaos hardly bears thinking about.* At least it seems the opinions now being afforded most weight are those of *people who have worked hard for two years to understand the issues* and come up with a coherent way forward."

- . One of the regular articles on the BNP submitted by the chair of the BNP Steering Group appeared in January 2020. It dismisses FEE opposition suggesting only "31 residents from the East End" sent in comments.
- . The core group behind the BNP has consistently tried to persuade those who support the FEE to desist. The chair of the Parish Council and the chair of the BNP Steering Group have twice asked to meet a Tunbridge Wells Alliance (TWA) Borough Councillor for the parish, once together with a TWA borough council candidate, in efforts to persuade them to adhere to the BNP's approach and not to listen to the FEE.
- . The organiser of the FEE was a member of the Steering Committee 2017/2018 as chair of the Environmental Group. She expressed strong disagreement with a Borough Councillor who lives in the village (on occasion, he deputises as chair of the Steering Group) about his wish to step up allocations in the East End and suppress TWBC's wish to build 174 houses on site 158. As a result, the Steering Group chair (using his own word), "sacked" her. This is contrary to EN1 para 9, encouraging early, proactive and effective engagements and the requirement that views expressed should be properly considered.
- . Consultation also failed in relation to the neighbouring parish of Biddenden. The Clerk of Biddenden Council has repeatedly responded to BPC in the course of the BNP consultation process, but received only acknowledgments. A Kent County Councillor and Ashford Borough Councillor wrote an article about BNP's mismanagement of the parish of Biddenden in the Biddenden Parish Magazine, February 2021.
- . The LP is based on the BNP and BNP allocations were made before consultations with stakeholders such as the AONB. This is not consulting in a timely fashion. Further, the LP requires surveys of the hospital sites *after* the designation of the sites for development, for example, archaeological surveys (see AL/BE 3&4). Historic England (HE) asks for the surveys to be carried out *before*. See HE's comments on the first draft LP (DLP_4556) - "we would expect the allocation of sites following on from this Strategy policy (STR1) to be subject to appropriately robust and detailed heritage impact assessment *prior to the allocations being adopted.*"
- 1 **The PSLP is not based on sound evidence**
 - . Throughout the LP process, misstatements have been made about amenities in Benenden's East End. These may be traced back to a submission made by traffic and highways consultants, Transport Planning Associates (TPA) to Benenden Healthcare Society Ltd. (BHS). This submission was recently disclosed in BHS's response to the Independent Examiner's queries in relation to the BNP. TPA's information is sometimes inaccurate and sometimes misleading and we consider it here in detail because it is difficult otherwise, to understand how the LP was able to continue, iteration after iteration, to relate false information about the hospital site.
 - . In October 2019, TPA reported (para 2.6) that there was a footpath along the southern edge of Goddards Green Road (GGR) and the PSLP, para 5.452 states "There is an intermittent pavement along GGR". The GGR is a long road running from New Pond Road to Castleton's Oak crossroads, and was formerly a lane. The pavement is limited to the short section immediately outside the hospital buildings. To say that there is an intermittent pavement along GGR is misleading.
 - . The TPA refers to the East End as a village, which it is not. The East End runs from the junction of GGR and Walkhurst Road, along the GGR to the border with Tenterden, then turns south to reach close to Hole Park in Rolvenden, then east back to Walkhurst Road at the site of the stream, then along Walkhurst Road back to GGR (see the old Electoral Roll for 2004 when the East End had its own polling station). It is a large, totally rural area of several square miles, which was why it was chosen as the site for an isolation hospital in 1906. Today it contains only 76 houses scattered across the entire area. The PSLP consistently refers to the East End as a hamlet. It is not, which is why BPC is able to advertise itself on its website as "Serving the people of Benenden and Iden Green" without any reference to the East End.
 - . The TPA says that "a day nursery is located immediately to the north of the Site within 400m." There is incorrect, yet this error is repeated in para 5.413 of the PSLP "There are also nursery/pre-school facilities at Iden Green and East End." An accurate account would mention Iden Green only.

- . The TPA states that there are daily bus services along GGR provided by bus nos. 24 and 299, and twice a day service provided by the Hopper bus. This information is incorrect. The 2019 Hopper bus, operated by the Tenterden social services hub on an experimental basis, failed in only a matter of months. While the 24 and the 299 buses pass along GGR, they do so on only one day a week. The 24 on Tuesdays and the 299 on Wednesdays. The East End has almost no public transport.
- . The TPA makes several statements in relation to traffic which have fed misinformation into the system to be reflected in AL/BA3&4. This misinformation was only recently revealed when documents were provided by BHS following April 2021 queries raised by the Independent Examiner on the BNP. These documents include a TPA 'Scoping Note' on road and traffic conditions at the site and a letter written in response to this Note from KCC Highways, dated 13 Nov. 2019. The TPA states that the GGR is 7m wide at the hospital site which detracts from the fact that it is actually a winding rural lane, now called a road, and varies considerably in width. It may at some point be 7m wide, but at others, it is so narrow that two lorries have difficulty passing each other. The TPA claims that there is no need for a road safety review because there have been "no personal injury accidents" recorded within 1,000m. Castleton's Oak crossroads lie 1.5 km from the site and accidents there are frequent, largely due to increasing traffic at the hospital. The hospital has turned itself into an almost exclusively out-patient centre and almost all its 300 employees drive in to work from outside the parish (formerly, they were housed on site in hospital staff buildings). Kent County Council (KCC) Highways make constant and repeated attempts to lower the risk of injury at the crossroads. Works there are ongoing at this time. The TPA claims that no traffic surveys are necessary which is a point queried in the KCC Highways' email. The email talks of the "heavy car dependency" of residents in any housing in this location and says this was one of its concerns, even at the time of the original application asking for only 24 houses. The email states that BHS's plans (and therefore AL/BE 3&4) are contrary to the NPPF and to KCC's own policy objectives, and points out that the hospital has not co-operated over the idea of a minibus to provide transport from the site to Benenden. The letter calls for: traffic counts along the GGR; a wider crash analysis; and expresses concern over the proposed access points to the SE Quadrant - 2 on Green Lane and 2 on GGR. Lastly, on trip generation, the TPA projects that 47 houses at the site will produce only 106 trips a day, though the consultants admit that they have difficulty in basing their estimate on comparable sites because there are none. These trip generation figures ignore existing traffic from local residents, from patients, from hospital staff and from the newly (January 2021) proposed housing estate at Cleveland. The AL/BE 3&4 fails to provide a traffic count, fails to ask for a road safety review and fails to acknowledge frequent traffic accidents near the sites.
- . Pre-submission supporting documents also produce inaccurate and sometimes irrelevant evidence. The hospital sites are within the setting of an AONB and even overlap into it, yet *Inset Map 18* (Benenden Hospital), unlike other maps attached, makes no reference to the AONB boundary. The BNP claims that the hospital is outside the AONB and on this basis, since the rest of the village is wholly within the AONB, largely justifies placing most of Benenden's housing in the East End. The relationship of the AONB boundary to the hospital sites is important yet it is ignored on the map. This looks like prejudice.
- . Hankinson Duckett Associates's *AONB Setting Analysis Report* (a supporting document for the PSLP, referred to as an evidence base) is, in its analysis of AL/BE3&4, unsound. The analysis argues that development at these sites will enhance the setting of the AONB. It illustrates the argument with photos of the hospital chapel and its carpark. Neither chapel nor car park are in the area up for development.
- . The *Sustainability Appraisal* (SA) is misleading. Table 58 on page 163 states that all Benenden sites "lack services, facilities and travel options". This belies the fact that AL/BE2 (Feoffee almshouses) is close to the Street as is AL/BE1 (Uphill). Both sites are within walking distance of the bus stop for daily bus services, the post office, village shop, the primary school, the village green, the butchers, pub, community hall, church, recreation ground and children's playground. AL/BE 3 & 4 are three miles northeast of the village with no daily bus service and no amenities whatsoever.
- . The commentary on Table 58, (page 163 of the SA), states that East End sites score badly on Climate Change and Travel, yet these are the sites promoted for most houses.
- . The SA argues on page 163 that East End residents will send their children to schools in Tenterden instead of to the village primary school, and that this will lessen the otherwise seriously negative effects of the two hospital sites. This is pure conjecture and possibly wishful thinking. The school

has a good reputation and currently between 70 and 75% of children there come from outside the parish. East End children will have precedence over these, since intake depends on the distance of a child's residence from the school. Pressure on Benenden Primary School will increase, not decrease. Further, the use of a car, whether it drives to Tenterden (5-6 miles) or to Benenden (3 miles), pollutes and deprives residents of the health-giving pleasure of walking to school. The AL/BE 3&4 are contrary to STR2, to the NPPF and to KCC policy on climate change.

- . Appendix L (pp331-2) shows *Scores for Reasonable Sites in Benenden*. Here we see scores for 158 and 222, two sites close to the village centre. Of 158, we read "A site that scores several neutrals with some positives, let down by its land use and landscape score impacted by a loss of a greenfield site in the AONB and *lack of services and facilities including public transport at the settlement*." This SA report compares poorly with the SA TWBC carried on site 158 in 2006. 158 is parallel to and just north of the Street with its exit onto New Pond Road. In 2006 site 158 was chosen in a village referendum as the site for a new C of E primary school. It was the preferred site out of a choice of two, both of which were greenfield. TWBC's 2006 SA on 158 decided (see page 18 of the *Sustainability Appraisal Benenden Church of England Primary School Land Allocation DPD - Issues and Options* report), that 158 was one of two top sites. "Situated adjacent to an area of ancient woodland, the site provides the potential for habitat linkages and wildlife corridors. The site is not adjacent to the CA and does not form a significant role in its setting. There are no Listed Buildings on or adjacent to the site. The site is consistent with the surrounding landscape character. There are limited views into the site and no public rights of way over the site." On page 38, we read, "This site is anticipated to have a major beneficial effect on improving educational standards and travel choice/traffic levels". In spite of the referendum result, the school was eventually built at the less preferred site and, since then, TWBC had been in consultation with 158's owners to build houses there. In April 2018, BNP Steering Committee Deputy Chair, a borough councillor, showed the committee a piece of paper from TWBC saying that TWBC wishes to build 174 houses on site 158. He committed himself to seeing these numbers reduced and the numbers at the East End raised. After a meeting between representatives from the BNP group and TW planners on June 19th, 2018, the minutes reported that "At times the workshop was emotive ...". Following that meeting TW planners put site 158 on temporary hold, limiting development there to a future Local Plan by asking, in the first draft of the LP on page 270, that the Uphill site on New Pond Road, adjacent to 158 and allocated at that time as AL/BE3, should, under Clause 8, provide for vehicular access through Uphill to the site behind (158) "which may be allocated for development as part of a future Local Plan." In the PSLP, this wording for Clause 8 has disappeared. Where is the evidence-base for such wording to be included in the first draft and excluded in the second? Why is the site considered suitable in 2006, in 2018, and in the first draft, but not suitable in the PSLP?
 - . Site 222, like 158 is described in Appendix L of the PSLP's SA as suffering from "a lack of services and facilities including public transport at the settlement." This is inaccurate. There is a daily bus service along Benenden Street and site 222 is within easy walking distance of the bus stop, shops, pub, community hall, primary school and all other amenities.
 - . Site LS8, in the heart of Iden Green is, along with site 158 and 222, a site which on-the-ground evidence suggests is eminently suitable for development, but which the SA fails to allocate. Appendix L of the SA gives LS8 virtually the same scores as Uphill (LS16 of AL/BE1) yet the latter is included for development and the former is not. The commentary states of LS8 "A number of scores are negative however, reflecting the remote location of the site from services and facilities and public transport. It scores negatively in heritage terms as the site is a relatively sizeable piece of the Iden Green Conservation Area." This site is far less remote than sites AL/BE 3 & 4. It is one mile from the village and connected to it by a paved footpath running past a Roadside Conservation Area and then (still paved) through a field to the church and primary school. It is on a bus route and the bus stop is next to LS8. Iden Green has a community hall, tennis courts, a children's playground and pub/restaurant. The SA information is unreliable and the PSLP's use of it for site allocation is unwise.
- 1 **Policies AL/BE3&4 are not consistent with the PSLP's Vision objectives nor with its strategies, nor with KCC's policies, nor with the NPPF.**

The PSLP's Vision Objective 1 is : "to improve access to suitable, especially affordable housing, including for local young people and older households." But this is inconsistent with allocations AL/BE 3 & 4. BHS is asking in its comments on the LP first draft, for a lower number of affordable homes because of the high cost of brownfield development. Living isolated in the countryside, families will

need at least two cars. Old and young will be unable to walk to schools, shops or any other amenities. This is not a suitable site for a borough which (see para 2.16) expects the population over the age of 65 + to increase by around 40% between 2020 and 2038.

The PSLP's Vision Objective 2 is to ensure sustainable development which allocations at AL/BE 3&4 do not achieve. On the contrary, the KCC warns that even with the existing permission for 24 houses on AL/BE3, the highway authority had concerns. This is an isolated location, deep in the countryside (see KCC Highways email 13 Nov 2019). More than 24 houses in this location is not sustainable.

Policy PSTR/BE1, LBD 5.416 states "the LBD around Benenden village sets the extent of existing and planned development .." This conflicts with the recommendation that major development be instated three miles beyond the LBD, on the border with Biddenden.

Policy STR 2 "The Council requires the use of masterplanning, including the use of design codes and sustainable design standards where appropriate, for strategic and larger-scale developments.." This is undermined by AL/BE 3&4 which calls for a masterplan for an area not included in the PSLP and not presented. Para 1a of Policy AL/BE3 states that there is a need to "show indicatively how the other areas included within Policies AL/BE3 and AL/BE 4 can be developed to meet the overall policy requirements as set out within each of these policies, and *how the future needs for Benenden Hospital will be met on areas to the north west and south west that currently comprise the hospital buildings and associated ancillary uses and is previously developed land.*" It is not sound to proceed with an LP where the land to be developed is not clearly indicated from the start.

A masterplan is essential to avoid current inconsistencies on the size of areas to be developed: AL/BE3 excludes one of the 2 Local Wildlife Sites (LWS) at the site, yet the BNP includes both. Para 5.458 states "Both this policy and BNP draft Policy SSP3 broadly follow the same approach towards the potential for developing this site for a residential development.." They do not. The PSLP states that in the event of a successful referendum, the BNP's proposals will prevail. If this is so, are we supposed to assume that AL/BE3 map is inaccurate?

A similar problem arises at the northern site (AL/BE4) here there are currently 18 dwellings. The proposal allows for these to be demolished and another 25 dwellings added to the site. The size of the area to be developed varies between the LP and the BNP. The LP includes the LWS in the area to be developed but the BNP includes only a small section, but says in the event of a successful referendum the BNP plan will be over-ruled by the LP plan (see the BPC response April 2021 to the Independent Examiner's queries). This is the reverse of 5.421 & 2. It is unsound to proceed with a plan when the NP and the LP are at odds with each other.

The PSLP claims building will only be within existing footprints, an approach which is at odds with that of the BHS. Plans for 47 new houses in AL/BE3, presented to the village on 17th February 2020 by the hospital architects, show the buildings are not to be built within the footprint of previous buildings nor to respect LWS.

Policy STR 3 calls for the use of brownfield sites "within settlements" and in "sustainable locations." AL/BE 3 consists of disused medical buildings and 2 LWS with parkland and veteran trees (depending on whether this second LWS is included or not). 5.448 is therefore incorrect. The site should be described not as brownfield but as partly brownfield. It is not on the brownfield register. Because of its remote location and its valuable LWS sites, it is not free from constraints which could be mitigated. As such, Policy AL/BE3 does not meet the criteria needed under the NPPF, Section 11, para 117 for development in "a way that makes as much use as possible of previously-developed or 'brownfield' land." AL/BE 4 contains in-use residential housing and an LWS and therefore is not brownfield.

Policy STR 5 states that "New residential ... development will be supported if sufficient infrastructure capacity is either available or can be provided in time to serve the development." Will this happen at AL/BE3&4? Developers themselves are to provide the infrastructure at AL/BE 3&4. The LP proposes to take on trust suggestions that the BHS will avoid building on the LWS and will provide play-grounds, sports facilities and tennis courts. We know from submissions following the first draft LP, that BHS is actually planning to remove one LWS entirely and that its plans include building on the LWS and beyond the foot print of previous buildings. BHS suggests, in its response to the first draft LP (DLP_4956) that it is unlikely to provide play-grounds, sports facilities and tennis courts. The PSLP's approach does not take comments to the first draft LP into account.

Policy STR 6 proposes to "Deliver future development in accessible locations, normally within or in close proximity to existing towns and villages across the borough." In the case of the two isolated

hospital sites, the PSLP contradicts its own strategic policy and fails to offer choices in transport or to prioritise active travel and public transport. The Benenden hospital sites have no daily bus service and no active travel link to the village, and neither the PSLP nor the BHS provide credible information on how these links are to be provided. The KCC email of Nov 13 suggests that the hospital is uncooperative on the proposal to organise a minibus service and the SHELAA says of AL/BE3 that it is "Remote from a settlement centre," (unlike sites 158, 222 and LS8); that residents will rely heavily on private cars and thus air quality and travel objectives score negatively; and that, "although promoted by the policy, shared transport and active travel options are unlikely to take precedence over private vehicle use thus air quality and climate change score negatively." This we feel is the nub of the issue. For all the talk of mitigating the remoteness of the hospital sites with a minibus link and cycle routes, nobody actually believes that any of these measures will succeed. As for the proposal to create links suitable for electric personal vehicles, such as mobility scooters (as suggested under STR 6), it is difficult to see, when the closest link with the village is a single-track lane (Walkhurst Road), how any personal electric vehicle could make that journey. The PSLP is creating, through its policies AL/BE3&4, a car dependent community. This thereby negates the sense of the LP's supporting document, *Transport Strategy Review Sept 2019* which urges reducing the need to travel.

AL/BE3&4 also undermine TWBC's Full Council motion of July 2019 to reduce CO2 emissions. "The dominance of the car as a mode of transport can lead to congestion, more road accidents, air and noise pollution. In addition it contributes to climate change, reduces social cohesion and leads to less healthy lifestyles" (para 44 *Transport Review*). According to TW's own SA from 2006, if social cohesion, reduction in air pollutants, and public health were indeed the borough's priorities, sites chosen for development in Benenden would have included site 158.

PSLP paras 5.453 and 5.467 state that "residents of development in this location will rely heavily on private cars." These plans runs counter to STR6 policy on the environment see paras 6.8, 6.9, 6.10, 6.11 and 6.13. It also contravenes KCC policies on climate change and the NPPF (see KCC's Nov 13, 2019 letter on this subject).

Para 5.414 "The parish provides two relatively large sources of employment: at Benenden Hospital and at Benenden School." The inference is that the employment opportunities are linked somehow to the population of Benenden. There is in fact little connection. The 300 plus staff at the hospital drive into the parish along GGR to work and, since the hospital is isolated from the village, their contribution to the local economy is negligible.

Policy STR 6 The LP proposes to "**Deliver future development in accessible locations, normally within or in close proximity to existing towns and villages across the borough.**" In the case of the two isolated hospital sites, the LP contradicts its own strategic policy and fails to offer choices in transport or to prioritise active travel and public transport.

Cycle routes

The PSLP's standards on the public benefits of cycling and walking are based on the *Cycle Strategy Supporting Document*, but these standards are undermined by site allocation in Benenden. The Cycle document states that: "When more people cycle or walk the health of the population improves and our roads become safer and less congested." Its objectives 4 and 5 are to improve safety for cyclists and air quality for all, but AL/BE 3 & 4 will create a community, deep in the countryside, entirely dependent on the car and will contribute to poorer air quality for all. The allocation of these sites, as opposed to sites such as 158, is difficult to understand.

The *Cycle Strategy* states that fear of traffic is possibly the main factor discouraging people from cycling. National Cycle Route 18 runs from the Rolvenden Road, down Stepneyford Lane, to Green Lane, before joining the Benenden Road near the hospital, turning right and leading to Castleton's Oak Cross roads and Gribblebridge Lane. This route is a largely on-road ride travelling through the High Weald, using narrow, picturesque country lanes as much as possible. Green Lane/Stepneyford Lane is mentioned in TWBC's Rural Lanes: Supplementary Planning Guidance. It is particularly high scoring in terms of its landscape, its recreational value, its natural beauty and its history. For these reasons, it is part of National Route 18. Rather than encouraging cycling, AL/BE3, which proposes two exits for this major development on GGR and two on Green Lane (where a second housing estate, at Cleveland Farm is already leading to Kent Highways calling for road widening and the elimination of grass verges - see building application 20/03267/FULL) will cause an increase in those factors, identified in *TW Cycle Strategy*, as discouraging cyclists, namely, traffic and the loss of unspoilt country lanes. Policy AL/BE3 also contravenes Kent Structure Plan Policy ENV13: "Rural lanes which are of

landscape, amenity, nature conservation, historic or archaeological importance will be protected from changes which would damage their character, and enhanced." In any event, the cycle route is purely recreational and will not enhance the sustainability of these sites.

Policy STR 7 proposes, in dealing with TWBC's 2019 legally binding commitment to manage climate change, that all development in the borough will support the Council's target to achieve net zero emissions by 2030. It is unsound, with such a goal, to propose a major development on the parish periphery, 3 miles equidistant from two villages where there is no shop (in spite of the PSLP's statement AL/BE 3&4) and no café (BHS says its café was built for its own use not for the use of the public - see comments on the first draft of the LP). Residents will need their cars for almost everything.

Policy STR1 promotes the effective use of previously developed land, having due regard to relevant Plan policies, but in promoting AL/BE3&4, the PSLP disregards STR6 (environmental goals) & STR7 (transport goals).

Under the NPPF, sustainability is the priority, as the PSLP acknowledges in STR3, 4.65 "A presumption of sustainability lies at the heart of the NPPF", but in allocating AL/BE 3&4, the PSLP fails to respect its own and the NPPF's strategic priorities.

Policy STR 8 states that development should contribute to and enhance rural landscapes with particular regard to the High Weald (HW) AONB. The PSLP promotes nature conservation. Its biodiversity objective is to achieve net gains and, where possible, secure long-term management of sites for biodiversity. AL/BE3 runs counter to this strategy since the BHS has produced plans showing houses built over the LWS. It has, furthermore, produced a document requiring that one of the two LWS be dug up and removed to another unspecified location, thereby nullifying the terms of the existing Landscape and Ecology Management Plan (LEMP) for that site. Para 3.21 of the BHS submission on the first draft LP states: *"The Society supports the requirement for long-term management of the core areas of LWS associated with the hospital land. This includes all but the modest area within the SEQ adjoining Peak Lodge which is too constraining on the South East Quadrant redevelopment proposals. Accordingly, the soils in the area will be translocated to a nearby receptor site to try to ensure that the rare fungi can continue to thrive in this local area."* This is a particularly significant site for biodiversity. A letter from Keith Nicholson, former Planning and Conservation officer for the Kent Wildlife Trust, dated 4 March 2013, to TWBC Development Control Officer, Ellen Gilbert states that the hospital LWS are of national importance, mainly for the large number of different varieties of waxcaps. He states that they could well have been designated SSSI. Both in terms of waxcaps and in terms of valuable acid grassland, the hospital sites have high environmental value, see Comment DLP_3458 on the first draft of the LP, from the High Weald AONB Unit. The Benenden Hospital site *"includes rare and vulnerable acid grassland which should form a core area for unimproved grassland as part of a High Weald nature recovery network."* AL/BE3&4 threaten the biodiversity of significant species in the LWS at the hospital sites, contrary to EN1.

The LWS to the south of AL/BE3 is included in the BNP and BPC argues that this has been done in order to protect it (see their response to the Independent Examiner April 2021). It is difficult to follow this logic. The inclusion of the site in the area to be developed suggests that it too could be under threat.

There is no plan showing the placement of houses on AL/BE 4, which is currently home to a large LWS and is the site of 18 habitable dwellings, almost all of the them currently in use and let. The proposal allows for these to be demolished and another 25 dwellings added to the site. The PSLP includes the LWS in the area to be developed and the BNP excludes most of it. Benenden Parish Council (BPC), in its April 2021 response to the Independent Examiner, has said that, in this case of a successful referendum, the PSLP's plan (which includes the LWS), will prevail. In other words, of the 3 LWS in AL/BE 3&4, one is slated for removal, one will be built over if the PSLP prevails and one may be built over if the BNP prevails. This undermines STR8.

The PSLP claims that the hospital development "has the potential to improve the setting of the HW AONB through the delivery of a more sensitive redevelopment of existing buildings" (para 5.454), but the claim is not supported by evidence produced by the *Hankinson & Duckett* (see above) while the HW AONB unit's own view is the opposite. See TW first Draft LP, **DLP_3458 High Weald AONB Unit** (which objects to the Plan) : *"...In our view the development at Benenden Hospital will have a significant effect on the setting of the AONB and the purposes of its designation, and this issue has not been properly considered by the Plan."*

Also, the NPPF section 2 para 11

“Plans and decisions should apply a presumption in favour of sustainable development... (b) strategic policies should provide for objectively assessed needs for housing ...that cannot be met within neighbouring areas unless ... (i) the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area.” And see Footnote 6: the policies referred to are those in the Framework ...relating to habitat sites (and those sites listed in para 176) and /or designated as SSSI, AONBs

NPPF para 177 requires that *“an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site.”* No such assessment has been undertaken.

PSLP EN1 para 5. Biodiversity and geodiversity.

AL/BE 3&4 run counter to this policy as stated above in relation to the LWS.

The Environment

STR8 sets high environmental standards but these are undermined in the site allocations. This is particularly startling in the light of the July 2019 Full Council motion to recognise the climate and biodiversity emergency, in fact, the Benenden allocations put into question whether the motion was passed in good faith.

EN1 para 5 (Biodiversity and geodiversity) says that proposals should maximise opportunities to increase biodiversity. This goal may make sense in an urban setting, but development in the countryside, as is proposed in AL/BE 3 & 4, cannot hope to ever mitigate biodiversity loss. The destruction of trees and wild spaces, the introduction of lighting, kerbs, driveways, wider roads and narrower verges, the use of concrete, tarmac, bricks and mortar in a deeply rural setting cannot “increase biodiversity”.

EN1 provides for Long-term Management plans which would be satisfactory within an urban context. In a rural location like the East End, such plans are no substitute for natural wild spaces. A ‘managed’ green space set among streets is less likely to promote biodiversity and less likely to conserve wildlife than ‘unmanaged’ green space. Further, the three LWS in AL/BE3 are all already part of an existing LEMP agreement, and since one or all would be removed in the case of development as outlined by BHS under AL/BE3&4, instead of creating a long-term management plan, AL/BE3&4 would all but terminate an existing one. The sentiments expressed in EN1 are mocked by AL/BE3&4.

1 Site policies

AL/BE3 excludes one of the 2 LWS at the site, and the BNP includes both, yet para 5.458 states “Both this policy and BNP draft Policy SSP3 broadly follow the same approach towards the potential for developing this site for a residential development..” This does not appear to be the case. Further, the SHELAA treats this site twice, once including the southern LWS (and excluding Windmill Cottage) and once excluding the LWS and including Windmill Cottage (SHELAA pages 1-3 and pages 18-19). In the second instance, the suggestion is for 67-73 houses, presumably building over the LWS. The first plan is the one adopted in the PSLP and appears to be the more accurate of the two in that it describes the site as “mostly PDL”. The second ignores all greenfield aspects and is almost identical to the plan in the BNP, a plan which BNP claims will prevail if it wins a referendum. Is AL/BE3 presenting us with the wrong plan?

AL/BE3 and AL/BE4 provide for a phased timetable for development of the two sites at different time intervals without calling for a comprehensive masterplan for the hospital site as a whole i.e. for the entire built up area. This is inconsistent with STR2, which requires a masterplan for large developments. The full extent of the area to be developed must be clear. See para 1a of Policy AL/BE3 which states that there is a need to “show indicatively how the other areas included within Policies AL/BE3 and AL/BE 4 can be developed to meet the overall policy requirements as set out within each of these policies, and *how the future needs for Benenden Hospital will be met on areas to the north west and south west that currently comprise the hospital buildings and associated ancillary uses and is previously developed land.*” It is not sound to proceed with an LP where the land to be developed is not indicated from the start.

AL/BE3&4 both call for an active travel link between the site and Benenden village. This proposal has been costed (see BPC's April 2021 reply to the Independent Examiner) at between £180,000 and £220,000 for a 3m wide tarmacked surface, plus costs to upgrade it to a bridleway, plus the costs associated with obtaining landowners' consent or, failing that, of starting compulsory purchase proceedings which TWBC expresses reluctance to undertake because of the significant compensation costs and legal costs which would be involved. No steps have been taken either by the BNP or TWBC

to ascertain the willingness of landowners to give up their land although the major landowner involved wrote to BNP on 11th Sept. 2019 objecting to the plan. It is understood that he was not contacted for subsequent discussion.

AL/BE3&4 calls for the repurposing of the existing tennis courts for the use of local residents, which BHS denies it will offer for public use; for the public use of the hospital's café; for the creation of a hospital shop (5.413); for a minibus service linking the hospital to the village ("The Society is not a transport provider" is BHS' response); for green space, a playground and provision of a community hall - most of these policies are refuted in Savills' comments on behalf of BHS, in the first draft of the LP, DLP_ 4956 paras 3.14, 3.18, 3.19, 3.20, 3.46 and 3.47. Rather than agreeing to such policies, the hospital is calling on TWBC to introduce a more flexible funding system to allow a *reduction* of developer costs. BHS argues these will be high because they wish to demolish existing buildings. It is unsound to propose policies which cannot be implemented. Once the sites are sold, no relevant conditions to this effect could be imposed.

1 The PSLP is unsound because of inconsistencies in the treatment of different sites.

- . **Uphill, AL/BE1** is described as having archaeological potential (para 5.428) requiring possible mitigation measures. This is not because of historical finds on the site, but because they might be found. A listed manor house lies on the other side of New Pond Road and, according to AL/BE1, "the site lies within, or very close to the relevant impact risk zone for Parsonage Wood", a SSSI which is, in fact, several miles away. The archaeological significance of AL/BE 3&4 is far more certain and substantial. The hospital sites are where a bronze age palstaff was found (see the National Monument Register - SMR Number /Hob UID)) and the sites lie close to two ancient routeways. A Roman Road runs west-east (on BHS farmland) a few yards to the south of AL/BE3 and a medieval drove road (GGR), runs west-east between the two sites. Further, two Grade II Listed Buildings are sited here, also on BHS land. The Lister building stands a few yards to the west of AL/BE3 and Cleveland Farm house (the farmyard of which BHS is trying to develop separately and simultaneously as if a minor planning project) lies a few yards to the south. Instead of mentioning these facts, AL/BE3&4 reads (5.456 and 5.468) "Kent County Council states that the site includes significant archaeology, which could be dealt with through suitable conditions on a planning approval." The imbalance in the treatment of the two sites is substantial and suggests prejudice.
- . The SHELAA assessment of site 158 suggests a potential yield of 50-65 houses, but then concludes that only the Uphill part of the site is suitable (20 houses). It states that "the remainder of the site is sensitive in landscaping terms and there is concern regarding scale and impact on the character of the landscape and settlement pattern". This is contrary to the views of TW's 2006 SA; to the TW 2018 document proposing 174 houses; and to the first draft of the LP. The dismissal of 158 as a suitable site is not supported by the evidence and suggests prejudice.
- . Site 222, west of the cross roads, was also considered in 2006, as a possible site for the new village school, though it was not one of the top two sites put to a referendum. The SHELAA suggests 222 has a potential for 76 houses. The site is considered unsuitable partly because the new LBD, if adopted, will exclude all houses west of the cross roads, when the village actually extends a considerable length along this road to the west. There is no mention of the fact that the owners of this site are offering the pond at the south west corner of the crossroads as village green space. The dismissal of 222 is not supported by the evidence and suggests prejudice.
- . The SHELAA suggests a capacity of 26 houses at Site LS8 in Iden Green, stating that it lies adjacent to the recreation ground and a children's nursery and that there is a pavement on both sides of Iden Green's main road. It fails to mention that the easternmost side of this pavement connects the village to the village primary school. The SHELAA dismisses the site as unsuitable saying that it is located in a remote location relative to services, facilities and public transport, but this site is far less remote than sites AL/BE 3&4. The dismissal of site LS8 is not supported by the evidence and suggests prejudice.
- . The proposed new LBD has been constructed so as to include the new site at Uphill and to exclude 222, when in fact, the actual built development extends westwards from the crossroads and includes site 222. The LBD is ignored in respect of AL/BE3&4. Manipulation of the LBD to suit allocated sites is inappropriate.

As a general comment, I have found the process unnecessarily difficult to navigate. In fact, from the point of view of the ordinary lay-man, I would term the process 'hostile'. The interactive on-line site was unmanageable. The PSLP's prose entirely suited the opaqueness of the procedure. Here is one example from the SA (page 163) "However, the education objective does not deteriorate when

considering cumulative effects as the schools in Tenterden will be a viable option for residents in East End and thus are likely to take the pressure off Benenden Primary School.”

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan 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 modifications needed are included in the submissions set out above. In summary, development on site AL/BE 3 should be limited to the existing, so far unused, planning permission for 24 houses, preferably by adapting the Garland Wing, which is a building of historic value, either to a wellness centre, in accordance with its original intention, or to a row of up to 10 terraced houses. Site AL/BE 4 already has 18 semi-detached houses on it, and cannot support any more. It should therefore be excluded. Housing should be allocated to sites (such as 158 and 222 in the village centre or LS8 in Iden Green) which lie on bus routes or are within walking distance of the village centre and school.

Paragraphs 5.421 and 5.422 should be omitted.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . Yes, I wish to participate in hearing session(s)

Question 7a

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

In order to put over my case, and to answer those with vested interests who may seek to put forward arguments against it.

Question 8

If you have any separate comments you wish to make on the accompanying Sustainability Appraisal, please make them here.

In so far as Benenden is concerned, the sites were allocated before any sustainability appraisal was commissioned. It is not therefore a relevant factor in the allocation of sites for housing.

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

<input type="checkbox"/>	Yes, I wish to be notified of future stages of the Local Plan
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Comment

Consultee	Ms Hazel Strouts [REDACTED]
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	Ms Hazel Strouts [REDACTED]
Comment ID	PSLP_200
Response Date	08/05/21 16:34
Consultation Point	Policy AL/BE 3 Land at Benenden Hospital (south of Goddards Green Road), East End (View)
Status	Processed
Submission Type	Email
Version	0.3
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Hazel Strouts
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy PSTR/BE 1 The Strategy for Benenden parish	
Policy AL/BE3	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	No
Is sound	No

Complies with the Duty to Cooperate

No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not positively prepared
- . It is not effective
- . It is not justified
- . It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

[TWBC Comment: Note response slight variation on PSLP_217, 218, 219 and 220]

[TWBC comment - representation copied against policy PST/BE1]

This submission concerns the parish of Benenden, the only parish in the borough to have made its own allocations. The Benenden Neighbourhood Plan (BNP) has been developed in close consultation with TWBC, with the BNP in the lead. The BNP announced its allocations in February 2019, before inviting AECOM to produce its Strategic Environmental Assessment. Pre-Submission Local Plan, para 5.420 reads "The BNP was submitted to TWBC in October 2020 and was consulted on between 30 October and 11 December 2020." But the allocations had been made and published in February 2019. Further, Para 5.420 states "The BNP proposes to include site allocation policies that follow the approach of the site allocation policies for Benenden in this Local Plan." BNP allocations were first published in February 2019 i.e. before LP site allocation policies.

Allocations made by the LP, when it took up the BNP's baton, are therefore inevitably linked to BNP's weaknesses. Yet if the BNP passes a referendum before acceptance of the LP, it is said that it will take precedence over the LP (see para 5.421), with the exception of its plans for the northern site at Benenden hospital, which will be overruled by the plans advanced in the LP (see Benenden Parish Council April 2021 response to Independent Examiner queries on the BNP). This is in contravention of para 5.422 which talks of making "modifications to the LP" so that it matches the BNP.

1 Community involvement. EN1: this requirement has not been respected.

In Benenden, almost all new housing is slated for the East End, yet the Friends of the East End (FEE), were never asked to meet with the BNP steering group.

- . See EN1 para 9 requiring the effective engagement of the local community, neighbours of sites and others. The FEE submitted three petitions, two to the BNP and one in relation to the LP. A FEE submission with 127 signatures was submitted on April 4th 2019 in response to the Informal Draft NP (published on February 23, 2019), in which the allocations later adopted by the LP were first set out. A FEE submission with 164 signatures was submitted in October 2019 objecting to the first draft of the LP, and in the same month, a FEE submission with 167 signatures was submitted in relation to the Reg 16 draft BNP. See the FEE's current online petition with more than 450 signatures <https://www.change.org/EastEndFriends>
- . Instead of being consulted, the FEE were ignored and belittled. They were informed on 11th March 2019 by the editor of the Parish Magazine (PM), husband of the Chair of the Parish Council, that "I'm of the view that much of the uncertainty has passed since the presentation of the plan to the village - to a highly favourable reception. At least we no longer have to give polite credence to *uninformed views* that fly in the face of TWBC policy and advocate direct and *pointless*

confrontation with TWBC, thereby running the risk of having the entire BNDP thrown back in our faces. *The ensuing chaos hardly bears thinking about.* At least it seems the opinions now being afforded most weight are those of *people who have worked hard for two years to understand the issues* and come up with a coherent way forward."

- . One of the regular articles on the BNP submitted by the chair of the BNP Steering Group appeared in January 2020. It dismisses FEE opposition suggesting only "31 residents from the East End" sent in comments.
- . The core group behind the BNP has consistently tried to persuade those who support the FEE to desist. The chair of the Parish Council and the chair of the BNP Steering Group have twice asked to meet a Tunbridge Wells Alliance (TWA) Borough Councillor for the parish, once together with a TWA borough council candidate, in efforts to persuade them to adhere to the BNP's approach and not to listen to the FEE.
- . The organiser of the FEE was a member of the Steering Committee 2017/2018 as chair of the Environmental Group. She expressed strong disagreement with a Borough Councillor who lives in the village (on occasion, he deputises as chair of the Steering Group) about his wish to step up allocations in the East End and suppress TWBC's wish to build 174 houses on site 158. As a result, the Steering Group chair (using his own word), "sacked" her. This is contrary to EN1 para 9, encouraging early, proactive and effective engagements and the requirement that views expressed should be properly considered.
- . Consultation also failed in relation to the neighbouring parish of Biddenden. The Clerk of Biddenden Council has repeatedly responded to BPC in the course of the BNP consultation process, but received only acknowledgments. A Kent County Councillor and Ashford Borough Councillor wrote an article about BNP's mismanagement of the parish of Biddenden in the Biddenden Parish Magazine, February 2021.
- . The LP is based on the BNP and BNP allocations were made before consultations with stakeholders such as the AONB. This is not consulting in a timely fashion. Further, the LP requires surveys of the hospital sites *after* the designation of the sites for development, for example, archaeological surveys (see AL/BE 3&4). Historic England (HE) asks for the surveys to be carried out *before*. See HE's comments on the first draft LP (DLP_4556) - "we would expect the allocation of sites following on from this Strategy policy (STR1) to be subject to appropriately robust and detailed heritage impact assessment *prior to the allocations being adopted*."
- 1 **The PSLP is not based on sound evidence**
 - . Throughout the LP process, misstatements have been made about amenities in Benenden's East End. These may be traced back to a submission made by traffic and highways consultants, Transport Planning Associates (TPA) to Benenden Healthcare Society Ltd. (BHS). This submission was recently disclosed in BHS's response to the Independent Examiner's queries in relation to the BNP. TPA's information is sometimes inaccurate and sometimes misleading and we consider it here in detail because it is difficult otherwise, to understand how the LP was able to continue, iteration after iteration, to relate false information about the hospital site.
 - . In October 2019, TPA reported (para 2.6) that there was a footpath along the southern edge of Goddards Green Road (GGR) and the PSLP, para 5.452 states "There is an intermittent pavement along GGR". The GGR is a long road running from New Pond Road to Castleton's Oak crossroads, and was formerly a lane. The pavement is limited to the short section immediately outside the hospital buildings. To say that there is an intermittent pavement along GGR is misleading.
 - . The TPA refers to the East End as a village, which it is not. The East End runs from the junction of GGR and Walkhurst Road, along the GGR to the border with Tenterden, then turns south to reach close to Hole Park in Rolvenden, then east back to Walkhurst Road at the site of the stream, then along Walkhurst Road back to GGR (see the old Electoral Roll for 2004 when the East End had its own polling station). It is a large, totally rural area of several square miles, which was why it was chosen as the site for an isolation hospital in 1906. Today it contains only 76 houses scattered across the entire area. The PSLP consistently refers to the East End as a hamlet. It is not, which is why BPC is able to advertise itself on its website as "Serving the people of Benenden and Iden Green" without any reference to the East End.
 - . The TPA says that "a day nursery is located immediately to the north of the Site within 400m." There is incorrect, yet this error is repeated in para 5.413 of the PSLP "There are also nursery/pre-school facilities at Iden Green and East End." An accurate account would mention Iden Green only.
 - . The TPA states that there are daily bus services along GGR provided by bus nos. 24 and 299, and twice a day service provided by the Hopper bus. This information is incorrect. The 2019

Hopper bus, operated by the Tenterden social services hub on an experimental basis, failed in only a matter of months. While the 24 and the 299 buses pass along GGR, they do so on only one day a week. The 24 on Tuesdays and the 299 on Wednesdays. The East End has almost no public transport.

- . The TPA makes several statements in relation to traffic which have fed misinformation into the system to be reflected in AL/BA3&4. This misinformation was only recently revealed when documents were provided by BHS following April 2021 queries raised by the Independent Examiner on the BNP. These documents include a TPA 'Scoping Note' on road and traffic conditions at the site and a letter written in response to this Note from KCC Highways, dated 13 Nov. 2019. The TPA states that the GGR is 7m wide at the hospital site which detracts from the fact that it is actually a winding rural lane, now called a road, and varies considerably in width. It may at some point be 7m wide, but at others, it is so narrow that two lorries have difficulty passing each other. The TPA claims that there is no need for a road safety review because there have been "no personal injury accidents" recorded within 1,000m. Castleton's Oak crossroads lie 1.5 km from the site and accidents there are frequent, largely due to increasing traffic at the hospital. The hospital has turned itself into an almost exclusively out-patient centre and almost all its 300 employees drive in to work from outside the parish (formerly, they were housed on site in hospital staff buildings). Kent County Council (KCC) Highways make constant and repeated attempts to lower the risk of injury at the crossroads. Works there are ongoing at this time. The TPA claims that no traffic surveys are necessary which is a point queried in the KCC Highways' email. The email talks of the "heavy car dependency" of residents in any housing in this location and says this was one of its concerns, even at the time of the original application asking for only 24 houses. The email states that BHS's plans (and therefore AL/BE 3&4) are contrary to the NPPF and to KCC's own policy objectives, and points out that the hospital has not co-operated over the idea of a minibus to provide transport from the site to Benenden. The letter calls for: traffic counts along the GGR; a wider crash analysis; and expresses concern over the proposed access points to the SE Quadrant - 2 on Green Lane and 2 on GGR. Lastly, on trip generation, the TPA projects that 47 houses at the site will produce only 106 trips a day, though the consultants admit that they have difficulty in basing their estimate on comparable sites because there are none. These trip generation figures ignore existing traffic from local residents, from patients, from hospital staff and from the newly (January 2021) proposed housing estate at Cleveland. The AL/BE 3&4 fails to provide a traffic count, fails to ask for a road safety review and fails to acknowledge frequent traffic accidents near the sites.
- . Pre-submission supporting documents also produce inaccurate and sometimes irrelevant evidence. The hospital sites are within the setting of an AONB and even overlap into it, yet *Inset Map 18* (Benenden Hospital), unlike other maps attached, makes no reference to the AONB boundary. The BNP claims that the hospital is outside the AONB and on this basis, since the rest of the village is wholly within the AONB, largely justifies placing most of Benenden's housing in the East End. The relationship of the AONB boundary to the hospital sites is important yet it is ignored on the map. This looks like prejudice.
- . Hankinson Duckett Associates's *AONB Setting Analysis Report* (a supporting document for the PSLP, referred to as an evidence base) is, in its analysis of AL/BE3&4, unsound. The analysis argues that development at these sites will enhance the setting of the AONB. It illustrates the argument with photos of the hospital chapel and its carpark. Neither chapel nor car park are in the area up for development.
- . The *Sustainability Appraisal* (SA) is misleading. Table 58 on page 163 states that all Benenden sites "lack services, facilities and travel options". This belies the fact that AL/BE2 (Feoffee almshouses) is close to the Street as is AL/BE1 (Uphill). Both sites are within walking distance of the bus stop for daily bus services, the post office, village shop, the primary school, the village green, the butchers, pub, community hall, church, recreation ground and children's playground. AL/BE 3 & 4 are three miles northeast of the village with no daily bus service and no amenities whatsoever.
- . The commentary on Table 58, (page 163 of the SA), states that East End sites score badly on Climate Change and Travel, yet these are the sites promoted for most houses.
- . The SA argues on page 163 that East End residents will send their children to schools in Tenterden instead of to the village primary school, and that this will lessen the otherwise seriously negative effects of the two hospital sites. This is pure conjecture and possibly wishful thinking. The school has a good reputation and currently between 70 and 75% of children there come from outside the parish. East End children will have precedence over these, since intake depends on the

distance of a child's residence from the school. Pressure on Benenden Primary School will increase, not decrease. Further, the use of a car, whether it drives to Tenterden (5-6 miles) or to Benenden (3 miles), pollutes and deprives residents of the health-giving pleasure of walking to school. The AL/BE 3&4 are contrary to STR2, to the NPPF and to KCC policy on climate change.

- . Appendix L (pp331-2) shows *Scores for Reasonable Sites in Benenden*. Here we see scores for 158 and 222, two sites close to the village centre. Of 158, we read "A site that scores several neutrals with some positives, let down by its land use and landscape score impacted by a loss of a greenfield site in the AONB and *lack of services and facilities including public transport at the settlement*." This SA report compares poorly with the SA TWBC carried on site 158 in 2006. 158 is parallel to and just north of the Street with its exit onto New Pond Road. In 2006 site 158 was chosen in a village referendum as the site for a new C of E primary school. It was the preferred site out of a choice of two, both of which were greenfield. TWBC's 2006 SA on 158 decided (see page 18 of the *Sustainability Appraisal Benenden Church of England Primary School Land Allocation DPD - Issues and Options* report), that 158 was one of two top sites. "Situated adjacent to an area of ancient woodland, the site provides the potential for habitat linkages and wildlife corridors. The site is not adjacent to the CA and does not form a significant role in its setting. There are no Listed Buildings on or adjacent to the site. The site is consistent with the surrounding landscape character. There are limited views into the site and no public rights of way over the site." On page 38, we read, "This site is anticipated to have a major beneficial effect on improving educational standards and travel choice/traffic levels". In spite of the referendum result, the school was eventually built at the less preferred site and, since then, TWBC had been in consultation with 158's owners to build houses there. In April 2018, BNP Steering Committee Deputy Chair, a borough councillor, showed the committee a piece of paper from TWBC saying that TWBC wishes to build 174 houses on site 158. He committed himself to seeing these numbers reduced and the numbers at the East End raised. After a meeting between representatives from the BNP group and TW planners on June 19th, 2018, the minutes reported that "At times the workshop was emotive ...". Following that meeting TW planners put site 158 on temporary hold, limiting development there to a future Local Plan by asking, in the first draft of the LP on page 270, that the Uphill site on New Pond Road, adjacent to 158 and allocated at that time as AL/BE3, should, under Clause 8, provide for vehicular access through Uphill to the site behind (158) "which may be allocated for development as part of a future Local Plan." In the PSLP, this wording for Clause 8 has disappeared. Where is the evidence-base for such wording to be included in the first draft and excluded in the second? Why is the site considered suitable in 2006, in 2018, and in the first draft, but not suitable in the PSLP?
 - . Site 222, like 158 is described in Appendix L of the PSLP's SA as suffering from "a lack of services and facilities including public transport at the settlement." This is inaccurate. There is a daily bus service along Benenden Street and site 222 is within easy walking distance of the bus stop, shops, pub, community hall, primary school and all other amenities.
 - . Site LS8, in the heart of Iden Green is, along with site 158 and 222, a site which on-the-ground evidence suggests is eminently suitable for development, but which the SA fails to allocate. Appendix L of the SA gives LS8 virtually the same scores as Uphill (LS16 of AL/BE1) yet the latter is included for development and the former is not. The commentary states of LS8 "A number of scores are negative however, reflecting the remote location of the site from services and facilities and public transport. It scores negatively in heritage terms as the site is a relatively sizeable piece of the Iden Green Conservation Area." This site is far less remote than sites AL/BE 3 & 4. It is one mile from the village and connected to it by a paved footpath running past a Roadside Conservation Area and then (still paved) through a field to the church and primary school. It is on a bus route and the bus stop is next to LS8. Iden Green has a community hall, tennis courts, a children's playground and pub/restaurant. The SA information is unreliable and the PSLP's use of it for site allocation is unwise.
- 1 **Policies AL/BE3&4 are not consistent with the PSLP's Vision objectives nor with its strategies, nor with KCC's policies, nor with the NPPF.**

The PSLP's Vision Objective 1 is : "to improve access to suitable, especially affordable housing, including for local young people and older households." But this is inconsistent with allocations AL/BE 3 & 4. BHS is asking in its comments on the LP first draft, for a lower number of affordable homes because of the high cost of brownfield development. Living isolated in the countryside, families will need at least two cars. Old and young will be unable to walk to schools, shops or any other amenities.

This is not a suitable site for a borough which (see para 2.16) expects the population over the age of 65 + to increase by around 40% between 2020 and 2038.

The PSLP's Vision Objective 2 is to ensure sustainable development which allocations at AL/BE 3&4 do not achieve. On the contrary, the KCC warns that even with the existing permission for 24 houses on AL/BE3, the highway authority had concerns. This is an isolated location, deep in the countryside (see KCC Highways email 13 Nov 2019). More than 24 houses in this location is not sustainable.

Policy PSTR/BE1, LBD 5.416 states "the LBD around Benenden village sets the extent of existing and planned development .." This conflicts with the recommendation that major development be instated three miles beyond the LBD, on the border with Biddenden.

Policy STR 2 "The Council requires the use of masterplanning, including the use of design codes and sustainable design standards where appropriate, for strategic and larger-scale developments.." This is undermined by AL/BE 3&4 which calls for a masterplan for an area not included in the PSLP and not presented. Para 1a of Policy AL/BE3 states that there is a need to "show indicatively how the other areas included within Policies AL/BE3 and AL/BE 4 can be developed to meet the overall policy requirements as set out within each of these policies, and *how the future needs for Benenden Hospital will be met on areas to the north west and south west that currently comprise the hospital buildings and associated ancillary uses and is previously developed land.*" It is not sound to proceed with an LP where the land to be developed is not clearly indicated from the start.

A masterplan is essential to avoid current inconsistencies on the size of areas to be developed: AL/BE3 excludes one of the 2 Local Wildlife Sites (LWS) at the site, yet the BNP includes both. Para 5.458 states "Both this policy and BNP draft Policy SSP3 broadly follow the same approach towards the potential for developing this site for a residential development.." They do not. The PSLP states that in the event of a successful referendum, the BNP's proposals will prevail. If this is so, are we supposed to assume that AL/BE3 map is inaccurate?

A similar problem arises at the northern site (AL/BE4) here there are currently 18 dwellings. The proposal allows for these to be demolished and another 25 dwellings added to the site. The size of the area to be developed varies between the LP and the BNP. The LP includes the LWS in the area to be developed but the BNP includes only a small section, but says in the event of a successful referendum the BNP plan will be over-ruled by the LP plan (see the BPC response April 2021 to the Independent Examiner's queries). This is the reverse of 5.421 & 2. It is unsound to proceed with a plan when the NP and the LP are at odds with each other.

The PSLP claims building will only be within existing footprints, an approach which is at odds with that of the BHS. Plans for 47 new houses in AL/BE3, presented to the village on 17th February 2020 by the hospital architects, show the buildings are not to be built within the footprint of previous buildings nor to respect LWS.

Policy STR 3 calls for the use of brownfield sites "within settlements" and in "sustainable locations." AL/BE 3 consists of disused medical buildings and 2 LWS with parkland and veteran trees (depending on whether this second LWS is included or not). 5.448 is therefore incorrect. The site should be described not as brownfield but as partly brownfield. It is not on the brownfield register. Because of its remote location and its valuable LWS sites, it is not free from constraints which could be mitigated. As such, Policy AL/BE3 does not meet the criteria needed under the NPPF, Section 11, para 117 for development in "a way that makes as much use as possible of previously-developed or 'brownfield' land." AL/BE 4 contains in-use residential housing and an LWS and therefore is not brownfield.

Policy STR 5 states that "New residential ... development will be supported if sufficient infrastructure capacity is either available or can be provided in time to serve the development." Will this happen at AL/BE3&4? Developers themselves are to provide the infrastructure at AL/BE 3&4. The LP proposes to take on trust suggestions that the BHS will avoid building on the LWS and will provide play-grounds, sports facilities and tennis courts. We know from submissions following the first draft LP, that BHS is actually planning to remove one LWS entirely and that its plans include building on the LWS and beyond the foot print of previous buildings. BHS suggests, in its response to the first draft LP (DLP_4956) that it is unlikely to provide play-grounds, sports facilities and tennis courts. The PSLP's approach does not take comments to the first draft LP into account.

Policy STR 6 proposes to "Deliver future development in accessible locations, normally within or in close proximity to existing towns and villages across the borough." In the case of the two isolated hospital sites, the PSLP contradicts its own strategic policy and fails to offer choices in transport or to

prioritise active travel and public transport. The Benenden hospital sites have no daily bus service and no active travel link to the village, and neither the PSLP nor the BHS provide credible information on how these links are to be provided. The KCC email of Nov 13 suggests that the hospital is uncooperative on the proposal to organise a minibus service and the SHELAA says of AL/BE3 that it is "Remote from a settlement centre," (unlike sites 158, 222 and LS8); that residents will rely heavily on private cars and thus air quality and travel objectives score negatively; and that, "although promoted by the policy, shared transport and active travel options are unlikely to take precedence over private vehicle use thus air quality and climate change score negatively." This we feel is the nub of the issue. For all the talk of mitigating the remoteness of the hospital sites with a minibus link and cycle routes, nobody actually believes that any of these measures will succeed. As for the proposal to create links suitable for electric personal vehicles, such as mobility scooters (as suggested under STR 6), it is difficult to see, when the closest link with the village is a single-track lane (Walkhurst Road), how any personal electric vehicle could make that journey. The PSLP is creating, through its policies AL/BE3&4, a car dependent community. This thereby negates the sense of the LP's supporting document, *Transport Strategy Review Sept 2019* which urges reducing the need to travel.

AL/BE3&4 also undermine TWBC's Full Council motion of July 2019 to reduce CO2 emissions. "The dominance of the car as a mode of transport can lead to congestion, more road accidents, air and noise pollution. In addition it contributes to climate change, reduces social cohesion and leads to less healthy lifestyles" (para 44 *Transport Review*). According to TW's own SA from 2006, if social cohesion, reduction in air pollutants, and public health were indeed the borough's priorities, sites chosen for development in Benenden would have included site 158.

PSLP paras 5.453 and 5.467 state that "residents of development in this location will rely heavily on private cars." These plans runs counter to STR6 policy on the environment see paras 6.8, 6.9, 6.10, 6.11 and 6.13. It also contravenes KCC policies on climate change and the NPPF (see KCC's Nov 13, 2019 letter on this subject).

Para 5.414 "The parish provides two relatively large sources of employment: at Benenden Hospital and at Benenden School." The inference is that the employment opportunities are linked somehow to the population of Benenden. There is in fact little connection. The 300 plus staff at the hospital drive into the parish along GGR to work and, since the hospital is isolated from the village, their contribution to the local economy is negligible.

Policy STR 6 The LP proposes to "Deliver future development in accessible locations, normally within or in close proximity to existing towns and villages across the borough." In the case of the two isolated hospital sites, the LP contradicts its own strategic policy and fails to offer choices in transport or to prioritise active travel and public transport.

Cycle routes

The PSLP's standards on the public benefits of cycling and walking are based on the *Cycle Strategy Supporting Document*, but these standards are undermined by site allocation in Benenden. The Cycle document states that: "When more people cycle or walk the health of the population improves and our roads become safer and less congested." Its objectives 4 and 5 are to improve safety for cyclists and air quality for all, but AL/BE 3 & 4 will create a community, deep in the countryside, entirely dependent on the car and will contribute to poorer air quality for all. The allocation of these sites, as opposed to sites such as 158, is difficult to understand.

The *Cycle Strategy* states that fear of traffic is possibly the main factor discouraging people from cycling. National Cycle Route 18 runs from the Rolvenden Road, down Stepneyford Lane, to Green Lane, before joining the Benenden Road near the hospital, turning right and leading to Castleton's Oak Cross roads and Gribblebridge Lane. This route is a largely on-road ride travelling through the High Weald, using narrow, picturesque country lanes as much as possible. Green Lane/Stepneyford Lane is mentioned in TWBC's Rural Lanes: Supplementary Planning Guidance. It is particularly high scoring in terms of its landscape, its recreational value, its natural beauty and its history. For these reasons, it is part of National Route 18. Rather than encouraging cycling, AL/BE3, which proposes two exits for this major development on GGR and two on Green Lane (where a second housing estate, at Cleveland Farm is already leading to Kent Highways calling for road widening and the elimination of grass verges - see building application 20/03267/FULL) will cause an increase in those factors, identified in *TW Cycle Strategy*, as discouraging cyclists, namely, traffic and the loss of unspoilt country lanes. Policy AL/BE3 also contravenes Kent Structure Plan Policy ENV13: "Rural lanes which are of landscape, amenity, nature conservation, historic or archaeological importance will be protected from

changes which would damage their character, and enhanced.” In any event, the cycle route is purely recreational and will not enhance the sustainability of these sites.

Policy STR 7 proposes, in dealing with TWBC’s 2019 legally binding commitment to manage climate change, that all development in the borough will support the Council’s target to achieve net zero emissions by 2030. It is unsound, with such a goal, to propose a major development on the parish periphery, 3 miles equidistant from two villages where there is no shop (in spite of the PLSP’s statement AL/BE 3&4) and no café (BHS says its café was built for its own use not for the use of the public - see comments on the first draft of the LP). Residents will need their cars for almost everything.

Policy STR1 promotes the effective use of previously developed land, having due regard to relevant Plan policies, but in promoting AL/BE3&4, the PSLP disregards STR6 (environmental goals) & STR7 (transport goals).

Under the NPPF, sustainability is the priority, as the PSLP acknowledges in STR3, 4.65 “A presumption of sustainability lies at the heart of the NPPF”, but in allocating AL/BE 3&4, the PSLP fails to respect its own and the NPPF’s strategic priorities.

Policy STR 8 states that development should contribute to and enhance rural landscapes with particular regard to the High Weald (HW) AONB. The PSLP promotes nature conservation. Its biodiversity objective is to achieve net gains and, where possible, secure long-term management of sites for biodiversity. AL/BE3 runs counter to this strategy since the BHS has produced plans showing houses built over the LWS. It has, furthermore, produced a document requiring that one of the two LWS be dug up and removed to another unspecified location, thereby nullifying the terms of the existing Landscape and Ecology Management Plan (LEMP) for that site. Para 3.21 of the BHS submission on the first draft LP states: *“The Society supports the requirement for long-term management of the core areas of LWS associated with the hospital land. This includes all but the modest area within the SEQ adjoining Peak Lodge which is too constraining on the South East Quadrant redevelopment proposals. Accordingly, the soils in the area will be translocated to a nearby receptor site to try to ensure that the rare fungi can continue to thrive in this local area.”* This is a particularly significant site for biodiversity. A letter from Keith Nicholson, former Planning and Conservation officer for the Kent Wildlife Trust, dated 4 March 2013, to TWBC Development Control Officer, Ellen Gilbert states that the hospital LWS are of national importance, mainly for the large number of different varieties of waxcaps. He states that they could well have been designated SSSI. Both in terms of waxcaps and in terms of valuable acid grassland, the hospital sites have high environmental value, see Comment DLP_3458 on the first draft of the LP, from the High Weald AONB Unit. The Benenden Hospital site *“includes rare and vulnerable acid grassland which should form a core area for unimproved grassland as part of a High Weald nature recovery network.”* AL/BE3&4 threaten the biodiversity of significant species in the LWS at the hospital sites, contrary to EN1.

The LWS to the south of AL/BE3 is included in the BNP and BPC argues that this has been done in order to protect it (see their response to the Independent Examiner April 2021). It is difficult to follow this logic. The inclusion of the site in the area to be developed suggests that it too could be under threat.

There is no plan showing the placement of houses on AL/BE 4, which is currently home to a large LWS and is the site of 18 habitable dwellings, almost all of the them currently in use and let. The proposal allows for these to be demolished and another 25 dwellings added to the site. The PSLP includes the LWS in the area to be developed and the BNP excludes most of it. Benenden Parish Council (BPC), in its April 2021 response to the Independent Examiner, has said that, in this case of a successful referendum, the PSLP’s plan (which includes the LWS), will prevail. In other words, of the 3 LWS in AL/BE 3&4, one is slated for removal, one will be built over if the PSLP prevails and one may be built over if the BNP prevails. This undermines STR8.

The PSLP claims that the hospital development “has the potential to improve the setting of the HW AONB through the delivery of a more sensitive redevelopment of existing buildings” (para 5.454), but the claim is not supported by evidence produced by the *Hankinson & Duckett* (see above) while the HW AONB unit’s own view is the opposite. See TW first Draft LP, **DLP_3458 High Weald AONB Unit** (which objects to the Plan) : *“...In our view the development at Benenden Hospital will have a significant effect on the setting of the AONB and the purposes of its designation, and this issue has not been properly considered by the Plan.”*

Also, the NPPF section 2 para 11

“Plans and decisions should apply a presumption in favour of sustainable development... (b) strategic policies should provide for objectively assessed needs for housing ...that cannot be met within neighbouring areas unless ... (i) the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area.” And see Footnote 6: the policies referred to are those in the Framework ...relating to habitat sites (and those sites listed in para 176) and /or designated as SSSI, AONBs

NPPF para 177 requires that *“an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site.”* No such assessment has been undertaken.

PSLP EN1 para 5. Biodiversity and geodiversity.

AL/BE 3&4 run counter to this policy as stated above in relation to the LWS.

The Environment

STR8 sets high environmental standards but these are undermined in the site allocations. This is particularly startling in the light of the July 2019 Full Council motion to recognise the climate and biodiversity emergency, in fact, the Benenden allocations put into question whether the motion was passed in good faith.

EN1 para 5 (Biodiversity and geodiversity) says that proposals should maximise opportunities to increase biodiversity. This goal may make sense in an urban setting, but development in the countryside, as is proposed in AL/BE 3 & 4, cannot hope to ever mitigate biodiversity loss. The destruction of trees and wild spaces, the introduction of lighting, kerbs, driveways, wider roads and narrower verges, the use of concrete, tarmac, bricks and mortar in a deeply rural setting cannot “increase biodiversity”.

EN1 provides for Long-term Management plans which would be satisfactory within an urban context. In a rural location like the East End, such plans are no substitute for natural wild spaces. A ‘managed’ green space set among streets is less likely to promote biodiversity and less likely to conserve wildlife than ‘unmanaged’ green space. Further, the three LWS in AL/BE3 are all already part of an existing LEMP agreement, and since one or all would be removed in the case of development as outlined by BHS under AL/BE3&4, instead of creating a long-term management plan, AL/BE3&4 would all but terminate an existing one. The sentiments expressed in EN1 are mocked by AL/BE3&4.

1 Site policies

AL/BE3 excludes one of the 2 LWS at the site, and the BNP includes both, yet para 5.458 states “Both this policy and BNP draft Policy SSP3 broadly follow the same approach towards the potential for developing this site for a residential development..” This does not appear to be the case. Further, the SHELAA treats this site twice, once including the southern LWS (and excluding Windmill Cottage) and once excluding the LWS and including Windmill Cottage (SHELAA pages 1-3 and pages 18-19). In the second instance, the suggestion is for 67-73 houses, presumably building over the LWS. The first plan is the one adopted in the PSLP and appears to be the more accurate of the two in that it describes the site as “mostly PDL”. The second ignores all greenfield aspects and is almost identical to the plan in the BNP, a plan which BNP claims will prevail if it wins a referendum. Is AL/BE3 presenting us with the wrong plan?

AL/BE3 and AL/BE4 provide for a phased timetable for development of the two sites at different time intervals without calling for a comprehensive masterplan for the hospital site as a whole i.e. for the entire built up area. This is inconsistent with STR2, which requires a masterplan for large developments. The full extent of the area to be developed must be clear. See para 1a of Policy AL/BE3 which states that there is a need to “show indicatively how the other areas included within Policies AL/BE3 and AL/BE 4 can be developed to meet the overall policy requirements as set out within each of these policies, and *how the future needs for Benenden Hospital will be met on areas to the north west and south west that currently comprise the hospital buildings and associated ancillary uses and is previously developed land.*” It is not sound to proceed with an LP where the land to be developed is not indicated from the start.

AL/BE3&4 both call for an active travel link between the site and Benenden village. This proposal has been costed (see BPC's April 2021 reply to the Independent Examiner) at between £180,000 and £220,000 for a 3m wide tarmacked surface, plus costs to upgrade it to a bridleway, plus the costs associated with obtaining landowners' consent or, failing that, of starting compulsory purchase proceedings which TWBC expresses reluctance to undertake because of the significant compensation costs and legal costs which would be involved. No steps have been taken either by the BNP or TWBC

to ascertain the willingness of landowners to give up their land although the major landowner involved wrote to BNP on 11th Sept. 2019 objecting to the plan. It is understood that he was not contacted for subsequent discussion.

AL/BE3&4 calls for the repurposing of the existing tennis courts for the use of local residents, which BHS denies it will offer for public use; for the public use of the hospital's café; for the creation of a hospital shop (5.413); for a minibus service linking the hospital to the village ("The Society is not a transport provider" is BHS' response); for green space, a playground and provision of a community hall - most of these policies are refuted in Savills' comments on behalf of BHS, in the first draft of the LP, DLP_ 4956 paras 3.14, 3.18, 3.19, 3.20, 3.46 and 3.47. Rather than agreeing to such policies, the hospital is calling on TWBC to introduce a more flexible funding system to allow a *reduction* of developer costs. BHS argues these will be high because they wish to demolish existing buildings. It is unsound to propose policies which cannot be implemented. Once the sites are sold, no relevant conditions to this effect could be imposed.

1 The PSLP is unsound because of inconsistencies in the treatment of different sites.

- . **Uphill, AL/BE1** is described as having archaeological potential (para 5.428) requiring possible mitigation measures. This is not because of historical finds on the site, but because they might be found. A listed manor house lies on the other side of New Pond Road and, according to AL/BE1, "the site lies within, or very close to the relevant impact risk zone for Parsonage Wood", a SSSI which is, in fact, several miles away. The archaeological significance of AL/BE 3&4 is far more certain and substantial. The hospital sites are where a bronze age palstaff was found (see the National Monument Register - SMR Number /Hob UID)) and the sites lie close to two ancient routeways. A Roman Road runs west-east (on BHS farmland) a few yards to the south of AL/BE3 and a medieval drove road (GGR), runs west-east between the two sites. Further, two Grade II Listed Buildings are sited here, also on BHS land. The Lister building stands a few yards to the west of AL/BE3 and Cleveland Farm house (the farmyard of which BHS is trying to develop separately and simultaneously as if a minor planning project) lies a few yards to the south. Instead of mentioning these facts, AL/BE3&4 reads (5.456 and 5.468) "Kent County Council states that the site includes significant archaeology, which could be dealt with through suitable conditions on a planning approval." The imbalance in the treatment of the two sites is substantial and suggests prejudice.
- . The SHELAA assessment of site 158 suggests a potential yield of 50-65 houses, but then concludes that only the Uphill part of the site is suitable (20 houses). It states that "the remainder of the site is sensitive in landscaping terms and there is concern regarding scale and impact on the character of the landscape and settlement pattern". This is contrary to the views of TW's 2006 SA; to the TW 2018 document proposing 174 houses; and to the first draft of the LP. The dismissal of 158 as a suitable site is not supported by the evidence and suggests prejudice.
- . Site 222, west of the cross roads, was also considered in 2006, as a possible site for the new village school, though it was not one of the top two sites put to a referendum. The SHELAA suggests 222 has a potential for 76 houses. The site is considered unsuitable partly because the new LBD, if adopted, will exclude all houses west of the cross roads, when the village actually extends a considerable length along this road to the west. There is no mention of the fact that the owners of this site are offering the pond at the south west corner of the crossroads as village green space. The dismissal of 222 is not supported by the evidence and suggests prejudice.
- . The SHELAA suggests a capacity of 26 houses at Site LS8 in Iden Green, stating that it lies adjacent to the recreation ground and a children's nursery and that there is a pavement on both sides of Iden Green's main road. It fails to mention that the easternmost side of this pavement connects the village to the village primary school. The SHELAA dismisses the site as unsuitable saying that it is located in a remote location relative to services, facilities and public transport, but this site is far less remote than sites AL/BE 3&4. The dismissal of site LS8 is not supported by the evidence and suggests prejudice.
- . The proposed new LBD has been constructed so as to include the new site at Uphill and to exclude 222, when in fact, the actual built development extends westwards from the crossroads and includes site 222. The LBD is ignored in respect of AL/BE3&4. Manipulation of the LBD to suit allocated sites is inappropriate.

As a general comment, I have found the process unnecessarily difficult to navigate. In fact, from the point of view of the ordinary lay-man, I would term the process 'hostile'. The interactive on-line site was unmanageable. The PSLP's prose entirely suited the opaqueness of the procedure. Here is one example from the SA (page 163) "However, the education objective does not deteriorate when

considering cumulative effects as the schools in Tenterden will be a viable option for residents in East End and thus are likely to take the pressure off Benenden Primary School.”

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan 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 modifications needed are included in the submissions set out above. In summary, development on site AL/BE 3 should be limited to the existing, so far unused, planning permission for 24 houses, preferably by adapting the Garland Wing, which is a building of historic value, either to a wellness centre, in accordance with its original intention, or to a row of up to 10 terraced houses. Site AL/BE 4 already has 18 semi-detached houses on it, and cannot support any more. It should therefore be excluded. Housing should be allocated to sites (such as 158 and 222 in the village centre or LS8 in Iden Green) which lie on bus routes or are within walking distance of the village centre and school.

Paragraphs 5.421 and 5.422 should be omitted.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . Yes, I wish to participate in hearing session(s)

Question 7a

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

In order to put over my case, and to answer those with vested interests who may seek to put forward arguments against it.

Question 8

If you have any separate comments you wish to make on the accompanying Sustainability Appraisal, please make them here.

In so far as Benenden is concerned, the sites were allocated before any sustainability appraisal was commissioned. It is not therefore a relevant factor in the allocation of sites for housing.

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

<input type="checkbox"/>	Yes, I wish to be notified of future stages of the Local Plan
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Comment

Consultee	Ms Hazel Strouts [REDACTED]
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	Ms Hazel Strouts [REDACTED]
Comment ID	PSLP_202
Response Date	08/05/21 16:34
Consultation Point	Policy AL/BE 4 Land at Benenden Hospital (north of Goddards Green Road), East End (View)
Status	Processed
Submission Type	Email
Version	0.5
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Hazel Strouts
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy PSTR/BE 1 The Strategy for Benenden parish	
Policy AL/BE4	
Inset Map 18	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	No

Is sound No

Complies with the Duty to Cooperate No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not positively prepared
- . It is not effective
- . It is not justified
- . It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

[TWBC Comment: Note response slight variation on PSLP_217, 218, 219 and 220]

[TWBC comment - representation copied against policy PST/BE1]

This submission concerns the parish of Benenden, the only parish in the borough to have made its own allocations. The Benenden Neighbourhood Plan (BNP) has been developed in close consultation with TWBC, with the BNP in the lead. The BNP announced its allocations in February 2019, before inviting AECOM to produce its Strategic Environmental Assessment. Pre-Submission Local Plan, para 5.420 reads "The BNP was submitted to TWBC in October 2020 and was consulted on between 30 October and 11 December 2020." But the allocations had been made and published in February 2019. Further, Para 5.420 states "The BNP proposes to include site allocation policies that follow the approach of the site allocation policies for Benenden in this Local Plan." BNP allocations were first published in February 2019 i.e. before LP site allocation policies.

Allocations made by the LP, when it took up the BNP's baton, are therefore inevitably linked to BNP's weaknesses. Yet if the BNP passes a referendum before acceptance of the LP, it is said that it will take precedence over the LP (see para 5.421), with the exception of its plans for the northern site at Benenden hospital, which will be overruled by the plans advanced in the LP (see Benenden Parish Council April 2021 response to Independent Examiner queries on the BNP). This is in contravention of para 5.422 which talks of making "modifications to the LP" so that it matches the BNP.

1 Community involvement. EN1: this requirement has not been respected.

In Benenden, almost all new housing is slated for the East End, yet the Friends of the East End (FEE), were never asked to meet with the BNP steering group.

- . See EN1 para 9 requiring the effective engagement of the local community, neighbours of sites and others. The FEE submitted three petitions, two to the BNP and one in relation to the LP. A FEE submission with 127 signatures was submitted on April 4th 2019 in response the Informal Draft NP (published on February 23, 2019), in which the allocations later adopted by the LP were first set out. A FEE submission with 164 signatures was submitted in October 2019 objecting to the first draft of the LP, and in the same month, a FEE submission with 167 signatures was submitted in relation to the Reg 16 draft BNP. See the FEE's current online petition with more than 450 signatures <https://www.change.org/EastEndFriends>
- . Instead of being consulted, the FEE were ignored and belittled. They were informed on 11th March 2019 by the editor of the Parish Magazine (PM), husband of the Chair of the Parish Council, that "I'm of the view that much of the uncertainty has passed since the presentation of the plan

to the village - to a highly favourable reception. At least we no longer have to give polite credence to *uninformed views* that fly in the face of TWBC policy and advocate direct and *pointless confrontation* with TWBC, thereby running the risk of having the entire BNDP thrown back in our faces. *The ensuing chaos hardly bears thinking about.* At least it seems the opinions now being afforded most weight are those of *people who have worked hard for two years to understand the issues* and come up with a coherent way forward."

- . One of the regular articles on the BNP submitted by the chair of the BNP Steering Group appeared in January 2020. It dismisses FEE opposition suggesting only "31 residents from the East End" sent in comments.
- . The core group behind the BNP has consistently tried to persuade those who support the FEE to desist. The chair of the Parish Council and the chair of the BNP Steering Group have twice asked to meet a Tunbridge Wells Alliance (TWA) Borough Councillor for the parish, once together with a TWA borough council candidate, in efforts to persuade them to adhere to the BNP's approach and not to listen to the FEE.
- . The organiser of the FEE was a member of the Steering Committee 2017/2018 as chair of the Environmental Group. She expressed strong disagreement with a Borough Councillor who lives in the village (on occasion, he deputises as chair of the Steering Group) about his wish to step up allocations in the East End and suppress TWBC's wish to build 174 houses on site 158. As a result, the Steering Group chair (using his own word), "sacked" her. This is contrary to EN1 para 9, encouraging early, proactive and effective engagements and the requirement that views expressed should be properly considered.
- . Consultation also failed in relation to the neighbouring parish of Biddenden. The Clerk of Biddenden Council has repeatedly responded to BPC in the course of the BNP consultation process, but received only acknowledgments. A Kent County Councillor and Ashford Borough Councillor wrote an article about BNP's mismanagement of the parish of Biddenden in the Biddenden Parish Magazine, February 2021.
- . The LP is based on the BNP and BNP allocations were made before consultations with stakeholders such as the AONB. This is not consulting in a timely fashion. Further, the LP requires surveys of the hospital sites *after* the designation of the sites for development, for example, archaeological surveys (see AL/BE 3&4). Historic England (HE) asks for the surveys to be carried out *before*. See HE's comments on the first draft LP (DLP_4556) - "we would expect the allocation of sites following on from this Strategy policy (STR1) to be subject to appropriately robust and detailed heritage impact assessment *prior to the allocations being adopted.*"
- 1 **The PSLP is not based on sound evidence**
 - . Throughout the LP process, misstatements have been made about amenities in Benenden's East End. These may be traced back to a submission made by traffic and highways consultants, Transport Planning Associates (TPA) to Benenden Healthcare Society Ltd. (BHS). This submission was recently disclosed in BHS's response to the Independent Examiner's queries in relation to the BNP. TPA's information is sometimes inaccurate and sometimes misleading and we consider it here in detail because it is difficult otherwise, to understand how the LP was able to continue, iteration after iteration, to relate false information about the hospital site.
 - . In October 2019, TPA reported (para 2.6) that there was a footpath along the southern edge of Goddards Green Road (GGR) and the PSLP, para 5.452 states "There is an intermittent pavement along GGR". The GGR is a long road running from New Pond Road to Castleton's Oak crossroads, and was formerly a lane. The pavement is limited to the short section immediately outside the hospital buildings. To say that there is an intermittent pavement along GGR is misleading.
 - . The TPA refers to the East End as a village, which it is not. The East End runs from the junction of GGR and Walkhurst Road, along the GGR to the border with Tenterden, then turns south to reach close to Hole Park in Rolvenden, then east back to Walkhurst Road at the site of the stream, then along Walkhurst Road back to GGR (see the old Electoral Roll for 2004 when the East End had its own polling station). It is a large, totally rural area of several square miles, which was why it was chosen as the site for an isolation hospital in 1906. Today it contains only 76 houses scattered across the entire area. The PSLP consistently refers to the East End as a hamlet. It is not, which is why BPC is able to advertise itself on its website as "Serving the people of Benenden and Iden Green" without any reference to the East End.
 - . The TPA says that "a day nursery is located immediately to the north of the Site within 400m." There is incorrect, yet this error is repeated in para 5.413 of the PSLP "There are also nursery/pre-school facilities at Iden Green and East End." An accurate account would mention Iden Green only.

- . The TPA states that there are daily bus services along GGR provided by bus nos. 24 and 299, and twice a day service provided by the Hopper bus. This information is incorrect. The 2019 Hopper bus, operated by the Tenterden social services hub on an experimental basis, failed in only a matter of months. While the 24 and the 299 buses pass along GGR, they do so on only one day a week. The 24 on Tuesdays and the 299 on Wednesdays. The East End has almost no public transport.
- . The TPA makes several statements in relation to traffic which have fed misinformation into the system to be reflected in AL/BA3&4. This misinformation was only recently revealed when documents were provided by BHS following April 2021 queries raised by the Independent Examiner on the BNP. These documents include a TPA 'Scoping Note' on road and traffic conditions at the site and a letter written in response to this Note from KCC Highways, dated 13 Nov. 2019. The TPA states that the GGR is 7m wide at the hospital site which detracts from the fact that it is actually a winding rural lane, now called a road, and varies considerably in width. It may at some point be 7m wide, but at others, it is so narrow that two lorries have difficulty passing each other. The TPA claims that there is no need for a road safety review because there have been "no personal injury accidents" recorded within 1,000m. Castleton's Oak crossroads lie 1.5 km from the site and accidents there are frequent, largely due to increasing traffic at the hospital. The hospital has turned itself into an almost exclusively out-patient centre and almost all its 300 employees drive in to work from outside the parish (formerly, they were housed on site in hospital staff buildings). Kent County Council (KCC) Highways make constant and repeated attempts to lower the risk of injury at the crossroads. Works there are ongoing at this time. The TPA claims that no traffic surveys are necessary which is a point queried in the KCC Highways' email. The email talks of the "heavy car dependency" of residents in any housing in this location and says this was one of its concerns, even at the time of the original application asking for only 24 houses. The email states that BHS's plans (and therefore AL/BE 3&4) are contrary to the NPPF and to KCC's own policy objectives, and points out that the hospital has not co-operated over the idea of a minibus to provide transport from the site to Benenden. The letter calls for: traffic counts along the GGR; a wider crash analysis; and expresses concern over the proposed access points to the SE Quadrant - 2 on Green Lane and 2 on GGR. Lastly, on trip generation, the TPA projects that 47 houses at the site will produce only 106 trips a day, though the consultants admit that they have difficulty in basing their estimate on comparable sites because there are none. These trip generation figures ignore existing traffic from local residents, from patients, from hospital staff and from the newly (January 2021) proposed housing estate at Cleveland. The AL/BE 3&4 fails to provide a traffic count, fails to ask for a road safety review and fails to acknowledge frequent traffic accidents near the sites.
- . Pre-submission supporting documents also produce inaccurate and sometimes irrelevant evidence. The hospital sites are within the setting of an AONB and even overlap into it, yet *Inset Map 18* (Benenden Hospital), unlike other maps attached, makes no reference to the AONB boundary. The BNP claims that the hospital is outside the AONB and on this basis, since the rest of the village is wholly within the AONB, largely justifies placing most of Benenden's housing in the East End. The relationship of the AONB boundary to the hospital sites is important yet it is ignored on the map. This looks like prejudice.
- . Hankinson Duckett Associates's *AONB Setting Analysis Report* (a supporting document for the PSLP, referred to as an evidence base) is, in its analysis of AL/BE3&4, unsound. The analysis argues that development at these sites will enhance the setting of the AONB. It illustrates the argument with photos of the hospital chapel and its carpark. Neither chapel nor car park are in the area up for development.
- . The *Sustainability Appraisal* (SA) is misleading. Table 58 on page 163 states that all Benenden sites "lack services, facilities and travel options". This belies the fact that AL/BE2 (Feoffee almshouses) is close to the Street as is AL/BE1 (Uphill). Both sites are within walking distance of the bus stop for daily bus services, the post office, village shop, the primary school, the village green, the butchers, pub, community hall, church, recreation ground and children's playground. AL/BE 3 & 4 are three miles northeast of the village with no daily bus service and no amenities whatsoever.
- . The commentary on Table 58, (page 163 of the SA), states that East End sites score badly on Climate Change and Travel, yet these are the sites promoted for most houses.
- . The SA argues on page 163 that East End residents will send their children to schools in Tenterden instead of to the village primary school, and that this will lessen the otherwise seriously negative effects of the two hospital sites. This is pure conjecture and possibly wishful thinking. The school

has a good reputation and currently between 70 and 75% of children there come from outside the parish. East End children will have precedence over these, since intake depends on the distance of a child's residence from the school. Pressure on Benenden Primary School will increase, not decrease. Further, the use of a car, whether it drives to Tenterden (5-6 miles) or to Benenden (3 miles), pollutes and deprives residents of the health-giving pleasure of walking to school. The AL/BE 3&4 are contrary to STR2, to the NPPF and to KCC policy on climate change.

- . Appendix L (pp331-2) shows *Scores for Reasonable Sites in Benenden*. Here we see scores for 158 and 222, two sites close to the village centre. Of 158, we read "A site that scores several neutrals with some positives, let down by its land use and landscape score impacted by a loss of a greenfield site in the AONB and *lack of services and facilities including public transport at the settlement*." This SA report compares poorly with the SA TWBC carried on site 158 in 2006. 158 is parallel to and just north of the Street with its exit onto New Pond Road. In 2006 site 158 was chosen in a village referendum as the site for a new C of E primary school. It was the preferred site out of a choice of two, both of which were greenfield. TWBC's 2006 SA on 158 decided (see page 18 of the *Sustainability Appraisal Benenden Church of England Primary School Land Allocation DPD - Issues and Options* report), that 158 was one of two top sites. "Situated adjacent to an area of ancient woodland, the site provides the potential for habitat linkages and wildlife corridors. The site is not adjacent to the CA and does not form a significant role in its setting. There are no Listed Buildings on or adjacent to the site. The site is consistent with the surrounding landscape character. There are limited views into the site and no public rights of way over the site." On page 38, we read, "This site is anticipated to have a major beneficial effect on improving educational standards and travel choice/traffic levels". In spite of the referendum result, the school was eventually built at the less preferred site and, since then, TWBC had been in consultation with 158's owners to build houses there. In April 2018, BNP Steering Committee Deputy Chair, a borough councillor, showed the committee a piece of paper from TWBC saying that TWBC wishes to build 174 houses on site 158. He committed himself to seeing these numbers reduced and the numbers at the East End raised. After a meeting between representatives from the BNP group and TW planners on June 19th, 2018, the minutes reported that "At times the workshop was emotive ...". Following that meeting TW planners put site 158 on temporary hold, limiting development there to a future Local Plan by asking, in the first draft of the LP on page 270, that the Uphill site on New Pond Road, adjacent to 158 and allocated at that time as AL/BE3, should, under Clause 8, provide for vehicular access through Uphill to the site behind (158) "which may be allocated for development as part of a future Local Plan." In the PSLP, this wording for Clause 8 has disappeared. Where is the evidence-base for such wording to be included in the first draft and excluded in the second? Why is the site considered suitable in 2006, in 2018, and in the first draft, but not suitable in the PSLP?
 - . Site 222, like 158 is described in Appendix L of the PSLP's SA as suffering from "a lack of services and facilities including public transport at the settlement." This is inaccurate. There is a daily bus service along Benenden Street and site 222 is within easy walking distance of the bus stop, shops, pub, community hall, primary school and all other amenities.
 - . Site LS8, in the heart of Iden Green is, along with site 158 and 222, a site which on-the-ground evidence suggests is eminently suitable for development, but which the SA fails to allocate. Appendix L of the SA gives LS8 virtually the same scores as Uphill (LS16 of AL/BE1) yet the latter is included for development and the former is not. The commentary states of LS8 "A number of scores are negative however, reflecting the remote location of the site from services and facilities and public transport. It scores negatively in heritage terms as the site is a relatively sizeable piece of the Iden Green Conservation Area." This site is far less remote than sites AL/BE 3 & 4. It is one mile from the village and connected to it by a paved footpath running past a Roadside Conservation Area and then (still paved) through a field to the church and primary school. It is on a bus route and the bus stop is next to LS8. Iden Green has a community hall, tennis courts, a children's playground and pub/restaurant. The SA information is unreliable and the PSLP's use of it for site allocation is unwise.
- 1 **Policies AL/BE3&4 are not consistent with the PSLP's Vision objectives nor with its strategies, nor with KCC's policies, nor with the NPPF.**

The PSLP's Vision Objective 1 is : "to improve access to suitable, especially affordable housing, including for local young people and older households." But this is inconsistent with allocations AL/BE 3 & 4. BHS is asking in its comments on the LP first draft, for a lower number of affordable homes because of the high cost of brownfield development. Living isolated in the countryside, families will

need at least two cars. Old and young will be unable to walk to schools, shops or any other amenities. This is not a suitable site for a borough which (see para 2.16) expects the population over the age of 65 + to increase by around 40% between 2020 and 2038.

The PSLP's Vision Objective 2 is to ensure sustainable development which allocations at AL/BE 3&4 do not achieve. On the contrary, the KCC warns that even with the existing permission for 24 houses on AL/BE3, the highway authority had concerns. This is an isolated location, deep in the countryside (see KCC Highways email 13 Nov 2019). More than 24 houses in this location is not sustainable.

Policy PSTR/BE1, LBD 5.416 states "the LBD around Benenden village sets the extent of existing and planned development .." This conflicts with the recommendation that major development be instated three miles beyond the LBD, on the border with Biddenden.

Policy STR 2 "The Council requires the use of masterplanning, including the use of design codes and sustainable design standards where appropriate, for strategic and larger-scale developments.." This is undermined by AL/BE 3&4 which calls for a masterplan for an area not included in the PSLP and not presented. Para 1a of Policy AL/BE3 states that there is a need to "show indicatively how the other areas included within Policies AL/BE3 and AL/BE 4 can be developed to meet the overall policy requirements as set out within each of these policies, and *how the future needs for Benenden Hospital will be met on areas to the north west and south west that currently comprise the hospital buildings and associated ancillary uses and is previously developed land.*" It is not sound to proceed with an LP where the land to be developed is not clearly indicated from the start.

A masterplan is essential to avoid current inconsistencies on the size of areas to be developed: AL/BE3 excludes one of the 2 Local Wildlife Sites (LWS) at the site, yet the BNP includes both. Para 5.458 states "Both this policy and BNP draft Policy SSP3 broadly follow the same approach towards the potential for developing this site for a residential development.." They do not. The PSLP states that in the event of a successful referendum, the BNP's proposals will prevail. If this is so, are we supposed to assume that AL/BE3 map is inaccurate?

A similar problem arises at the northern site (AL/BE4) here there are currently 18 dwellings. The proposal allows for these to be demolished and another 25 dwellings added to the site. The size of the area to be developed varies between the LP and the BNP. The LP includes the LWS in the area to be developed but the BNP includes only a small section, but says in the event of a successful referendum the BNP plan will be over-ruled by the LP plan (see the BPC response April 2021 to the Independent Examiner's queries). This is the reverse of 5.421 & 2. It is unsound to proceed with a plan when the NP and the LP are at odds with each other.

The PSLP claims building will only be within existing footprints, an approach which is at odds with that of the BHS. Plans for 47 new houses in AL/BE3, presented to the village on 17th February 2020 by the hospital architects, show the buildings are not to be built within the footprint of previous buildings nor to respect LWS.

Policy STR 3 calls for the use of brownfield sites "within settlements" and in "sustainable locations." AL/BE 3 consists of disused medical buildings and 2 LWS with parkland and veteran trees (depending on whether this second LWS is included or not). 5.448 is therefore incorrect. The site should be described not as brownfield but as partly brownfield. It is not on the brownfield register. Because of its remote location and its valuable LWS sites, it is not free from constraints which could be mitigated. As such, Policy AL/BE3 does not meet the criteria needed under the NPPF, Section 11, para 117 for development in "a way that makes as much use as possible of previously-developed or 'brownfield' land." AL/BE 4 contains in-use residential housing and an LWS and therefore is not brownfield.

Policy STR 5 states that "New residential ... development will be supported if sufficient infrastructure capacity is either available or can be provided in time to serve the development." Will this happen at AL/BE3&4? Developers themselves are to provide the infrastructure at AL/BE 3&4. The LP proposes to take on trust suggestions that the BHS will avoid building on the LWS and will provide play-grounds, sports facilities and tennis courts. We know from submissions following the first draft LP, that BHS is actually planning to remove one LWS entirely and that its plans include building on the LWS and beyond the foot print of previous buildings. BHS suggests, in its response to the first draft LP (DLP_4956) that it is unlikely to provide play-grounds, sports facilities and tennis courts. The PSLP's approach does not take comments to the first draft LP into account.

Policy STR 6 proposes to "Deliver future development in accessible locations, normally within or in close proximity to existing towns and villages across the borough." In the case of the two isolated

hospital sites, the PSLP contradicts its own strategic policy and fails to offer choices in transport or to prioritise active travel and public transport. The Benenden hospital sites have no daily bus service and no active travel link to the village, and neither the PSLP nor the BHS provide credible information on how these links are to be provided. The KCC email of Nov 13 suggests that the hospital is uncooperative on the proposal to organise a minibus service and the SHELAA says of AL/BE3 that it is "Remote from a settlement centre," (unlike sites 158, 222 and LS8); that residents will rely heavily on private cars and thus air quality and travel objectives score negatively; and that, "although promoted by the policy, shared transport and active travel options are unlikely to take precedence over private vehicle use thus air quality and climate change score negatively." This we feel is the nub of the issue. For all the talk of mitigating the remoteness of the hospital sites with a minibus link and cycle routes, nobody actually believes that any of these measures will succeed. As for the proposal to create links suitable for electric personal vehicles, such as mobility scooters (as suggested under STR 6), it is difficult to see, when the closest link with the village is a single-track lane (Walkhurst Road), how any personal electric vehicle could make that journey. The PSLP is creating, through its policies AL/BE3&4, a car dependent community. This thereby negates the sense of the LP's supporting document, *Transport Strategy Review Sept 2019* which urges reducing the need to travel.

AL/BE3&4 also undermine TWBC's Full Council motion of July 2019 to reduce CO2 emissions. "The dominance of the car as a mode of transport can lead to congestion, more road accidents, air and noise pollution. In addition it contributes to climate change, reduces social cohesion and leads to less healthy lifestyles" (para 44 *Transport Review*). According to TW's own SA from 2006, if social cohesion, reduction in air pollutants, and public health were indeed the borough's priorities, sites chosen for development in Benenden would have included site 158.

PSLP paras 5.453 and 5.467 state that "residents of development in this location will rely heavily on private cars." These plans runs counter to STR6 policy on the environment see paras 6.8, 6.9, 6.10, 6.11 and 6.13. It also contravenes KCC policies on climate change and the NPPF (see KCC's Nov 13, 2019 letter on this subject).

Para 5.414 "The parish provides two relatively large sources of employment: at Benenden Hospital and at Benenden School." The inference is that the employment opportunities are linked somehow to the population of Benenden. There is in fact little connection. The 300 plus staff at the hospital drive into the parish along GGR to work and, since the hospital is isolated from the village, their contribution to the local economy is negligible.

Policy STR 6 The LP proposes to "**Deliver future development in accessible locations, normally within or in close proximity to existing towns and villages across the borough.**" In the case of the two isolated hospital sites, the LP contradicts its own strategic policy and fails to offer choices in transport or to prioritise active travel and public transport.

Cycle routes

The PSLP's standards on the public benefits of cycling and walking are based on the *Cycle Strategy Supporting Document*, but these standards are undermined by site allocation in Benenden. The Cycle document states that: "When more people cycle or walk the health of the population improves and our roads become safer and less congested." Its objectives 4 and 5 are to improve safety for cyclists and air quality for all, but AL/BE 3 & 4 will create a community, deep in the countryside, entirely dependent on the car and will contribute to poorer air quality for all. The allocation of these sites, as opposed to sites such as 158, is difficult to understand.

The *Cycle Strategy* states that fear of traffic is possibly the main factor discouraging people from cycling. National Cycle Route 18 runs from the Rolvenden Road, down Stepneyford Lane, to Green Lane, before joining the Benenden Road near the hospital, turning right and leading to Castleton's Oak Cross roads and Gribblebridge Lane. This route is a largely on-road ride travelling through the High Weald, using narrow, picturesque country lanes as much as possible. Green Lane/Stepneyford Lane is mentioned in TWBC's Rural Lanes: Supplementary Planning Guidance. It is particularly high scoring in terms of its landscape, its recreational value, its natural beauty and its history. For these reasons, it is part of National Route 18. Rather than encouraging cycling, AL/BE3, which proposes two exits for this major development on GGR and two on Green Lane (where a second housing estate, at Cleveland Farm is already leading to Kent Highways calling for road widening and the elimination of grass verges - see building application 20/03267/FULL) will cause an increase in those factors, identified in *TW Cycle Strategy*, as discouraging cyclists, namely, traffic and the loss of unspoilt country lanes. Policy AL/BE3 also contravenes Kent Structure Plan Policy ENV13: "Rural lanes which are of

landscape, amenity, nature conservation, historic or archaeological importance will be protected from changes which would damage their character, and enhanced." In any event, the cycle route is purely recreational and will not enhance the sustainability of these sites.

Policy STR 7 proposes, in dealing with TWBC's 2019 legally binding commitment to manage climate change, that all development in the borough will support the Council's target to achieve net zero emissions by 2030. It is unsound, with such a goal, to propose a major development on the parish periphery, 3 miles equidistant from two villages where there is no shop (in spite of the PSLP's statement AL/BE 3&4) and no café (BHS says its café was built for its own use not for the use of the public - see comments on the first draft of the LP). Residents will need their cars for almost everything.

Policy STR1 promotes the effective use of previously developed land, having due regard to relevant Plan policies, but in promoting AL/BE3&4, the PSLP disregards STR6 (environmental goals) & STR7 (transport goals).

Under the NPPF, sustainability is the priority, as the PSLP acknowledges in STR3, 4.65 "A presumption of sustainability lies at the heart of the NPPF", but in allocating AL/BE 3&4, the PSLP fails to respect its own and the NPPF's strategic priorities.

Policy STR 8 states that development should contribute to and enhance rural landscapes with particular regard to the High Weald (HW) AONB. The PSLP promotes nature conservation. Its biodiversity objective is to achieve net gains and, where possible, secure long-term management of sites for biodiversity. AL/BE3 runs counter to this strategy since the BHS has produced plans showing houses built over the LWS. It has, furthermore, produced a document requiring that one of the two LWS be dug up and removed to another unspecified location, thereby nullifying the terms of the existing Landscape and Ecology Management Plan (LEMP) for that site. Para 3.21 of the BHS submission on the first draft LP states: *"The Society supports the requirement for long-term management of the core areas of LWS associated with the hospital land. This includes all but the modest area within the SEQ adjoining Peak Lodge which is too constraining on the South East Quadrant redevelopment proposals. Accordingly, the soils in the area will be translocated to a nearby receptor site to try to ensure that the rare fungi can continue to thrive in this local area."* This is a particularly significant site for biodiversity. A letter from Keith Nicholson, former Planning and Conservation officer for the Kent Wildlife Trust, dated 4 March 2013, to TWBC Development Control Officer, Ellen Gilbert states that the hospital LWS are of national importance, mainly for the large number of different varieties of waxcaps. He states that they could well have been designated SSSI. Both in terms of waxcaps and in terms of valuable acid grassland, the hospital sites have high environmental value, see Comment DLP_3458 on the first draft of the LP, from the High Weald AONB Unit. The Benenden Hospital site *"includes rare and vulnerable acid grassland which should form a core area for unimproved grassland as part of a High Weald nature recovery network."* AL/BE3&4 threaten the biodiversity of significant species in the LWS at the hospital sites, contrary to EN1.

The LWS to the south of AL/BE3 is included in the BNP and BPC argues that this has been done in order to protect it (see their response to the Independent Examiner April 2021). It is difficult to follow this logic. The inclusion of the site in the area to be developed suggests that it too could be under threat.

There is no plan showing the placement of houses on AL/BE 4, which is currently home to a large LWS and is the site of 18 habitable dwellings, almost all of the them currently in use and let. The proposal allows for these to be demolished and another 25 dwellings added to the site. The PSLP includes the LWS in the area to be developed and the BNP excludes most of it. Benenden Parish Council (BPC), in its April 2021 response to the Independent Examiner, has said that, in this case of a successful referendum, the PSLP's plan (which includes the LWS), will prevail. In other words, of the 3 LWS in AL/BE 3&4, one is slated for removal, one will be built over if the PSLP prevails and one may be built over if the BNP prevails. This undermines STR8.

The PSLP claims that the hospital development "has the potential to improve the setting of the HW AONB through the delivery of a more sensitive redevelopment of existing buildings" (para 5.454), but the claim is not supported by evidence produced by the *Hankinson & Duckett* (see above) while the HW AONB unit's own view is the opposite. See TW first Draft LP, **DLP_3458 High Weald AONB Unit** (which objects to the Plan) : *"...In our view the development at Benenden Hospital will have a significant effect on the setting of the AONB and the purposes of its designation, and this issue has not been properly considered by the Plan."*

Also, the NPPF section 2 para 11

“Plans and decisions should apply a presumption in favour of sustainable development... (b) strategic policies should provide for objectively assessed needs for housing ...that cannot be met within neighbouring areas unless ... (i) the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area.” And see Footnote 6: the policies referred to are those in the Framework ...relating to habitat sites (and those sites listed in para 176) and /or designated as SSSI, AONBs

NPPF para 177 requires that *“an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site.”* No such assessment has been undertaken.

PSLP EN1 para 5. Biodiversity and geodiversity.

AL/BE 3&4 run counter to this policy as stated above in relation to the LWS.

The Environment

STR8 sets high environmental standards but these are undermined in the site allocations. This is particularly startling in the light of the July 2019 Full Council motion to recognise the climate and biodiversity emergency, in fact, the Benenden allocations put into question whether the motion was passed in good faith.

EN1 para 5 (Biodiversity and geodiversity) says that proposals should maximise opportunities to increase biodiversity. This goal may make sense in an urban setting, but development in the countryside, as is proposed in AL/BE 3 & 4, cannot hope to ever mitigate biodiversity loss. The destruction of trees and wild spaces, the introduction of lighting, kerbs, driveways, wider roads and narrower verges, the use of concrete, tarmac, bricks and mortar in a deeply rural setting cannot “increase biodiversity”.

EN1 provides for Long-term Management plans which would be satisfactory within an urban context. In a rural location like the East End, such plans are no substitute for natural wild spaces. A ‘managed’ green space set among streets is less likely to promote biodiversity and less likely to conserve wildlife than ‘unmanaged’ green space. Further, the three LWS in AL/BE3 are all already part of an existing LEMP agreement, and since one or all would be removed in the case of development as outlined by BHS under AL/BE3&4, instead of creating a long-term management plan, AL/BE3&4 would all but terminate an existing one. The sentiments expressed in EN1 are mocked by AL/BE3&4.

1 Site policies

AL/BE3 excludes one of the 2 LWS at the site, and the BNP includes both, yet para 5.458 states “Both this policy and BNP draft Policy SSP3 broadly follow the same approach towards the potential for developing this site for a residential development..” This does not appear to be the case. Further, the SHELAA treats this site twice, once including the southern LWS (and excluding Windmill Cottage) and once excluding the LWS and including Windmill Cottage (SHELAA pages 1-3 and pages 18-19). In the second instance, the suggestion is for 67-73 houses, presumably building over the LWS. The first plan is the one adopted in the PSLP and appears to be the more accurate of the two in that it describes the site as “mostly PDL”. The second ignores all greenfield aspects and is almost identical to the plan in the BNP, a plan which BNP claims will prevail if it wins a referendum. Is AL/BE3 presenting us with the wrong plan?

AL/BE3 and AL/BE4 provide for a phased timetable for development of the two sites at different time intervals without calling for a comprehensive masterplan for the hospital site as a whole i.e. for the entire built up area. This is inconsistent with STR2, which requires a masterplan for large developments. The full extent of the area to be developed must be clear. See para 1a of Policy AL/BE3 which states that there is a need to “show indicatively how the other areas included within Policies AL/BE3 and AL/BE 4 can be developed to meet the overall policy requirements as set out within each of these policies, and *how the future needs for Benenden Hospital will be met on areas to the north west and south west that currently comprise the hospital buildings and associated ancillary uses and is previously developed land.*” It is not sound to proceed with an LP where the land to be developed is not indicated from the start.

AL/BE3&4 both call for an active travel link between the site and Benenden village. This proposal has been costed (see BPC's April 2021 reply to the Independent Examiner) at between £180,000 and £220,000 for a 3m wide tarmacked surface, plus costs to upgrade it to a bridleway, plus the costs associated with obtaining landowners' consent or, failing that, of starting compulsory purchase proceedings which TWBC expresses reluctance to undertake because of the significant compensation costs and legal costs which would be involved. No steps have been taken either by the BNP or TWBC

to ascertain the willingness of landowners to give up their land although the major landowner involved wrote to BNP on 11th Sept. 2019 objecting to the plan. It is understood that he was not contacted for subsequent discussion.

AL/BE3&4 calls for the repurposing of the existing tennis courts for the use of local residents, which BHS denies it will offer for public use; for the public use of the hospital's café; for the creation of a hospital shop (5.413); for a minibus service linking the hospital to the village ("The Society is not a transport provider" is BHS' response); for green space, a playground and provision of a community hall - most of these policies are refuted in Savills' comments on behalf of BHS, in the first draft of the LP, DLP_ 4956 paras 3.14, 3.18, 3.19, 3.20, 3.46 and 3.47. Rather than agreeing to such policies, the hospital is calling on TWBC to introduce a more flexible funding system to allow a *reduction* of developer costs. BHS argues these will be high because they wish to demolish existing buildings. It is unsound to propose policies which cannot be implemented. Once the sites are sold, no relevant conditions to this effect could be imposed.

1 The PSLP is unsound because of inconsistencies in the treatment of different sites.

- . **Uphill, AL/BE1** is described as having archaeological potential (para 5.428) requiring possible mitigation measures. This is not because of historical finds on the site, but because they might be found. A listed manor house lies on the other side of New Pond Road and, according to AL/BE1, "the site lies within, or very close to the relevant impact risk zone for Parsonage Wood", a SSSI which is, in fact, several miles away. The archaeological significance of AL/BE 3&4 is far more certain and substantial. The hospital sites are where a bronze age palstaff was found (see the National Monument Register - SMR Number /Hob UID)) and the sites lie close to two ancient routeways. A Roman Road runs west-east (on BHS farmland) a few yards to the south of AL/BE3 and a medieval drove road (GGR), runs west-east between the two sites. Further, two Grade II Listed Buildings are sited here, also on BHS land. The Lister building stands a few yards to the west of AL/BE3 and Cleveland Farm house (the farmyard of which BHS is trying to develop separately and simultaneously as if a minor planning project) lies a few yards to the south. Instead of mentioning these facts, AL/BE3&4 reads (5.456 and 5.468) "Kent County Council states that the site includes significant archaeology, which could be dealt with through suitable conditions on a planning approval." The imbalance in the treatment of the two sites is substantial and suggests prejudice.
- . The SHELAA assessment of site 158 suggests a potential yield of 50-65 houses, but then concludes that only the Uphill part of the site is suitable (20 houses). It states that "the remainder of the site is sensitive in landscaping terms and there is concern regarding scale and impact on the character of the landscape and settlement pattern". This is contrary to the views of TW's 2006 SA; to the TW 2018 document proposing 174 houses; and to the first draft of the LP. The dismissal of 158 as a suitable site is not supported by the evidence and suggests prejudice.
- . Site 222, west of the cross roads, was also considered in 2006, as a possible site for the new village school, though it was not one of the top two sites put to a referendum. The SHELAA suggests 222 has a potential for 76 houses. The site is considered unsuitable partly because the new LBD, if adopted, will exclude all houses west of the cross roads, when the village actually extends a considerable length along this road to the west. There is no mention of the fact that the owners of this site are offering the pond at the south west corner of the crossroads as village green space. The dismissal of 222 is not supported by the evidence and suggests prejudice.
- . The SHELAA suggests a capacity of 26 houses at Site LS8 in Iden Green, stating that it lies adjacent to the recreation ground and a children's nursery and that there is a pavement on both sides of Iden Green's main road. It fails to mention that the easternmost side of this pavement connects the village to the village primary school. The SHELAA dismisses the site as unsuitable saying that it is located in a remote location relative to services, facilities and public transport, but this site is far less remote than sites AL/BE 3&4. The dismissal of site LS8 is not supported by the evidence and suggests prejudice.
- . The proposed new LBD has been constructed so as to include the new site at Uphill and to exclude 222, when in fact, the actual built development extends westwards from the crossroads and includes site 222. The LBD is ignored in respect of AL/BE3&4. Manipulation of the LBD to suit allocated sites is inappropriate.

As a general comment, I have found the process unnecessarily difficult to navigate. In fact, from the point of view of the ordinary lay-man, I would term the process 'hostile'. The interactive on-line site was unmanageable. The PSLP's prose entirely suited the opaqueness of the procedure. Here is one example from the SA (page 163) "However, the education objective does not deteriorate when

considering cumulative effects as the schools in Tenterden will be a viable option for residents in East End and thus are likely to take the pressure off Benenden Primary School.”

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan 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 modifications needed are included in the submissions set out above. In summary, development on site AL/BE 3 should be limited to the existing, so far unused, planning permission for 24 houses, preferably by adapting the Garland Wing, which is a building of historic value, either to a wellness centre, in accordance with its original intention, or to a row of up to 10 terraced houses. Site AL/BE 4 already has 18 semi-detached houses on it, and cannot support any more. It should therefore be excluded. Housing should be allocated to sites (such as 158 and 222 in the village centre or LS8 in Iden Green) which lie on bus routes or are within walking distance of the village centre and school.

Paragraphs 5.421 and 5.422 should be omitted.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . Yes, I wish to participate in hearing session(s)

Question 7a

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

In order to put over my case, and to answer those with vested interests who may seek to put forward arguments against it.

Question 8

If you have any separate comments you wish to make on the accompanying Sustainability Appraisal, please make them here.

In so far as Benenden is concerned, the sites were allocated before any sustainability appraisal was commissioned. It is not therefore a relevant factor in the allocation of sites for housing.

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

<input type="checkbox"/>	Yes, I wish to be notified of future stages of the Local Plan
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Comment

Consultee	Ms Hazel Strouts [REDACTED]
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	Ms Hazel Strouts [REDACTED]
Comment ID	PSLP_217
Response Date	11/05/21 12:00
Consultation Point	Policy PSTR/BE 1 The Strategy for Benenden parish (View)
Status	Processed
Submission Type	Other
Version	0.5
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Hazel Strouts
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy PSTR/BE 1 The Strategy for Benenden parish	
Policies: AL/BE1, AL/BE3 and AL/BE4	
Inset Map 18	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	No

Is sound No
Complies with the Duty to Cooperate No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not positively prepared
- . It is not effective
- . It is not justified
- . It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

[TWBC Comment: Note response slight variation on PSLP_194, 199, 200 and 202]

This submission concerns the parish of Benenden, the only parish in the borough to have made its own allocations. The Benenden Neighbourhood Plan (BNP) has been developed in close consultation with TWBC, with the BNP in the lead. The BNP announced its allocations in February 2019, before inviting AECOM to produce its Strategic Environmental Assessment. Pre-Submission Local Plan, para 5.420 reads "The BNP was submitted to TWBC in October 2020 and was consulted on between 30 October and 11 December 2020." But the allocations had been made and published in February 2019. Further, Para 5.420 states "The BNP proposes to include site allocation policies that follow the approach of the site allocation policies for Benenden in this Local Plan." BNP allocations were first published in February 2019 i.e. before LP site allocation policies.

Allocations made by the LP, when it took up the BNP's baton, are therefore inevitably linked to BNP's weaknesses. Yet if the BNP passes a referendum before acceptance of the LP, it is said that it will take precedence over the LP (see para 5.421), with the exception of its plans for the northern site at Benenden hospital, which will be overruled by the plans advanced in the LP (see Benenden Parish Council April 2021 response to Independent Examiner queries on the BNP). This is in contravention of para 5.422 which talks of making "modifications to the LP" so that it matches the BNP.

1 Community involvement. EN1: this requirement has not been respected.

- . In Benenden, almost all new housing is slated for the East End, yet the Friends of the East End (FEE), were never asked to meet with the BNP steering group.
- . See EN1 para 9 requiring the effective engagement of the local community, neighbours of sites and others. The FEE submitted three petitions, two to the BNP and one in relation to the LP. A FEE submission with 127 signatures was submitted on April 4th 2019 in response the Informal Draft NP (published on February 23, 2019), in which the allocations later adopted by the LP were first set out. A FEE submission with 164 signatures was submitted in October 2019 objecting to the first draft of the LP, and in the same month, a FEE submission with 167 signatures was submitted in relation to the Reg 16 draft BNP. See the FEE's current online petition with more than 450 signatures <https://www.change.org/EastEndFriends>
- . Instead of being consulted, the FEE were ignored and belittled. They were informed on 11th March 2019 by the editor of the Parish Magazine (PM), husband of the Chair of the Parish Council, that "I'm of the view that much of the uncertainty has passed since the presentation of the plan to the village - to a highly favourable reception. At least we no longer have to give polite credence to *uninformed views* that fly in the face of TWBC policy and advocate direct and *pointless*

confrontation with TWBC, thereby running the risk of having the entire BNDP thrown back in our faces. *The ensuing chaos hardly bears thinking about.* At least it seems the opinions now being afforded most weight are those of *people who have worked hard for two years to understand the issues* and come up with a coherent way forward."

- . One of the regular articles on the BNP submitted by the chair of the BNP Steering Group appeared in January 2020. It dismisses FEE opposition suggesting only "31 residents from the East End" sent in comments.
- . The core group behind the BNP has consistently tried to persuade those who support the FEE to desist. The chair of the Parish Council and the chair of the BNP Steering Group have twice asked to meet a Tunbridge Wells Alliance (TWA) Borough Councillor for the parish, once together with a TWA borough council candidate, in efforts to persuade them to adhere to the BNP's approach and not to listen to the FEE.
- . The organiser of the FEE was a member of the Steering Committee 2017/2018 as chair of the Environmental Group. She expressed strong disagreement with a Borough Councillor who lives in the village (on occasion, he deputises as chair of the Steering Group) about his wish to step up allocations in the East End and suppress TWBC's wish to build 174 houses on site 158. As a result, the Steering Group chair (using his own word), "sacked" her. This is contrary to EN1 para 9, encouraging early, proactive and effective engagements and the requirement that views expressed should be properly considered.
- . Consultation also failed in relation to the neighbouring parish of Biddenden. The Clerk of Biddenden Council has repeatedly responded to BPC in the course of the BNP consultation process, but received only acknowledgments. A Kent County Councillor and Ashford Borough Councillor wrote an article about BNP's mismanagement of the parish of Biddenden in the Biddenden Parish Magazine, February 2021.
- . The LP is based on the BNP and BNP allocations were made before consultations with stakeholders such as the AONB. This is not consulting in a timely fashion. Further, the LP requires surveys of the hospital sites *after* the designation of the sites for development, for example, archaeological surveys (see AL/BE 3&4). Historic England (HE) asks for the surveys to be carried out *before*. See HE's comments on the first draft LP (DLP_4556) - "we would expect the allocation of sites following on from this Strategy policy (STR1) to be subject to appropriately robust and detailed heritage impact assessment *prior to the allocations being adopted*."
- 1 **The PSLP is not based on sound evidence**
 - . Throughout the LP process, misstatements have been made about amenities in Benenden's East End. These may be traced back to a submission made by traffic and highways consultants, Transport Planning Associates (TPA) to Benenden Healthcare Society Ltd. (BHS). This submission was recently disclosed in BHS's response to the Independent Examiner's queries in relation to the BNP. TPA's information is sometimes inaccurate and sometimes misleading and we consider it here in detail because it is difficult otherwise, to understand how the LP was able to continue, iteration after iteration, to relate false information about the hospital site.
 - . In October 2019, TPA reported (para 2.6) that there was a footpath along the southern edge of Goddards Green Road (GGR) and the PSLP, para 5.452 states "There is an intermittent pavement along GGR". The GGR is a long road running from New Pond Road to Castleton's Oak crossroads, and was formerly a lane. The pavement is limited to the short section immediately outside the hospital buildings. To say that there is an intermittent pavement along GGR is misleading.
 - . The TPA refers to the East End as a village, which it is not. The East End runs from the junction of GGR and Walkhurst Road, along the GGR to the border with Tenterden, then turns south to reach close to Hole Park in Rolvenden, then east back to Walkhurst Road at the site of the stream, then along Walkhurst Road back to GGR (see the old Electoral Roll for 2004 when the East End had its own polling station). It is a large, totally rural area of several square miles, which was why it was chosen as the site for an isolation hospital in 1906. Today it contains only 76 houses scattered across the entire area. The PSLP consistently refers to the East End as a hamlet. It is not, which is why BPC is able to advertise itself on its website as "Serving the people of Benenden and Iden Green" without any reference to the East End.
 - . The TPA says that "a day nursery is located immediately to the north of the Site within 400m." There is incorrect, yet this error is repeated in para 5.413 of the PSLP "There are also nursery/pre-school facilities at Iden Green and East End." An accurate account would mention Iden Green only.
 - . The TPA states that there are daily bus services along GGR provided by bus nos. 24 and 299, and twice a day service provided by the Hopper bus. This information is incorrect. The 2019

Hopper bus, operated by the Tenterden social services hub on an experimental basis, failed in only a matter of months. While the 24 and the 299 buses pass along GGR, they do so on only one day a week. The 24 on Tuesdays and the 299 on Wednesdays. The East End has almost no public transport.

- . The TPA makes several statements in relation to traffic which have fed misinformation into the system to be reflected in AL/BA3&4. This misinformation was only recently revealed when documents were provided by BHS following April 2021 queries raised by the Independent Examiner on the BNP. These documents include a TPA 'Scoping Note' on road and traffic conditions at the site and a letter written in response to this Note from KCC Highways, dated 13 Nov. 2019. The TPA states that the GGR is 7m wide at the hospital site which detracts from the fact that it is actually a winding rural lane, now called a road, and varies considerably in width. It may at some point be 7m wide, but at others, it is so narrow that two lorries have difficulty passing each other. The TPA claims that there is no need for a road safety review because there have been "no personal injury accidents" recorded within 1,000m. Castleton's Oak crossroads lie 1.5 km from the site and accidents there are frequent, largely due to increasing traffic at the hospital. The hospital has turned itself into an almost exclusively out-patient centre and almost all its 300 employees drive in to work from outside the parish (formerly, they were housed on site in hospital staff buildings). Kent County Council (KCC) Highways make constant and repeated attempts to lower the risk of injury at the crossroads. Works there are ongoing at this time. The TPA claims that no traffic surveys are necessary which is a point queried in the KCC Highways' email. The email talks of the "heavy car dependency" of residents in any housing in this location and says this was one of its concerns, even at the time of the original application asking for only 24 houses. The email states that BHS's plans (and therefore AL/BE 3&4) are contrary to the NPPF and to KCC's own policy objectives, and points out that the hospital has not co-operated over the idea of a minibus to provide transport from the site to Benenden. The letter calls for: traffic counts along the GGR; a wider crash analysis; and expresses concern over the proposed access points to the SE Quadrant - 2 on Green Lane and 2 on GGR. Lastly, on trip generation, the TPA projects that 47 houses at the site will produce only 106 trips a day, though the consultants admit that they have difficulty in basing their estimate on comparable sites because there are none. These trip generation figures ignore existing traffic from local residents, from patients, from hospital staff and from the newly (January 2021) proposed housing estate at Cleveland. The AL/BE 3&4 fails to provide a traffic count, fails to ask for a road safety review and fails to acknowledge frequent traffic accidents near the sites.
- . Pre-submission supporting documents also produce inaccurate and sometimes irrelevant evidence. The hospital sites are within the setting of an AONB and even overlap into it, yet *Inset Map 18* (Benenden Hospital), unlike other maps attached, makes no reference to the AONB boundary. The BNP claims that the hospital is outside the AONB and on this basis, since the rest of the village is wholly within the AONB, largely justifies placing most of Benenden's housing in the East End. The relationship of the AONB boundary to the hospital sites is important yet it is ignored on the map. This looks like prejudice.
- . Hankinson Duckett Associates's *AONB Setting Analysis Report* (a supporting document for the PSLP, referred to as an evidence base) is, in its analysis of AL/BE3&4, unsound. The analysis argues that development at these sites will enhance the setting of the AONB. It illustrates the argument with photos of the hospital chapel and its carpark. Neither chapel nor car park are in the area up for development.
- 1 **Policies AL/BE3&4 are not consistent with the PSLP's Vision objectives nor with its strategies, nor with KCC's policies, nor with the NPPF.**
- . The PSLP's Vision Objective 1 is : "to improve access to suitable, especially affordable housing, including for local young people and older households." But this is inconsistent with allocations AL/BE 3 &4. BHS is asking in its comments on the LP first draft, for a lower number of affordable homes because of the high cost of brownfield development. Living isolated in the countryside, families will need at least two cars. Old and young will be unable to walk to schools, shops or any other amenities. This is not a suitable site for a borough which (see para 2.16) expects the population over the age of 65 + to increase by around 40% between 2020 and 2038. The PSLP's Vision Objective 2 is to ensure sustainable development which allocations at AL/BE 3&4 do not achieve. On the contrary, the KCC warns that even with the existing permission for 24 houses on AL/BE3, the highway authority had concerns. This is an isolated location, deep in the countryside (see KCC Highways email 13 Nov 2019). More than 24 houses in this location is not sustainable.

- **Policy PSTR/BE1**, LBD 5.416 states “the LBD around Benenden village sets the extent of existing and planned development ..” This conflicts with the recommendation that major development be instated three miles beyond the LBD, on the border with Biddenden.
- **Policy STR 2** “The Council requires the use of masterplanning, including the use of design codes and sustainable design standards where appropriate, for strategic and larger-scale developments..” This is undermined by AL/BE 3&4 which calls for a masterplan for an area not included in the PSLP and not presented. Para 1a of Policy AL/BE3 states that there is a need to “show indicatively how the other areas included within Policies AL/BE3 and AL/BE 4 can be developed to meet the overall policy requirements as set out within each of these policies, and *how the future needs for Benenden Hospital will be met on areas to the north west and south west that currently comprise the hospital buildings and associated ancillary uses and is previously developed land.*” It is not sound to proceed with an LP where the land to be developed is not clearly indicated from the start.
- **A masterplan is essential to avoid current inconsistencies on the size of areas to be developed:** AL/BE3 excludes one of the 2 Local Wildlife Sites (LWS) at the site, yet the BNP includes both. Para 5.458 states “Both this policy and BNP draft Policy SSP3 broadly follow the same approach towards the potential for developing this site for a residential development..” They do not. The PSLP states that in the event of a successful referendum, the BNP’s proposals will prevail. If this is so, are we supposed to assume that AL/BE3 map is inaccurate?
- A similar problem arises at the northern site (AL/BE4) here there are currently 18 dwellings. The proposal allows for these to be demolished and another 25 dwellings added to the site. The size of the area to be developed varies between the LP and the BNP. The LP includes the LWS in the area to be developed but the BNP includes only a small section, but says in the event of a successful referendum the BNP plan will be over-ruled by the LP plan (see the BPC response April 2021 to the Independent Examiner’s queries). This is the reverse of 5.421 & 2. It is unsound to proceed with a plan when the NP and the LP are at odds with each other.
- **The PSLP claims building will only be within existing footprints**, an approach which is at odds with that of the BHS. Plans for 47 new houses in AL/BE3, presented to the village on 17th February 2020 by the hospital architects, show the buildings are not to be built within the footprint of previous buildings nor to respect LWS.
- **Policy STR 3** calls for the use of brownfield sites “within settlements” and in “sustainable locations.” AL/BE 3 consists of disused medical buildings and 2 LWS with parkland and veteran trees (depending on whether this second LWS is included or not). 5.448 is therefore incorrect. The site should be described not as brownfield but as partly brownfield. It is not on the Brownfield Register. Because of its remote location and its valuable LWS sites, it is not free from constraints which could be mitigated. As such, Policy AL/BE3 does not meet the criteria needed under the NPPF, Section 11, para 117 for development in “a way that makes as much use as possible of previously-developed or ‘brownfield’ land.” AL/BE 4 contains in-use residential housing and an LWS and therefore is not entirely brownfield.
- **Policy STR 5** states that “New residential ... development will be supported if sufficient infrastructure capacity is either available or can be provided in time to serve the development.” Will this happen at AL/BE3&4? Developers themselves are to provide the infrastructure at AL/BE 3&4. The LP proposes to take on trust suggestions that the BHS will avoid building on the LWS and will provide play-grounds, sports facilities and tennis courts. We know from submissions following the first draft LP, that BHS is actually planning to remove one LWS entirely and that its plans include building on the LWS and beyond the foot print of previous buildings. BHS suggests, in its response to the first draft LP (DLP_4956) that it is unlikely to provide play-grounds, sports facilities and tennis courts. The PSLP’s approach does not take comments to the first draft LP into account.
- **Policy STR 6** proposes to “Deliver future development in accessible locations, normally within or in close proximity to existing towns and villages across the borough.” In the case of the two isolated hospital sites, the PSLP contradicts its own strategic policy and fails to offer choices in transport or to prioritise active travel and public transport. The Benenden hospital sites have no daily bus service and no active travel link to the village, and neither the PSLP nor the BHS provide credible information on how these links are to be provided. The KCC email of Nov 13 suggests that the hospital is uncooperative on the proposal to organise a minibus service and the SHELAA says of AL/BE3 that it is “Remote from a settlement centre,” (unlike sites 158, 222 and LS8); that residents will rely heavily on private cars and thus air quality and travel objectives score negatively; and that, “although promoted by the policy, shared transport and active travel options are unlikely

to take precedence over private vehicle use thus air quality and climate change score negatively.” This is crucial. For all the talk of mitigating the remoteness of the hospital sites with a minibus link and cycle routes, nobody actually believes that any of these measures will succeed. As for the proposal to create links suitable for electric personal vehicles, such as mobility scooters (as suggested under STR 6), it is difficult to see, when the closest link with the village is a single-track lane (Walkhurst Road), how any personal electric vehicle could make that journey. The PSLP is creating, through its policies AL/BE3&4, a car dependent community. This thereby negates the sense of the LP’s supporting document, *Transport Strategy Review Sept 2019* which urges reducing the need to travel.

- . AL/BE3&4 also undermine TWBC’s Full Council motion of July 2019 to reduce CO2 emissions. “The dominance of the car as a mode of transport can lead to congestion, more road accidents, air and noise pollution. In addition it contributes to climate change, reduces social cohesion and leads to less healthy lifestyles” (para 44 *Transport Review*). According to TW’s own SA from 2006, if social cohesion, reduction in air pollutants, and public health were indeed the borough’s priorities, site 158 would have been among those chosen for Benenden, as originally intended.
- . **PSLP paras 5.453 and 5.467** state that “residents of development in this location will rely heavily on private cars.” These plans runs counter to STR6 policy on the environment see paras 6.8, 6.9, 6.10, 6.11 and 6.13. It also contravenes KCC policies on climate change and the NPPF (see KCC’s Nov 13, 2019 letter on this subject).
- . **Para 5.414** “The parish provides two relatively large sources of employment: at Benenden Hospital and at Benenden School.” The inference is that the employment opportunities are linked somehow to the population of Benenden. There is in fact little connection. The 300 plus staff at the hospital drive into the parish along GGR to work and, since the hospital is isolated from the village, their contribution to the local economy is negligible.
- . **Policy STR 6** The LP proposes to “**Deliver future development in accessible locations, normally within or in close proximity to existing towns and villages across the borough.**” In the case of the two isolated hospital sites, the LP contradicts its own strategic policy and fails to offer choices in transport or to prioritise active travel and public transport.
- . **Cycle routes:** The PSLP’s standards on the public benefits of cycling and walking are based on the *Cycle Strategy Supporting Document*, but these standards are undermined by site allocation in Benenden. The Cycle document states that: “When more people cycle or walk the health of the population improves and our roads become safer and less congested.” Its objectives 4 and 5 are to improve safety for cyclists and air quality for all, but AL/BE 3 & 4 will create a community, deep in the countryside, entirely dependent on the car and will contribute to poorer air quality for all. The allocation of these sites, as opposed to sites such as 158, is difficult to understand.
- . The *Cycle Strategy* states that fear of traffic is possibly the main factor discouraging people from cycling. National Cycle Route 18 runs from the Rolvenden Road, down Stepneyford Lane, to Green Lane, before joining the Benenden Road near the hospital, turning right and leading to Castleton’s Oak Cross roads and Gribblebridge Lane. This route is a largely on-road ride travelling through the High Weald, using narrow, picturesque country lanes as much as possible. Green Lane/Stepneyford Lane is mentioned in TWBC’s *Rural Lanes: Supplementary Planning Guidance*. It is particularly high scoring in terms of its landscape, its recreational value, its natural beauty and its history. For these reasons, it is part of National Route 18. Rather than encouraging cycling, AL/BE3, which proposes two exits for this major development on GGR and two on Green Lane (where a second housing estate, at Cleveland Farm is already leading to Kent Highways calling for road widening and the elimination of grass verges - see building application 20/03267/FULL) will cause an increase in those factors, identified in *TW Cycle Strategy*, as discouraging cyclists, namely, traffic and the loss of unspoilt country lanes. Policy AL/BE3 also contravenes Kent Structure Plan Policy ENV13: “Rural lanes which are of landscape, amenity, nature conservation, historic or archaeological importance will be protected from changes which would damage their character, and enhanced.” In any event, the cycle route is purely recreational and will not enhance the sustainability of these sites.
- . **Policy STR 7** proposes, in dealing with TWBC’s 2019 legally binding commitment to manage climate change, that all development in the borough will support the Council’s target to achieve net zero emissions by 2030. It is unsound, with such a goal, to propose a major development on the parish periphery, 3 miles equidistant from two villages where there is no shop (in spite of the PLSP’s statement AL/BE 3&4) and no café (BHS says its café was built for its own use not for the use of the public - see comments on the first draft of the LP). Residents will need their cars for almost everything.

- **Policy STR1** promotes the effective use of previously developed land, having due regard to relevant Plan policies, but in promoting AL/BE3&4, the PSLP disregards STR6 (environmental goals) & STR7 (transport goals). Under the NPPF, sustainability is the priority, as the PSLP acknowledges in STR3, 4.65 “A presumption of sustainability lies at the heart of the NPPF”, but in allocating AL/BE 3&4, the PSLP fails to respect its own and the NPPF’s strategic priorities.
- **Policy STR 8** states that development should contribute to and enhance rural landscapes with particular regard to the High Weald (HW) AONB. The PSLP promotes nature conservation. Its biodiversity objective is to achieve net gains and, where possible, secure long-term management of sites for biodiversity. AL/BE3 runs counter to this strategy since the BHS has produced plans showing houses built over the LWS. It has, furthermore, produced a document requiring that one of the two LWS be dug up and removed to another unspecified location, thereby nullifying the terms of the existing Landscape and Ecology Management Plan (LEMP) for that site. Para 3.21 of the BHS submission on the first draft LP states: *“The Society supports the requirement for long-term management of the core areas of LWS associated with the hospital land. This includes all but the modest area within the SEQ adjoining Peak Lodge which is too constraining on the South East Quadrant redevelopment proposals. Accordingly, the soils in the area will be translocated to a nearby receptor site to try to ensure that the rare fungi can continue to thrive in this local area.”* This is a particularly significant site for biodiversity. A letter from Keith Nicholson, former Planning and Conservation officer for the Kent Wildlife Trust, dated 4 March 2013, to TWBC Development Control Officer, Ellen Gilbert states that the hospital LWS are of national importance, mainly for the large number of different varieties of waxcaps. He states that they could well have been designated SSSI. Both in terms of waxcaps and in terms of valuable acid grassland, the hospital sites have high environmental value, see Comment DLP_3458 on the first draft of the LP, from the High Weald AONB Unit. The Benenden Hospital site *“includes rare and vulnerable acid grassland which should form a core area for unimproved grassland as part of a High Weald nature recovery network.”* AL/BE3&4 threaten the biodiversity of significant species in the LWS at the hospital sites, contrary to EN1.
- The LWS to the south of AL/BE3 is included in the BNP and BPC argues that this has been done in order to protect it (see their response to the Independent Examiner April 2021). It is difficult to follow this logic. The inclusion of the site in the area to be developed suggests that it too could be under threat.
- There is no plan showing the placement of houses on AL/BE 4, which is currently home to a large LWS and is the site of 18 habitable dwellings, almost all of the them currently in use and let. The proposal allows for these to be demolished and another 25 dwellings added to the site. The PSLP includes the LWS in the area to be developed and the BNP excludes most of it. Benenden Parish Council (BPC), in its April 2021 response to the Independent Examiner, has said that, in this case of a successful referendum, the PSLP’s plan (which includes the LWS), will prevail. In other words, of the 3 LWS in AL/BE 3&4, one is slated for removal, one will be built over if the PSLP prevails and one may be built over if the BNP prevails. This undermines STR8.
- The PSLP claims that the hospital development “has the potential to improve the setting of the HW AONB through the delivery of a more sensitive redevelopment of existing buildings” (para 5.454), but the claim is not supported by evidence produced by the *Hankinson & Duckett* (see above) while the HW AONB unit’s own view is the opposite. See TW first Draft LP, **DLP_3458 High Weald AONB Unit** (which objects to the Plan) : *“....In our view the development at Benenden Hospital will have a significant effect on the setting of the AONB and the purposes of its designation, and this issue has not been properly considered by the Plan.”*
- The NPPF section 2 para 11 states *“Plans and decisions should apply a presumption in favour of sustainable development... ..(b) strategic policies should provide for objectively assessed needs for housing ...that cannot be met within neighbouring areas unless ... (i) the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area.”* And see Footnote 6: the policies referred to are those in the Framework ... relating to habitat sites (and those sites listed in para 176) and /or designated as SSSI, AONBs
- NPPF para 177 requires that *“The presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site.”*

PSLP EN1 para 5. Biodiversity and geodiversity.

AL/BE 3&4 run counter to this policy as stated above in relation to the LWS.

The Environment

STR8 sets high environmental standards but these are undermined in the site allocations. This is particularly startling in the light of the July 2019 Full Council motion to recognise the climate and biodiversity emergency, in fact, the Benenden allocations put into question whether the motion was passed in good faith.

EN1 para 5 (Biodiversity and geodiversity) says that proposals should maximise opportunities to increase biodiversity. This goal may make sense in an urban setting, but development in the countryside, as is proposed in AL/BE 3 & 4, cannot hope to ever mitigate biodiversity loss. The destruction of trees and wild spaces, the introduction of lighting, kerbs, driveways, wider roads and narrower verges, the use of concrete, tarmac, bricks and mortar in a deeply rural setting cannot “increase biodiversity”.

EN1 provides for Long-term Management plans which would be satisfactory within an urban context. In a rural location like the East End, such plans are no substitute for natural wild spaces. A ‘managed’ green space set among streets is less likely to promote biodiversity and less likely to conserve wildlife than ‘unmanaged’ green space. Further, the three LWS in AL/BE3 are all already part of an existing LEMP agreement, and since one or all would be removed in the case of development as outlined by BHS under AL/BE3&4, instead of creating a long-term management plan, AL/BE3&4 would all but terminate an existing one. The sentiments expressed in EN1 are mocked by AL/BE3& 4.

4. Site policies

AL/BE3 excludes one of the 2 LWS at the site, and the BNP includes both, yet para 5.458 states “Both this policy and BNP draft Policy SSP3 broadly follow the same approach towards the potential for developing this site for a residential development..” This does not appear to be the case. Further, the SHELAA treats this site twice, once including the southern LWS (and excluding Windmill Cottage) and once excluding the LWS and including Windmill Cottage (SHELAA pages 1-3 and pages 18-19). In the second instance, the suggestion is for 67-73 houses, presumably building over the LWS. The first plan is the one adopted in the PSLP and appears to be the more accurate of the two in that it describes the site as “mostly PDL”. The second ignores all greenfield aspects and is almost identical to the plan in the BNP, a plan which BNP claims will prevail if it wins a referendum. Is AL/BE3 presenting us with the wrong plan?

AL/BE3 and AL/BE4 provide for a phased timetable for development of the two sites at different time intervals without calling for a comprehensive masterplan for the hospital site as a whole i.e. for the entire built up area. This is inconsistent with STR2, which requires a masterplan for large developments. The full extent of the area to be developed must be clear. See para 1a of Policy AL/BE3 which states that there is a need to “show indicatively how the other areas included within Policies AL/BE3 and AL/BE 4 can be developed to meet the overall policy requirements as set out within each of these policies, and *how the future needs for Benenden Hospital will be met on areas to the north west and south west that currently comprise the hospital buildings and associated ancillary uses and is previously developed land.*” It is not sound to proceed with an LP where the land to be developed is not indicated from the start.

AL/BE3&4 both call for an active travel link between the site and Benenden village. This proposal has been costed (see BPC’s April 2021 reply to the Independent Examiner) at between £180,000 and £220,000 for a 3m wide tarmacked surface, plus costs to upgrade it to a bridleway, plus the costs associated with obtaining landowners’ consent or, failing that, of starting compulsory purchase proceedings which TWBC expresses reluctance to undertake because of the significant compensation costs and legal costs which would be involved. No steps have been taken either by the BNP or TWBC to ascertain the willingness of landowners to give up their land although the major landowner involved wrote to BNP on 11th Sept. 2019 objecting to the plan. It is understood that he was not contacted for subsequent discussion.

AL/BE3&4 calls for the repurposing of the existing tennis courts for the use of local residents, which BHS denies it will offer for public use; for the public use of the hospital’s café; for the creation of a hospital shop (5.413); for a minibus service linking the hospital to the village (“The Society is not a transport provider” is BHS’ response); for green space, a playground and provision of a community hall - most of these policies are refuted in Savills’ comments on behalf of BHS, in the first draft of the LP, DLP_ 4956 paras 3.14, 3.18, 3.19, 3.20, 3.46 and 3.47. Rather than agreeing to such policies, the hospital is calling on TWBC to introduce a more flexible funding system to allow a *reduction* of developer

costs. BHS argues these will be high because they wish to demolish existing buildings. It is unsound to propose policies which cannot be implemented. Once the sites are sold, no relevant conditions to this effect could be imposed.

5. The PSLP is unsound because of inconsistencies in the treatment of different sites.

(i) **Uphill, AL/BE1** is described as having archaeological potential (para 5.428) requiring possible mitigation measures. This is not because of historical finds on the site, but because they *might* be found. A listed manor house lies on the other side of New Pond Road and, according to AL/BE1, “the site lies within, or very close to the relevant impact risk zone for Parsonage Wood”, a SSSI which is, in fact, several miles away. The archaeological significance of AL/BE 3&4 is far more certain and substantial. The hospital sites are where a bronze age palstaff was found (see the National Monument Register - SMR Number /Hob UID)) and the sites lie close to two ancient routeways. A Roman Road runs west-east (on BHS farmland) a few yards to the south of AL/BE3 and a medieval drove road (GGR), runs west-east between the two sites. Further, two Grade II Listed Buildings are sited here, also on BHS land. The Lister building stands a few yards to the west of AL/BE3 and Cleveland Farm house (the farmyard of which BHS is trying to develop separately and simultaneously as if a minor planning project) lies a few yards to the south. Instead of mentioning these facts, AL/BE3&4 reads (5.456 and 5.468) “Kent County Council states that the site includes significant archaeology, which could be dealt with through suitable conditions on a planning approval.” The imbalance in the treatment of the two sites is substantial and suggests confirmatory bias or prejudice.

(ii) The SHELAA assessment of site 158 suggests a potential yield of 50-65 houses, but then concludes that only the Uphill part of the site is suitable (20 houses). It states that “the remainder of the site is sensitive in landscaping terms and there is concern regarding scale and impact on the character of the landscape and settlement pattern”. This is contrary to the views of TW’s 2006 SA; to the TW 2018 document proposing 174 houses; and to the first draft of the LP. The dismissal of 158 as a suitable site is not supported by the evidence and suggests prejudice.

(iii) Site 222, west of the cross roads, was also considered in 2006, as a possible site for the new village school, though it was not one of the top two sites put to a referendum. The SHELAA suggests 222 has a potential for 76 houses. The site is considered unsuitable partly because the new LBD, if adopted, will exclude all houses west of the cross roads, when the village actually extends a considerable length along this road to the west. There is no mention of the fact that the owners of this site are offering the pond at the south west corner of the crossroads as village green space. The dismissal of 222 is not supported by the evidence and suggests prejudice.

(iv) The SHELAA suggests a capacity of 26 houses at Site LS8 in Iden Green, stating that it lies adjacent to the recreation ground and a children’s nursery and that there is a pavement on both sides of Iden Green’s main road. It fails to mention that the easternmost side of this pavement connects the village to the village primary school. The SHELAA dismisses the site as unsuitable saying that it is located in a remote location relative to services, facilities and public transport, but this site is far less remote than sites AL/BE 3&4. The dismissal of site LS8 is not supported by the evidence and suggests prejudice.

(v) The proposed new LBD has been constructed so as to include the new site at Uphill and to exclude 222, when in fact, the actual built development extends westwards from the crossroads and includes site 222. The LBD is ignored in respect of AL/BE3&4. Manipulation of the LBD to suit allocated sites is inappropriate.

As a general comment, I have found the process unnecessarily difficult to navigate. In fact, from the point of view of the ordinary lay-man, I would term the process ‘hostile’. The interactive on-line site was unmanageable. Question 4a is very badly worded. The PSLP’s prose entirely suited the opacity of the procedure. Here is one example from the SA (page 163) “However, the education objective does not deteriorate when considering cumulative effects as the schools in Tenterden will be a viable option for residents in East End and thus are likely to take the pressure off Benenden Primary School.” What does that mean?

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan 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 modifications needed are included in the submissions set out above. In summary, development on site AL/BE 3 should be limited to the existing, so far unused, planning permission for 24 houses, preferably by adapting the Garland Wing, which is a building of historic value, either to a wellness centre, in accordance with its original intention, or to a row of up to 10 terraced houses. Site AL/BE 4 already has 18 semi-detached houses on it, and cannot support any more. It should therefore be excluded. Housing should be allocated to sites (such as 158 and 222 in the village centre or LS8 in Iden Green) which lie on bus routes or are within walking distance of the village centre and school.

Paragraphs 5.421 and 5.422 should be omitted.

Question 7

***Please note** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.*

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . Yes, I wish to participate in hearing session(s)

Question 7a

***Please note** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.*

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

In order to put over my case, and to answer those with vested interests who may seek to put forward arguments against it.

Question 8

If you have any separate comments you wish to make on the accompanying Sustainability Appraisal, please make them here.

1. The Sustainability Appraisal (SA) is misleading. Table 58 on page 163 states that all Benenden sites "lack services, facilities and travel options". This belies the fact that AL/BE2 (Feoffee almshouses) is close to the Street as is AL/BE1 (Uphill). Both sites are within walking distance of the bus stop for daily bus services, the post office, village shop, the primary school, the village green, the butchers, pub, community hall, church, recreation ground and children's playground. AL/BE 3 & 4 are three miles northeast of the village with no daily bus service and no amenities whatsoever.
2. The commentary on Table 58, (page 163 of the SA), states that East End sites score badly on Climate Change and Travel, yet these are the sites promoted for most houses.
3. The SA argues on page 163 that East End residents will send their children to schools in Tenterden instead of to the village primary school, and that this will lessen the otherwise seriously negative effects of the two hospital sites. This is pure conjecture and possibly wishful thinking. The school has a good reputation and currently between 70 and 75% of children there come from outside the parish. East End children will have precedence over these, since intake depends on the distance of a child's

residence from the school. Pressure on Benenden Primary School will increase, not decrease. Further, the use of a car, whether it drives to Tenterden (5-6 miles) or to Benenden (3 miles), pollutes and deprives residents of the health-giving pleasure of walking to school. The AL/BE 3&4 are contrary to STR2, to the NPPF and to KCC policy on climate change.

4. Appendix L (pp331-2) shows Scores for Reasonable Sites in Benenden. Here we see scores for 158 and 222, two sites close to the village centre. Of 158, we read "A site that scores several neutrals with some positives, let down by its land use and landscape score impacted by a loss of a greenfield site in the AONB and lack of services and facilities including public transport at the settlement." This SA report compares poorly with the SA TWBC carried on site 158 in 2006. 158 is parallel to and just north of the Street with its exit onto New Pond Road. In 2006 site 158 was chosen in a village referendum as the site for a new C of E primary school. It was the preferred site out of a choice of two, both of which were greenfield. TWBC's 2006 SA on 158 decided (see page 18 of the Sustainability Appraisal Benenden Church of England Primary School Land Allocation DPD - Issues and Options report), that 158 was one of two top sites. "Situated adjacent to an area of ancient woodland, the site provides the potential for habitat linkages and wildlife corridors. The site is not adjacent to the CA and does not form a significant role in its setting. There are no Listed Buildings on or adjacent to the site. The site is consistent with the surrounding landscape character. There are limited views into the site and no public rights of way over the site." On page 38, we read, "This site is anticipated to have a major beneficial effect on improving educational standards and travel choice/traffic levels". In spite of the referendum result, the school was eventually built at the less preferred site and, since then, TWBC had been in consultation with 158's owners to build houses there.

5. In April 2018, BNP Steering Committee Deputy Chair, a borough councillor, showed the committee a piece of paper from TWBC saying that TWBC wishes to build 174 houses on site 158. He committed himself to seeing these numbers reduced and the numbers at the East End raised. After a meeting between representatives from the BNP group and TW planners on June 19th, 2018, the minutes reported that "At times the workshop was emotive ..." Following that meeting TW planners put site 158 on temporary hold, limiting development there to a future Local Plan by asking, in the first draft of the LP on page 270, that the Uphill site on New Pond Road, adjacent to 158 and allocated at that time as AL/BE3, should, under Clause 8, provide for vehicular access through Uphill to the site behind (158) "which may be allocated for development as part of a future Local Plan." In the PSLP, this wording for Clause 8 has disappeared. Where is the evidence-base for such wording to be included in the first draft and excluded in the second? Why is the site considered suitable in 2006, in 2018, and in the first draft, but not suitable in the PSLP?

6. Site 222, like 158 is described in Appendix L of the PSLP's SA as suffering from "a lack of services and facilities including public transport at the settlement." This is inaccurate. There is a daily bus service along Benenden Street and site 222 is within easy walking distance of the bus stop, shops, pub, community hall, primary school and all other amenities.

7. Site LS8, in the heart of Iden Green is, along with site 158 and 222, a site which on-the-ground evidence suggests is eminently suitable for development, but which the SA fails to allocate. Appendix L of the SA gives LS8 virtually the same scores as Uphill (LS16 of AL/BE1) yet the latter is included for development and the former is not. The commentary states of LS8 "A number of scores are negative however, reflecting the remote location of the site from services and facilities and public transport. It scores negatively in heritage terms as the site is a relatively sizeable piece of the Iden Green Conservation Area." This site is far less remote than sites AL/BE 3 & 4. It is one mile from the village and connected to it by a paved footpath running past a Roadside Conservation Area and then (still paved) through a field to the church and primary school. It is on a bus route and the bus stop is next to LS8. Iden Green has a community hall, tennis courts, a children's playground and pub/restaurant. The SA information is unreliable and the PSLP's use of it for site allocation is unwise.

8. In so far as Benenden is concerned, the sites were allocated before any sustainability appraisal was commissioned. It is not therefore relevant factor in the allocation of sites for housing.

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Ms Hazel Strouts [REDACTED]
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	Ms Hazel Strouts [REDACTED]
Comment ID	PSLP_218
Response Date	11/05/21 12:00
Consultation Point	Policy AL/BE 1 Land adjacent to New Pond Road (known as Uphill), Benenden (View)
Status	Processed
Submission Type	Other
Version	0.5
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Hazel Strouts
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy PSTR/BE 1 The Strategy for Benenden parish	
Policy: AL/BE1	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	No
Is sound	No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not positively prepared
- . It is not effective
- . It is not justified
- . It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

[TWBC Comment: Note response slight variation on PSLP_194, 199, 200 and 202]

[TWBC comment - representation copied against policy PSTR/BE1]

This submission concerns the parish of Benenden, the only parish in the borough to have made its own allocations. The Benenden Neighbourhood Plan (BNP) has been developed in close consultation with TWBC, with the BNP in the lead. The BNP announced its allocations in February 2019, before inviting AECOM to produce its Strategic Environmental Assessment. Pre-Submission Local Plan, para 5.420 reads "The BNP was submitted to TWBC in October 2020 and was consulted on between 30 October and 11 December 2020." But the allocations had been made and published in February 2019. Further, Para 5.420 states "The BNP proposes to include site allocation policies that follow the approach of the site allocation policies for Benenden in this Local Plan." BNP allocations were first published in February 2019 i.e. before LP site allocation policies.

Allocations made by the LP, when it took up the BNP's baton, are therefore inevitably linked to BNP's weaknesses. Yet if the BNP passes a referendum before acceptance of the LP, it is said that it will take precedence over the LP (see para 5.421), with the exception of its plans for the northern site at Benenden hospital, which will be overruled by the plans advanced in the LP (see Benenden Parish Council April 2021 response to Independent Examiner queries on the BNP). This is in contravention of para 5.422 which talks of making "modifications to the LP" so that it matches the BNP.

1 Community involvement. EN1: this requirement has not been respected.

- . In Benenden, almost all new housing is slated for the East End, yet the Friends of the East End (FEE), were never asked to meet with the BNP steering group.
- . See EN1 para 9 requiring the effective engagement of the local community, neighbours of sites and others. The FEE submitted three petitions, two to the BNP and one in relation to the LP. A FEE submission with 127 signatures was submitted on April 4th 2019 in response the Informal Draft NP (published on February 23, 2019), in which the allocations later adopted by the LP were first set out. A FEE submission with 164 signatures was submitted in October 2019 objecting to the first draft of the LP, and in the same month, a FEE submission with 167 signatures was submitted in relation to the Reg 16 draft BNP. See the FEE's current online petition with more than 450 signatures <https://www.change.org/EastEndFriends>
- . Instead of being consulted, the FEE were ignored and belittled. They were informed on 11th March 2019 by the editor of the Parish Magazine (PM), husband of the Chair of the Parish Council, that "I'm of the view that much of the uncertainty has passed since the presentation of the plan to the village - to a highly favourable reception. At least we no longer have to give polite credence to *uninformed views* that fly in the face of TWBC policy and advocate direct and *pointless confrontation* with TWBC, thereby running the risk of having the entire BNDP thrown back in our

faces. *The ensuing chaos hardly bears thinking about.* At least it seems the opinions now being afforded most weight are those of *people who have worked hard for two years to understand the issues* and come up with a coherent way forward.”

- . One of the regular articles on the BNP submitted by the chair of the BNP Steering Group appeared in January 2020. It dismisses FEE opposition suggesting only “31 residents from the East End” sent in comments.
- . The core group behind the BNP has consistently tried to persuade those who support the FEE to desist. The chair of the Parish Council and the chair of the BNP Steering Group have twice asked to meet a Tunbridge Wells Alliance (TWA) Borough Councillor for the parish, once together with a TWA borough council candidate, in efforts to persuade them to adhere to the BNP’s approach and not to listen to the FEE.
- . The organiser of the FEE was a member of the Steering Committee 2017/2018 as chair of the Environmental Group. She expressed strong disagreement with a Borough Councillor who lives in the village (on occasion, he deputises as chair of the Steering Group) about his wish to step up allocations in the East End and suppress TWBC’s wish to build 174 houses on site 158. As a result, the Steering Group chair (using his own word), “sacked” her. This is contrary to EN1 para 9, encouraging early, proactive and effective engagements and the requirement that views expressed should be properly considered.
- . Consultation also failed in relation to the neighbouring parish of Biddenden. The Clerk of Biddenden Council has repeatedly responded to BPC in the course of the BNP consultation process, but received only acknowledgments. A Kent County Councillor and Ashford Borough Councillor wrote an article about BNP’s mismanagement of the parish of Biddenden in the Biddenden Parish Magazine, February 2021.
- . The LP is based on the BNP and BNP allocations were made before consultations with stakeholders such as the AONB. This is not consulting in a timely fashion. Further, the LP requires surveys of the hospital sites *after* the designation of the sites for development, for example, archaeological surveys (see AL/BE 3&4). Historic England (HE) asks for the surveys to be carried out *before*. See HE’s comments on the first draft LP (DLP_4556) - “we would expect the allocation of sites following on from this Strategy policy (STR1) to be subject to appropriately robust and detailed heritage impact assessment *prior to the allocations being adopted*.”
- 1 **The PSLP is not based on sound evidence**
 - . Throughout the LP process, misstatements have been made about amenities in Benenden’s East End. These may be traced back to a submission made by traffic and highways consultants, Transport Planning Associates (TPA) to Benenden Healthcare Society Ltd. (BHS). This submission was recently disclosed in BHS’s response to the Independent Examiner’s queries in relation to the BNP. TPA’s information is sometimes inaccurate and sometimes misleading and we consider it here in detail because it is difficult otherwise, to understand how the LP was able to continue, iteration after iteration, to relate false information about the hospital site.
 - . In October 2019, TPA reported (para 2.6) that there was a footpath along the southern edge of Goddards Green Road (GGR) and the PSLP, para 5.452 states “There is an intermittent pavement along GGR”. The GGR is a long road running from New Pond Road to Castleton’s Oak crossroads, and was formerly a lane. The pavement is limited to the short section immediately outside the hospital buildings. To say that there is an intermittent pavement along GGR is misleading.
 - . The TPA refers to the East End as a village, which it is not. The East End runs from the junction of GGR and Walkhurst Road, along the GGR to the border with Tenterden, then turns south to reach close to Hole Park in Rolvenden, then east back to Walkhurst Road at the site of the stream, then along Walkhurst Road back to GGR (see the old Electoral Roll for 2004 when the East End had its own polling station). It is a large, totally rural area of several square miles, which was why it was chosen as the site for an isolation hospital in 1906. Today it contains only 76 houses scattered across the entire area. The PSLP consistently refers to the East End as a hamlet. It is not, which is why BPC is able to advertise itself on its website as “Serving the people of Benenden and Iden Green” without any reference to the East End.
 - . The TPA says that “a day nursery is located immediately to the north of the Site within 400m.” There is incorrect, yet this error is repeated in para 5.413 of the PSLP “There are also nursery/pre-school facilities at Iden Green and East End.” An accurate account would mention Iden Green only.
 - . The TPA states that there are daily bus services along GGR provided by bus nos. 24 and 299, and twice a day service provided by the Hopper bus. This information is incorrect. The 2019 Hopper bus, operated by the Tenterden social services hub on an experimental basis, failed in

only a matter of months. While the 24 and the 299 buses pass along GGR, they do so on only one day a week. The 24 on Tuesdays and the 299 on Wednesdays. The East End has almost no public transport.

- . The TPA makes several statements in relation to traffic which have fed misinformation into the system to be reflected in AL/BA3&4. This misinformation was only recently revealed when documents were provided by BHS following April 2021 queries raised by the Independent Examiner on the BNP. These documents include a TPA 'Scoping Note' on road and traffic conditions at the site and a letter written in response to this Note from KCC Highways, dated 13 Nov. 2019. The TPA states that the GGR is 7m wide at the hospital site which detracts from the fact that it is actually a winding rural lane, now called a road, and varies considerably in width. It may at some point be 7m wide, but at others, it is so narrow that two lorries have difficulty passing each other. The TPA claims that there is no need for a road safety review because there have been "no personal injury accidents" recorded within 1,000m. Castleton's Oak crossroads lie 1.5 km from the site and accidents there are frequent, largely due to increasing traffic at the hospital. The hospital has turned itself into an almost exclusively out-patient centre and almost all its 300 employees drive in to work from outside the parish (formerly, they were housed on site in hospital staff buildings). Kent County Council (KCC) Highways make constant and repeated attempts to lower the risk of injury at the crossroads. Works there are ongoing at this time. The TPA claims that no traffic surveys are necessary which is a point queried in the KCC Highways' email. The email talks of the "heavy car dependency" of residents in any housing in this location and says this was one of its concerns, even at the time of the original application asking for only 24 houses. The email states that BHS's plans (and therefore AL/BE 3&4) are contrary to the NPPF and to KCC's own policy objectives, and points out that the hospital has not co-operated over the idea of a minibus to provide transport from the site to Benenden. The letter calls for: traffic counts along the GGR; a wider crash analysis; and expresses concern over the proposed access points to the SE Quadrant - 2 on Green Lane and 2 on GGR. Lastly, on trip generation, the TPA projects that 47 houses at the site will produce only 106 trips a day, though the consultants admit that they have difficulty in basing their estimate on comparable sites because there are none. These trip generation figures ignore existing traffic from local residents, from patients, from hospital staff and from the newly (January 2021) proposed housing estate at Cleveland. The AL/BE 3&4 fails to provide a traffic count, fails to ask for a road safety review and fails to acknowledge frequent traffic accidents near the sites.
- . Pre-submission supporting documents also produce inaccurate and sometimes irrelevant evidence. The hospital sites are within the setting of an AONB and even overlap into it, yet *Inset Map 18* (Benenden Hospital), unlike other maps attached, makes no reference to the AONB boundary. The BNP claims that the hospital is outside the AONB and on this basis, since the rest of the village is wholly within the AONB, largely justifies placing most of Benenden's housing in the East End. The relationship of the AONB boundary to the hospital sites is important yet it is ignored on the map. This looks like prejudice.
- . Hankinson Duckett Associates's *AONB Setting Analysis Report* (a supporting document for the PSLP, referred to as an evidence base) is, in its analysis of AL/BE3&4, unsound. The analysis argues that development at these sites will enhance the setting of the AONB. It illustrates the argument with photos of the hospital chapel and its carpark. Neither chapel nor car park are in the area up for development.
- 1 **Policies AL/BE3&4 are not consistent with the PSLP's Vision objectives nor with its strategies, nor with KCC's policies, nor with the NPPF.**
- . The PSLP's Vision Objective 1 is : "to improve access to suitable, especially affordable housing, including for local young people and older households." But this is inconsistent with allocations AL/BE 3 & 4. BHS is asking in its comments on the LP first draft, for a lower number of affordable homes because of the high cost of brownfield development. Living isolated in the countryside, families will need at least two cars. Old and young will be unable to walk to schools, shops or any other amenities. This is not a suitable site for a borough which (see para 2.16) expects the population over the age of 65 + to increase by around 40% between 2020 and 2038. The PSLP's Vision Objective 2 is to ensure sustainable development which allocations at AL/BE 3&4 do not achieve. On the contrary, the KCC warns that even with the existing permission for 24 houses on AL/BE3, the highway authority had concerns. This is an isolated location, deep in the countryside (see KCC Highways email 13 Nov 2019). More than 24 houses in this location is not sustainable.

- **Policy PSTR/BE1**, LBD 5.416 states “the LBD around Benenden village sets the extent of existing and planned development ..” This conflicts with the recommendation that major development be instated three miles beyond the LBD, on the border with Biddenden.
- **Policy STR 2** “The Council requires the use of masterplanning, including the use of design codes and sustainable design standards where appropriate, for strategic and larger-scale developments..” This is undermined by AL/BE 3&4 which calls for a masterplan for an area not included in the PSLP and not presented. Para 1a of Policy AL/BE3 states that there is a need to “show indicatively how the other areas included within Policies AL/BE3 and AL/BE 4 can be developed to meet the overall policy requirements as set out within each of these policies, and *how the future needs for Benenden Hospital will be met on areas to the north west and south west that currently comprise the hospital buildings and associated ancillary uses and is previously developed land.*” It is not sound to proceed with an LP where the land to be developed is not clearly indicated from the start.
- **A masterplan is essential to avoid current inconsistencies on the size of areas to be developed:** AL/BE3 excludes one of the 2 Local Wildlife Sites (LWS) at the site, yet the BNP includes both. Para 5.458 states “Both this policy and BNP draft Policy SSP3 broadly follow the same approach towards the potential for developing this site for a residential development..” They do not. The PSLP states that in the event of a successful referendum, the BNP’s proposals will prevail. If this is so, are we supposed to assume that AL/BE3 map is inaccurate?
- A similar problem arises at the northern site (AL/BE4) here there are currently 18 dwellings. The proposal allows for these to be demolished and another 25 dwellings added to the site. The size of the area to be developed varies between the LP and the BNP. The LP includes the LWS in the area to be developed but the BNP includes only a small section, but says in the event of a successful referendum the BNP plan will be over-ruled by the LP plan (see the BPC response April 2021 to the Independent Examiner’s queries). This is the reverse of 5.421 & 2. It is unsound to proceed with a plan when the NP and the LP are at odds with each other.
- **The PSLP claims building will only be within existing footprints**, an approach which is at odds with that of the BHS. Plans for 47 new houses in AL/BE3, presented to the village on 17th February 2020 by the hospital architects, show the buildings are not to be built within the footprint of previous buildings nor to respect LWS.
- **Policy STR 3** calls for the use of brownfield sites “within settlements” and in “sustainable locations.” AL/BE 3 consists of disused medical buildings and 2 LWS with parkland and veteran trees (depending on whether this second LWS is included or not). 5.448 is therefore incorrect. The site should be described not as brownfield but as partly brownfield. It is not on the Brownfield Register. Because of its remote location and its valuable LWS sites, it is not free from constraints which could be mitigated. As such, Policy AL/BE3 does not meet the criteria needed under the NPPF, Section 11, para 117 for development in “a way that makes as much use as possible of previously-developed or ‘brownfield’ land.” AL/BE 4 contains in-use residential housing and an LWS and therefore is not entirely brownfield.
- **Policy STR 5** states that “New residential ... development will be supported if sufficient infrastructure capacity is either available or can be provided in time to serve the development.” Will this happen at AL/BE3&4? Developers themselves are to provide the infrastructure at AL/BE 3&4. The LP proposes to take on trust suggestions that the BHS will avoid building on the LWS and will provide play-grounds, sports facilities and tennis courts. We know from submissions following the first draft LP, that BHS is actually planning to remove one LWS entirely and that its plans include building on the LWS and beyond the foot print of previous buildings. BHS suggests, in its response to the first draft LP (DLP_4956) that it is unlikely to provide play-grounds, sports facilities and tennis courts. The PSLP’s approach does not take comments to the first draft LP into account.
- **Policy STR 6** proposes to “Deliver future development in accessible locations, normally within or in close proximity to existing towns and villages across the borough.” In the case of the two isolated hospital sites, the PSLP contradicts its own strategic policy and fails to offer choices in transport or to prioritise active travel and public transport. The Benenden hospital sites have no daily bus service and no active travel link to the village, and neither the PSLP nor the BHS provide credible information on how these links are to be provided. The KCC email of Nov 13 suggests that the hospital is uncooperative on the proposal to organise a minibus service and the SHELAA says of AL/BE3 that it is “Remote from a settlement centre,” (unlike sites 158, 222 and LS8); that residents will rely heavily on private cars and thus air quality and travel objectives score negatively; and that, “although promoted by the policy, shared transport and active travel options are unlikely

to take precedence over private vehicle use thus air quality and climate change score negatively.” This is crucial. For all the talk of mitigating the remoteness of the hospital sites with a minibus link and cycle routes, nobody actually believes that any of these measures will succeed. As for the proposal to create links suitable for electric personal vehicles, such as mobility scooters (as suggested under STR 6), it is difficult to see, when the closest link with the village is a single-track lane (Walkhurst Road), how any personal electric vehicle could make that journey. The PSLP is creating, through its policies AL/BE3&4, a car dependent community. This thereby negates the sense of the LP’s supporting document, *Transport Strategy Review Sept 2019* which urges reducing the need to travel.

- . AL/BE3&4 also undermine TWBC’s Full Council motion of July 2019 to reduce CO2 emissions. “The dominance of the car as a mode of transport can lead to congestion, more road accidents, air and noise pollution. In addition it contributes to climate change, reduces social cohesion and leads to less healthy lifestyles” (para 44 *Transport Review*). According to TW’s own SA from 2006, if social cohesion, reduction in air pollutants, and public health were indeed the borough’s priorities, site 158 would have been among those chosen for Benenden, as originally intended.
- . **PSLP paras 5.453 and 5.467** state that “residents of development in this location will rely heavily on private cars.” These plans runs counter to STR6 policy on the environment see paras 6.8, 6.9, 6.10, 6.11 and 6.13. It also contravenes KCC policies on climate change and the NPPF (see KCC’s Nov 13, 2019 letter on this subject).
- . **Para 5.414** “The parish provides two relatively large sources of employment: at Benenden Hospital and at Benenden School.” The inference is that the employment opportunities are linked somehow to the population of Benenden. There is in fact little connection. The 300 plus staff at the hospital drive into the parish along GGR to work and, since the hospital is isolated from the village, their contribution to the local economy is negligible.
- . **Policy STR 6** The LP proposes to “**Deliver future development in accessible locations, normally within or in close proximity to existing towns and villages across the borough.**” In the case of the two isolated hospital sites, the LP contradicts its own strategic policy and fails to offer choices in transport or to prioritise active travel and public transport.
- . **Cycle routes:** The PSLP’s standards on the public benefits of cycling and walking are based on the *Cycle Strategy Supporting Document*, but these standards are undermined by site allocation in Benenden. The Cycle document states that: “When more people cycle or walk the health of the population improves and our roads become safer and less congested.” Its objectives 4 and 5 are to improve safety for cyclists and air quality for all, but AL/BE 3 & 4 will create a community, deep in the countryside, entirely dependent on the car and will contribute to poorer air quality for all. The allocation of these sites, as opposed to sites such as 158, is difficult to understand.
- . The *Cycle Strategy* states that fear of traffic is possibly the main factor discouraging people from cycling. National Cycle Route 18 runs from the Rolvenden Road, down Stepneyford Lane, to Green Lane, before joining the Benenden Road near the hospital, turning right and leading to Castleton’s Oak Cross roads and Gribblebridge Lane. This route is a largely on-road ride travelling through the High Weald, using narrow, picturesque country lanes as much as possible. Green Lane/Stepneyford Lane is mentioned in TWBC’s *Rural Lanes: Supplementary Planning Guidance*. It is particularly high scoring in terms of its landscape, its recreational value, its natural beauty and its history. For these reasons, it is part of National Route 18. Rather than encouraging cycling, AL/BE3, which proposes two exits for this major development on GGR and two on Green Lane (where a second housing estate, at Cleveland Farm is already leading to Kent Highways calling for road widening and the elimination of grass verges - see building application 20/03267/FULL) will cause an increase in those factors, identified in *TW Cycle Strategy*, as discouraging cyclists, namely, traffic and the loss of unspoilt country lanes. Policy AL/BE3 also contravenes Kent Structure Plan Policy ENV13: “Rural lanes which are of landscape, amenity, nature conservation, historic or archaeological importance will be protected from changes which would damage their character, and enhanced.” In any event, the cycle route is purely recreational and will not enhance the sustainability of these sites.
- . **Policy STR 7** proposes, in dealing with TWBC’s 2019 legally binding commitment to manage climate change, that all development in the borough will support the Council’s target to achieve net zero emissions by 2030. It is unsound, with such a goal, to propose a major development on the parish periphery, 3 miles equidistant from two villages where there is no shop (in spite of the PLSP’s statement AL/BE 3&4) and no café (BHS says its café was built for its own use not for the use of the public - see comments on the first draft of the LP). Residents will need their cars for almost everything.

- **Policy STR1** promotes the effective use of previously developed land, having due regard to relevant Plan policies, but in promoting AL/BE3&4, the PSLP disregards STR6 (environmental goals) & STR7 (transport goals). Under the NPPF, sustainability is the priority, as the PSLP acknowledges in STR3, 4.65 “A presumption of sustainability lies at the heart of the NPPF”, but in allocating AL/BE 3&4, the PSLP fails to respect its own and the NPPF’s strategic priorities.
- **Policy STR 8** states that development should contribute to and enhance rural landscapes with particular regard to the High Weald (HW) AONB. The PSLP promotes nature conservation. Its biodiversity objective is to achieve net gains and, where possible, secure long-term management of sites for biodiversity. AL/BE3 runs counter to this strategy since the BHS has produced plans showing houses built over the LWS. It has, furthermore, produced a document requiring that one of the two LWS be dug up and removed to another unspecified location, thereby nullifying the terms of the existing Landscape and Ecology Management Plan (LEMP) for that site. Para 3.21 of the BHS submission on the first draft LP states: *“The Society supports the requirement for long-term management of the core areas of LWS associated with the hospital land. This includes all but the modest area within the SEQ adjoining Peak Lodge which is too constraining on the South East Quadrant redevelopment proposals. Accordingly, the soils in the area will be translocated to a nearby receptor site to try to ensure that the rare fungi can continue to thrive in this local area.”* This is a particularly significant site for biodiversity. A letter from Keith Nicholson, former Planning and Conservation officer for the Kent Wildlife Trust, dated 4 March 2013, to TWBC Development Control Officer, Ellen Gilbert states that the hospital LWS are of national importance, mainly for the large number of different varieties of waxcaps. He states that they could well have been designated SSSI. Both in terms of waxcaps and in terms of valuable acid grassland, the hospital sites have high environmental value, see Comment DLP_3458 on the first draft of the LP, from the High Weald AONB Unit. The Benenden Hospital site *“includes rare and vulnerable acid grassland which should form a core area for unimproved grassland as part of a High Weald nature recovery network.”* AL/BE3&4 threaten the biodiversity of significant species in the LWS at the hospital sites, contrary to EN1.
- The LWS to the south of AL/BE3 is included in the BNP and BPC argues that this has been done in order to protect it (see their response to the Independent Examiner April 2021). It is difficult to follow this logic. The inclusion of the site in the area to be developed suggests that it too could be under threat.
- There is no plan showing the placement of houses on AL/BE 4, which is currently home to a large LWS and is the site of 18 habitable dwellings, almost all of the them currently in use and let. The proposal allows for these to be demolished and another 25 dwellings added to the site. The PSLP includes the LWS in the area to be developed and the BNP excludes most of it. Benenden Parish Council (BPC), in its April 2021 response to the Independent Examiner, has said that, in this case of a successful referendum, the PSLP’s plan (which includes the LWS), will prevail. In other words, of the 3 LWS in AL/BE 3&4, one is slated for removal, one will be built over if the PSLP prevails and one may be built over if the BNP prevails. This undermines STR8.
- The PSLP claims that the hospital development “has the potential to improve the setting of the HW AONB through the delivery of a more sensitive redevelopment of existing buildings” (para 5.454), but the claim is not supported by evidence produced by the *Hankinson & Duckett* (see above) while the HW AONB unit’s own view is the opposite. See TW first Draft LP, **DLP_3458 High Weald AONB Unit** (which objects to the Plan) : *“....In our view the development at Benenden Hospital will have a significant effect on the setting of the AONB and the purposes of its designation, and this issue has not been properly considered by the Plan.”*
- The NPPF section 2 para 11 states *“Plans and decisions should apply a presumption in favour of sustainable development... ..(b) strategic policies should provide for objectively assessed needs for housing ...that cannot be met within neighbouring areas unless ... (i) the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area.”* And see Footnote 6: the policies referred to are those in the Framework ... relating to habitat sites (and those sites listed in para 176) and /or designated as SSSI, AONBs
- NPPF para 177 requires that *“The presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site.”*

PSLP EN1 para 5. Biodiversity and geodiversity.

AL/BE 3&4 run counter to this policy as stated above in relation to the LWS.

The Environment

STR8 sets high environmental standards but these are undermined in the site allocations. This is particularly startling in the light of the July 2019 Full Council motion to recognise the climate and biodiversity emergency, in fact, the Benenden allocations put into question whether the motion was passed in good faith.

EN1 para 5 (Biodiversity and geodiversity) says that proposals should maximise opportunities to increase biodiversity. This goal may make sense in an urban setting, but development in the countryside, as is proposed in AL/BE 3 & 4, cannot hope to ever mitigate biodiversity loss. The destruction of trees and wild spaces, the introduction of lighting, kerbs, driveways, wider roads and narrower verges, the use of concrete, tarmac, bricks and mortar in a deeply rural setting cannot “increase biodiversity”.

EN1 provides for Long-term Management plans which would be satisfactory within an urban context. In a rural location like the East End, such plans are no substitute for natural wild spaces. A ‘managed’ green space set among streets is less likely to promote biodiversity and less likely to conserve wildlife than ‘unmanaged’ green space. Further, the three LWS in AL/BE3 are all already part of an existing LEMP agreement, and since one or all would be removed in the case of development as outlined by BHS under AL/BE3&4, instead of creating a long-term management plan, AL/BE3&4 would all but terminate an existing one. The sentiments expressed in EN1 are mocked by AL/BE3& 4.

4. Site policies

AL/BE3 excludes one of the 2 LWS at the site, and the BNP includes both, yet para 5.458 states “Both this policy and BNP draft Policy SSP3 broadly follow the same approach towards the potential for developing this site for a residential development..” This does not appear to be the case. Further, the SHELAA treats this site twice, once including the southern LWS (and excluding Windmill Cottage) and once excluding the LWS and including Windmill Cottage (SHELAA pages 1-3 and pages 18-19). In the second instance, the suggestion is for 67-73 houses, presumably building over the LWS. The first plan is the one adopted in the PSLP and appears to be the more accurate of the two in that it describes the site as “mostly PDL”. The second ignores all greenfield aspects and is almost identical to the plan in the BNP, a plan which BNP claims will prevail if it wins a referendum. Is AL/BE3 presenting us with the wrong plan?

AL/BE3 and AL/BE4 provide for a phased timetable for development of the two sites at different time intervals without calling for a comprehensive masterplan for the hospital site as a whole i.e. for the entire built up area. This is inconsistent with STR2, which requires a masterplan for large developments. The full extent of the area to be developed must be clear. See para 1a of Policy AL/BE3 which states that there is a need to “show indicatively how the other areas included within Policies AL/BE3 and AL/BE 4 can be developed to meet the overall policy requirements as set out within each of these policies, and *how the future needs for Benenden Hospital will be met on areas to the north west and south west that currently comprise the hospital buildings and associated ancillary uses and is previously developed land.*” It is not sound to proceed with an LP where the land to be developed is not indicated from the start.

AL/BE3&4 both call for an active travel link between the site and Benenden village. This proposal has been costed (see BPC’s April 2021 reply to the Independent Examiner) at between £180,000 and £220,000 for a 3m wide tarmacked surface, plus costs to upgrade it to a bridleway, plus the costs associated with obtaining landowners’ consent or, failing that, of starting compulsory purchase proceedings which TWBC expresses reluctance to undertake because of the significant compensation costs and legal costs which would be involved. No steps have been taken either by the BNP or TWBC to ascertain the willingness of landowners to give up their land although the major landowner involved wrote to BNP on 11th Sept. 2019 objecting to the plan. It is understood that he was not contacted for subsequent discussion.

AL/BE3&4 calls for the repurposing of the existing tennis courts for the use of local residents, which BHS denies it will offer for public use; for the public use of the hospital’s café; for the creation of a hospital shop (5.413); for a minibus service linking the hospital to the village (“The Society is not a transport provider” is BHS’ response); for green space, a playground and provision of a community hall - most of these policies are refuted in Savills’ comments on behalf of BHS, in the first draft of the LP, DLP_ 4956 paras 3.14, 3.18, 3.19, 3.20, 3.46 and 3.47. Rather than agreeing to such policies, the hospital is calling on TWBC to introduce a more flexible funding system to allow a *reduction* of developer

costs. BHS argues these will be high because they wish to demolish existing buildings. It is unsound to propose policies which cannot be implemented. Once the sites are sold, no relevant conditions to this effect could be imposed.

5. The PSLP is unsound because of inconsistencies in the treatment of different sites.

(i) **Uphill, AL/BE1** is described as having archaeological potential (para 5.428) requiring possible mitigation measures. This is not because of historical finds on the site, but because they *might* be found. A listed manor house lies on the other side of New Pond Road and, according to AL/BE1, “the site lies within, or very close to the relevant impact risk zone for Parsonage Wood”, a SSSI which is, in fact, several miles away. The archaeological significance of AL/BE 3&4 is far more certain and substantial. The hospital sites are where a bronze age palstaff was found (see the National Monument Register - SMR Number /Hob UID)) and the sites lie close to two ancient routeways. A Roman Road runs west-east (on BHS farmland) a few yards to the south of AL/BE3 and a medieval drove road (GGR), runs west-east between the two sites. Further, two Grade II Listed Buildings are sited here, also on BHS land. The Lister building stands a few yards to the west of AL/BE3 and Cleveland Farm house (the farmyard of which BHS is trying to develop separately and simultaneously as if a minor planning project) lies a few yards to the south. Instead of mentioning these facts, AL/BE3&4 reads (5.456 and 5.468) “Kent County Council states that the site includes significant archaeology, which could be dealt with through suitable conditions on a planning approval.” The imbalance in the treatment of the two sites is substantial and suggests confirmatory bias or prejudice.

(ii) The SHELAA assessment of site 158 suggests a potential yield of 50-65 houses, but then concludes that only the Uphill part of the site is suitable (20 houses). It states that “the remainder of the site is sensitive in landscaping terms and there is concern regarding scale and impact on the character of the landscape and settlement pattern”. This is contrary to the views of TW’s 2006 SA; to the TW 2018 document proposing 174 houses; and to the first draft of the LP. The dismissal of 158 as a suitable site is not supported by the evidence and suggests prejudice.

(iii) Site 222, west of the cross roads, was also considered in 2006, as a possible site for the new village school, though it was not one of the top two sites put to a referendum. The SHELAA suggests 222 has a potential for 76 houses. The site is considered unsuitable partly because the new LBD, if adopted, will exclude all houses west of the cross roads, when the village actually extends a considerable length along this road to the west. There is no mention of the fact that the owners of this site are offering the pond at the south west corner of the crossroads as village green space. The dismissal of 222 is not supported by the evidence and suggests prejudice.

(iv) The SHELAA suggests a capacity of 26 houses at Site LS8 in Iden Green, stating that it lies adjacent to the recreation ground and a children’s nursery and that there is a pavement on both sides of Iden Green’s main road. It fails to mention that the easternmost side of this pavement connects the village to the village primary school. The SHELAA dismisses the site as unsuitable saying that it is located in a remote location relative to services, facilities and public transport, but this site is far less remote than sites AL/BE 3&4. The dismissal of site LS8 is not supported by the evidence and suggests prejudice.

(v) The proposed new LBD has been constructed so as to include the new site at Uphill and to exclude 222, when in fact, the actual built development extends westwards from the crossroads and includes site 222. The LBD is ignored in respect of AL/BE3&4. Manipulation of the LBD to suit allocated sites is inappropriate.

As a general comment, I have found the process unnecessarily difficult to navigate. In fact, from the point of view of the ordinary lay-man, I would term the process ‘hostile’. The interactive on-line site was unmanageable. Question 4a is very badly worded. The PSLP’s prose entirely suited the opacity of the procedure. Here is one example from the SA (page 163) “However, the education objective does not deteriorate when considering cumulative effects as the schools in Tenterden will be a viable option for residents in East End and thus are likely to take the pressure off Benenden Primary School.” What does that mean?

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan 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 modifications needed are included in the submissions set out above. In summary, development on site AL/BE 3 should be limited to the existing, so far unused, planning permission for 24 houses, preferably by adapting the Garland Wing, which is a building of historic value, either to a wellness centre, in accordance with its original intention, or to a row of up to 10 terraced houses. Site AL/BE 4 already has 18 semi-detached houses on it, and cannot support any more. It should therefore be excluded. Housing should be allocated to sites (such as 158 and 222 in the village centre or LS8 in Iden Green) which lie on bus routes or are within walking distance of the village centre and school.

Paragraphs 5.421 and 5.422 should be omitted.

Question 7

***Please note** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.*

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . Yes, I wish to participate in hearing session(s)

Question 7a

***Please note** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.*

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

In order to put over my case, and to answer those with vested interests who may seek to put forward arguments against it.

Question 8

If you have any separate comments you wish to make on the accompanying Sustainability Appraisal, please make them here.

1. The Sustainability Appraisal (SA) is misleading. Table 58 on page 163 states that all Benenden sites "lack services, facilities and travel options". This belies the fact that AL/BE2 (Feoffee almshouses) is close to the Street as is AL/BE1 (Uphill). Both sites are within walking distance of the bus stop for daily bus services, the post office, village shop, the primary school, the village green, the butchers, pub, community hall, church, recreation ground and children's playground. AL/BE 3 & 4 are three miles northeast of the village with no daily bus service and no amenities whatsoever.
2. The commentary on Table 58, (page 163 of the SA), states that East End sites score badly on Climate Change and Travel, yet these are the sites promoted for most houses.
3. The SA argues on page 163 that East End residents will send their children to schools in Tenterden instead of to the village primary school, and that this will lessen the otherwise seriously negative effects of the two hospital sites. This is pure conjecture and possibly wishful thinking. The school has a good reputation and currently between 70 and 75% of children there come from outside the parish. East End children will have precedence over these, since intake depends on the distance of a child's

residence from the school. Pressure on Benenden Primary School will increase, not decrease. Further, the use of a car, whether it drives to Tenterden (5-6 miles) or to Benenden (3 miles), pollutes and deprives residents of the health-giving pleasure of walking to school. The AL/BE 3&4 are contrary to STR2, to the NPPF and to KCC policy on climate change.

4. Appendix L (pp331-2) shows Scores for Reasonable Sites in Benenden. Here we see scores for 158 and 222, two sites close to the village centre. Of 158, we read "A site that scores several neutrals with some positives, let down by its land use and landscape score impacted by a loss of a greenfield site in the AONB and lack of services and facilities including public transport at the settlement." This SA report compares poorly with the SA TWBC carried on site 158 in 2006. 158 is parallel to and just north of the Street with its exit onto New Pond Road. In 2006 site 158 was chosen in a village referendum as the site for a new C of E primary school. It was the preferred site out of a choice of two, both of which were greenfield. TWBC's 2006 SA on 158 decided (see page 18 of the Sustainability Appraisal Benenden Church of England Primary School Land Allocation DPD - Issues and Options report), that 158 was one of two top sites. "Situated adjacent to an area of ancient woodland, the site provides the potential for habitat linkages and wildlife corridors. The site is not adjacent to the CA and does not form a significant role in its setting. There are no Listed Buildings on or adjacent to the site. The site is consistent with the surrounding landscape character. There are limited views into the site and no public rights of way over the site." On page 38, we read, "This site is anticipated to have a major beneficial effect on improving educational standards and travel choice/traffic levels". In spite of the referendum result, the school was eventually built at the less preferred site and, since then, TWBC had been in consultation with 158's owners to build houses there.

5. In April 2018, BNP Steering Committee Deputy Chair, a borough councillor, showed the committee a piece of paper from TWBC saying that TWBC wishes to build 174 houses on site 158. He committed himself to seeing these numbers reduced and the numbers at the East End raised. After a meeting between representatives from the BNP group and TW planners on June 19th, 2018, the minutes reported that "At times the workshop was emotive ..." Following that meeting TW planners put site 158 on temporary hold, limiting development there to a future Local Plan by asking, in the first draft of the LP on page 270, that the Uphill site on New Pond Road, adjacent to 158 and allocated at that time as AL/BE3, should, under Clause 8, provide for vehicular access through Uphill to the site behind (158) "which may be allocated for development as part of a future Local Plan." In the PSLP, this wording for Clause 8 has disappeared. Where is the evidence-base for such wording to be included in the first draft and excluded in the second? Why is the site considered suitable in 2006, in 2018, and in the first draft, but not suitable in the PSLP?

6. Site 222, like 158 is described in Appendix L of the PSLP's SA as suffering from "a lack of services and facilities including public transport at the settlement." This is inaccurate. There is a daily bus service along Benenden Street and site 222 is within easy walking distance of the bus stop, shops, pub, community hall, primary school and all other amenities.

7. Site LS8, in the heart of Iden Green is, along with site 158 and 222, a site which on-the-ground evidence suggests is eminently suitable for development, but which the SA fails to allocate. Appendix L of the SA gives LS8 virtually the same scores as Uphill (LS16 of AL/BE1) yet the latter is included for development and the former is not. The commentary states of LS8 "A number of scores are negative however, reflecting the remote location of the site from services and facilities and public transport. It scores negatively in heritage terms as the site is a relatively sizeable piece of the Iden Green Conservation Area." This site is far less remote than sites AL/BE 3 & 4. It is one mile from the village and connected to it by a paved footpath running past a Roadside Conservation Area and then (still paved) through a field to the church and primary school. It is on a bus route and the bus stop is next to LS8. Iden Green has a community hall, tennis courts, a children's playground and pub/restaurant. The SA information is unreliable and the PSLP's use of it for site allocation is unwise.

8. In so far as Benenden is concerned, the sites were allocated before any sustainability appraisal was commissioned. It is not therefore relevant factor in the allocation of sites for housing.

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Ms Hazel Strouts [REDACTED]
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	Ms Hazel Strouts [REDACTED]
Comment ID	PSLP_219
Response Date	11/05/21 12:00
Consultation Point	Policy AL/BE 3 Land at Benenden Hospital (south of Goddards Green Road), East End (View)
Status	Processed
Submission Type	Other
Version	0.5
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Hazel Strouts
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy PSTR/BE 1 The Strategy for Benenden parish	
Policy: AL/BE3	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	No
Is sound	No

Complies with the Duty to Cooperate

No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not positively prepared
- . It is not effective
- . It is not justified
- . It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

[TWBC Comment: Note response slight variation on PSLP_194, 199, 200 and 202]

[TWBC comment - representation copied against policy PSTR/BE1]

This submission concerns the parish of Benenden, the only parish in the borough to have made its own allocations. The Benenden Neighbourhood Plan (BNP) has been developed in close consultation with TWBC, with the BNP in the lead. The BNP announced its allocations in February 2019, before inviting AECOM to produce its Strategic Environmental Assessment. Pre-Submission Local Plan, para 5.420 reads "The BNP was submitted to TWBC in October 2020 and was consulted on between 30 October and 11 December 2020." But the allocations had been made and published in February 2019. Further, Para 5.420 states "The BNP proposes to include site allocation policies that follow the approach of the site allocation policies for Benenden in this Local Plan." BNP allocations were first published in February 2019 i.e. before LP site allocation policies.

Allocations made by the LP, when it took up the BNP's baton, are therefore inevitably linked to BNP's weaknesses. Yet if the BNP passes a referendum before acceptance of the LP, it is said that it will take precedence over the LP (see para 5.421), with the exception of its plans for the northern site at Benenden hospital, which will be overruled by the plans advanced in the LP (see Benenden Parish Council April 2021 response to Independent Examiner queries on the BNP). This is in contravention of para 5.422 which talks of making "modifications to the LP" so that it matches the BNP.

1 Community involvement. EN1: this requirement has not been respected.

- . In Benenden, almost all new housing is slated for the East End, yet the Friends of the East End (FEE), were never asked to meet with the BNP steering group.
- . See EN1 para 9 requiring the effective engagement of the local community, neighbours of sites and others. The FEE submitted three petitions, two to the BNP and one in relation to the LP. A FEE submission with 127 signatures was submitted on April 4th 2019 in response the Informal Draft NP (published on February 23, 2019), in which the allocations later adopted by the LP were first set out. A FEE submission with 164 signatures was submitted in October 2019 objecting to the first draft of the LP, and in the same month, a FEE submission with 167 signatures was submitted in relation to the Reg 16 draft BNP. See the FEE's current online petition with more than 450 signatures <https://www.change.org/EastEndFriends>
- . Instead of being consulted, the FEE were ignored and belittled. They were informed on 11th March 2019 by the editor of the Parish Magazine (PM), husband of the Chair of the Parish Council, that "I'm of the view that much of the uncertainty has passed since the presentation of the plan to the village - to a highly favourable reception. At least we no longer have to give polite credence to *uninformed views* that fly in the face of TWBC policy and advocate direct and *pointless confrontation* with TWBC, thereby running the risk of having the entire BNDP thrown back in our

faces. *The ensuing chaos hardly bears thinking about.* At least it seems the opinions now being afforded most weight are those of *people who have worked hard for two years to understand the issues* and come up with a coherent way forward.”

- . One of the regular articles on the BNP submitted by the chair of the BNP Steering Group appeared in January 2020. It dismisses FEE opposition suggesting only “31 residents from the East End” sent in comments.
- . The core group behind the BNP has consistently tried to persuade those who support the FEE to desist. The chair of the Parish Council and the chair of the BNP Steering Group have twice asked to meet a Tunbridge Wells Alliance (TWA) Borough Councillor for the parish, once together with a TWA borough council candidate, in efforts to persuade them to adhere to the BNP’s approach and not to listen to the FEE.
- . The organiser of the FEE was a member of the Steering Committee 2017/2018 as chair of the Environmental Group. She expressed strong disagreement with a Borough Councillor who lives in the village (on occasion, he deputises as chair of the Steering Group) about his wish to step up allocations in the East End and suppress TWBC’s wish to build 174 houses on site 158. As a result, the Steering Group chair (using his own word), “sacked” her. This is contrary to EN1 para 9, encouraging early, proactive and effective engagements and the requirement that views expressed should be properly considered.
- . Consultation also failed in relation to the neighbouring parish of Biddenden. The Clerk of Biddenden Council has repeatedly responded to BPC in the course of the BNP consultation process, but received only acknowledgments. A Kent County Councillor and Ashford Borough Councillor wrote an article about BNP’s mismanagement of the parish of Biddenden in the Biddenden Parish Magazine, February 2021.
- . The LP is based on the BNP and BNP allocations were made before consultations with stakeholders such as the AONB. This is not consulting in a timely fashion. Further, the LP requires surveys of the hospital sites *after* the designation of the sites for development, for example, archaeological surveys (see AL/BE 3&4). Historic England (HE) asks for the surveys to be carried out *before*. See HE’s comments on the first draft LP (DLP_4556) - “we would expect the allocation of sites following on from this Strategy policy (STR1) to be subject to appropriately robust and detailed heritage impact assessment *prior to the allocations being adopted*.”
- 1 **The PSLP is not based on sound evidence**
 - . Throughout the LP process, misstatements have been made about amenities in Benenden’s East End. These may be traced back to a submission made by traffic and highways consultants, Transport Planning Associates (TPA) to Benenden Healthcare Society Ltd. (BHS). This submission was recently disclosed in BHS’s response to the Independent Examiner’s queries in relation to the BNP. TPA’s information is sometimes inaccurate and sometimes misleading and we consider it here in detail because it is difficult otherwise, to understand how the LP was able to continue, iteration after iteration, to relate false information about the hospital site.
 - . In October 2019, TPA reported (para 2.6) that there was a footpath along the southern edge of Goddards Green Road (GGR) and the PSLP, para 5.452 states “There is an intermittent pavement along GGR”. The GGR is a long road running from New Pond Road to Castleton’s Oak crossroads, and was formerly a lane. The pavement is limited to the short section immediately outside the hospital buildings. To say that there is an intermittent pavement along GGR is misleading.
 - . The TPA refers to the East End as a village, which it is not. The East End runs from the junction of GGR and Walkhurst Road, along the GGR to the border with Tenterden, then turns south to reach close to Hole Park in Rolvenden, then east back to Walkhurst Road at the site of the stream, then along Walkhurst Road back to GGR (see the old Electoral Roll for 2004 when the East End had its own polling station). It is a large, totally rural area of several square miles, which was why it was chosen as the site for an isolation hospital in 1906. Today it contains only 76 houses scattered across the entire area. The PSLP consistently refers to the East End as a hamlet. It is not, which is why BPC is able to advertise itself on its website as “Serving the people of Benenden and Iden Green” without any reference to the East End.
 - . The TPA says that “a day nursery is located immediately to the north of the Site within 400m.” There is incorrect, yet this error is repeated in para 5.413 of the PSLP “There are also nursery/pre-school facilities at Iden Green and East End.” An accurate account would mention Iden Green only.
 - . The TPA states that there are daily bus services along GGR provided by bus nos. 24 and 299, and twice a day service provided by the Hopper bus. This information is incorrect. The 2019 Hopper bus, operated by the Tenterden social services hub on an experimental basis, failed in

only a matter of months. While the 24 and the 299 buses pass along GGR, they do so on only one day a week. The 24 on Tuesdays and the 299 on Wednesdays. The East End has almost no public transport.

- . The TPA makes several statements in relation to traffic which have fed misinformation into the system to be reflected in AL/BA3&4. This misinformation was only recently revealed when documents were provided by BHS following April 2021 queries raised by the Independent Examiner on the BNP. These documents include a TPA 'Scoping Note' on road and traffic conditions at the site and a letter written in response to this Note from KCC Highways, dated 13 Nov. 2019. The TPA states that the GGR is 7m wide at the hospital site which detracts from the fact that it is actually a winding rural lane, now called a road, and varies considerably in width. It may at some point be 7m wide, but at others, it is so narrow that two lorries have difficulty passing each other. The TPA claims that there is no need for a road safety review because there have been "no personal injury accidents" recorded within 1,000m. Castleton's Oak crossroads lie 1.5 km from the site and accidents there are frequent, largely due to increasing traffic at the hospital. The hospital has turned itself into an almost exclusively out-patient centre and almost all its 300 employees drive in to work from outside the parish (formerly, they were housed on site in hospital staff buildings). Kent County Council (KCC) Highways make constant and repeated attempts to lower the risk of injury at the crossroads. Works there are ongoing at this time. The TPA claims that no traffic surveys are necessary which is a point queried in the KCC Highways' email. The email talks of the "heavy car dependency" of residents in any housing in this location and says this was one of its concerns, even at the time of the original application asking for only 24 houses. The email states that BHS's plans (and therefore AL/BE 3&4) are contrary to the NPPF and to KCC's own policy objectives, and points out that the hospital has not co-operated over the idea of a minibus to provide transport from the site to Benenden. The letter calls for: traffic counts along the GGR; a wider crash analysis; and expresses concern over the proposed access points to the SE Quadrant - 2 on Green Lane and 2 on GGR. Lastly, on trip generation, the TPA projects that 47 houses at the site will produce only 106 trips a day, though the consultants admit that they have difficulty in basing their estimate on comparable sites because there are none. These trip generation figures ignore existing traffic from local residents, from patients, from hospital staff and from the newly (January 2021) proposed housing estate at Cleveland. The AL/BE 3&4 fails to provide a traffic count, fails to ask for a road safety review and fails to acknowledge frequent traffic accidents near the sites.
- . Pre-submission supporting documents also produce inaccurate and sometimes irrelevant evidence. The hospital sites are within the setting of an AONB and even overlap into it, yet *Inset Map 18* (Benenden Hospital), unlike other maps attached, makes no reference to the AONB boundary. The BNP claims that the hospital is outside the AONB and on this basis, since the rest of the village is wholly within the AONB, largely justifies placing most of Benenden's housing in the East End. The relationship of the AONB boundary to the hospital sites is important yet it is ignored on the map. This looks like prejudice.
- . Hankinson Duckett Associates's *AONB Setting Analysis Report* (a supporting document for the PSLP, referred to as an evidence base) is, in its analysis of AL/BE3&4, unsound. The analysis argues that development at these sites will enhance the setting of the AONB. It illustrates the argument with photos of the hospital chapel and its carpark. Neither chapel nor car park are in the area up for development.
- 1 **Policies AL/BE3&4 are not consistent with the PSLP's Vision objectives nor with its strategies, nor with KCC's policies, nor with the NPPF.**
- . The PSLP's Vision Objective 1 is : "to improve access to suitable, especially affordable housing, including for local young people and older households." But this is inconsistent with allocations AL/BE 3 & 4. BHS is asking in its comments on the LP first draft, for a lower number of affordable homes because of the high cost of brownfield development. Living isolated in the countryside, families will need at least two cars. Old and young will be unable to walk to schools, shops or any other amenities. This is not a suitable site for a borough which (see para 2.16) expects the population over the age of 65 + to increase by around 40% between 2020 and 2038. The PSLP's Vision Objective 2 is to ensure sustainable development which allocations at AL/BE 3&4 do not achieve. On the contrary, the KCC warns that even with the existing permission for 24 houses on AL/BE3, the highway authority had concerns. This is an isolated location, deep in the countryside (see KCC Highways email 13 Nov 2019). More than 24 houses in this location is not sustainable.

- **Policy PSTR/BE1**, LBD 5.416 states “the LBD around Benenden village sets the extent of existing and planned development ..” This conflicts with the recommendation that major development be instated three miles beyond the LBD, on the border with Biddenden.
- **Policy STR 2** “The Council requires the use of masterplanning, including the use of design codes and sustainable design standards where appropriate, for strategic and larger-scale developments..” This is undermined by AL/BE 3&4 which calls for a masterplan for an area not included in the PSLP and not presented. Para 1a of Policy AL/BE3 states that there is a need to “show indicatively how the other areas included within Policies AL/BE3 and AL/BE 4 can be developed to meet the overall policy requirements as set out within each of these policies, and *how the future needs for Benenden Hospital will be met on areas to the north west and south west that currently comprise the hospital buildings and associated ancillary uses and is previously developed land.*” It is not sound to proceed with an LP where the land to be developed is not clearly indicated from the start.
- **A masterplan is essential to avoid current inconsistencies on the size of areas to be developed:** AL/BE3 excludes one of the 2 Local Wildlife Sites (LWS) at the site, yet the BNP includes both. Para 5.458 states “Both this policy and BNP draft Policy SSP3 broadly follow the same approach towards the potential for developing this site for a residential development..” They do not. The PSLP states that in the event of a successful referendum, the BNP’s proposals will prevail. If this is so, are we supposed to assume that AL/BE3 map is inaccurate?
- A similar problem arises at the northern site (AL/BE4) here there are currently 18 dwellings. The proposal allows for these to be demolished and another 25 dwellings added to the site. The size of the area to be developed varies between the LP and the BNP. The LP includes the LWS in the area to be developed but the BNP includes only a small section, but says in the event of a successful referendum the BNP plan will be over-ruled by the LP plan (see the BPC response April 2021 to the Independent Examiner’s queries). This is the reverse of 5.421 & 2. It is unsound to proceed with a plan when the NP and the LP are at odds with each other.
- **The PSLP claims building will only be within existing footprints**, an approach which is at odds with that of the BHS. Plans for 47 new houses in AL/BE3, presented to the village on 17th February 2020 by the hospital architects, show the buildings are not to be built within the footprint of previous buildings nor to respect LWS.
- **Policy STR 3** calls for the use of brownfield sites “within settlements” and in “sustainable locations.” AL/BE 3 consists of disused medical buildings and 2 LWS with parkland and veteran trees (depending on whether this second LWS is included or not). 5.448 is therefore incorrect. The site should be described not as brownfield but as partly brownfield. It is not on the Brownfield Register. Because of its remote location and its valuable LWS sites, it is not free from constraints which could be mitigated. As such, Policy AL/BE3 does not meet the criteria needed under the NPPF, Section 11, para 117 for development in “a way that makes as much use as possible of previously-developed or ‘brownfield’ land.” AL/BE 4 contains in-use residential housing and an LWS and therefore is not entirely brownfield.
- **Policy STR 5** states that “New residential ... development will be supported if sufficient infrastructure capacity is either available or can be provided in time to serve the development.” Will this happen at AL/BE3&4? Developers themselves are to provide the infrastructure at AL/BE 3&4. The LP proposes to take on trust suggestions that the BHS will avoid building on the LWS and will provide play-grounds, sports facilities and tennis courts. We know from submissions following the first draft LP, that BHS is actually planning to remove one LWS entirely and that its plans include building on the LWS and beyond the foot print of previous buildings. BHS suggests, in its response to the first draft LP (DLP_4956) that it is unlikely to provide play-grounds, sports facilities and tennis courts. The PSLP’s approach does not take comments to the first draft LP into account.
- **Policy STR 6** proposes to “Deliver future development in accessible locations, normally within or in close proximity to existing towns and villages across the borough.” In the case of the two isolated hospital sites, the PSLP contradicts its own strategic policy and fails to offer choices in transport or to prioritise active travel and public transport. The Benenden hospital sites have no daily bus service and no active travel link to the village, and neither the PSLP nor the BHS provide credible information on how these links are to be provided. The KCC email of Nov 13 suggests that the hospital is uncooperative on the proposal to organise a minibus service and the SHELAA says of AL/BE3 that it is “Remote from a settlement centre,” (unlike sites 158, 222 and LS8); that residents will rely heavily on private cars and thus air quality and travel objectives score negatively; and that, “although promoted by the policy, shared transport and active travel options are unlikely

to take precedence over private vehicle use thus air quality and climate change score negatively.” This is crucial. For all the talk of mitigating the remoteness of the hospital sites with a minibus link and cycle routes, nobody actually believes that any of these measures will succeed. As for the proposal to create links suitable for electric personal vehicles, such as mobility scooters (as suggested under STR 6), it is difficult to see, when the closest link with the village is a single-track lane (Walkhurst Road), how any personal electric vehicle could make that journey. The PSLP is creating, through its policies AL/BE3&4, a car dependent community. This thereby negates the sense of the LP’s supporting document, *Transport Strategy Review Sept 2019* which urges reducing the need to travel.

- . AL/BE3&4 also undermine TWBC’s Full Council motion of July 2019 to reduce CO2 emissions. “The dominance of the car as a mode of transport can lead to congestion, more road accidents, air and noise pollution. In addition it contributes to climate change, reduces social cohesion and leads to less healthy lifestyles” (para 44 *Transport Review*). According to TW’s own SA from 2006, if social cohesion, reduction in air pollutants, and public health were indeed the borough’s priorities, site 158 would have been among those chosen for Benenden, as originally intended.
- . **PSLP paras 5.453 and 5.467** state that “residents of development in this location will rely heavily on private cars.” These plans runs counter to STR6 policy on the environment see paras 6.8, 6.9, 6.10, 6.11 and 6.13. It also contravenes KCC policies on climate change and the NPPF (see KCC’s Nov 13, 2019 letter on this subject).
- . **Para 5.414** “The parish provides two relatively large sources of employment: at Benenden Hospital and at Benenden School.” The inference is that the employment opportunities are linked somehow to the population of Benenden. There is in fact little connection. The 300 plus staff at the hospital drive into the parish along GGR to work and, since the hospital is isolated from the village, their contribution to the local economy is negligible.
- . **Policy STR 6** The LP proposes to “**Deliver future development in accessible locations, normally within or in close proximity to existing towns and villages across the borough.**” In the case of the two isolated hospital sites, the LP contradicts its own strategic policy and fails to offer choices in transport or to prioritise active travel and public transport.
- . **Cycle routes:** The PSLP’s standards on the public benefits of cycling and walking are based on the *Cycle Strategy Supporting Document*, but these standards are undermined by site allocation in Benenden. The Cycle document states that: “When more people cycle or walk the health of the population improves and our roads become safer and less congested.” Its objectives 4 and 5 are to improve safety for cyclists and air quality for all, but AL/BE 3 & 4 will create a community, deep in the countryside, entirely dependent on the car and will contribute to poorer air quality for all. The allocation of these sites, as opposed to sites such as 158, is difficult to understand.
- . The *Cycle Strategy* states that fear of traffic is possibly the main factor discouraging people from cycling. National Cycle Route 18 runs from the Rolvenden Road, down Stepneyford Lane, to Green Lane, before joining the Benenden Road near the hospital, turning right and leading to Castleton’s Oak Cross roads and Gribblebridge Lane. This route is a largely on-road ride travelling through the High Weald, using narrow, picturesque country lanes as much as possible. Green Lane/Stepneyford Lane is mentioned in TWBC’s *Rural Lanes: Supplementary Planning Guidance*. It is particularly high scoring in terms of its landscape, its recreational value, its natural beauty and its history. For these reasons, it is part of National Route 18. Rather than encouraging cycling, AL/BE3, which proposes two exits for this major development on GGR and two on Green Lane (where a second housing estate, at Cleveland Farm is already leading to Kent Highways calling for road widening and the elimination of grass verges - see building application 20/03267/FULL) will cause an increase in those factors, identified in *TW Cycle Strategy*, as discouraging cyclists, namely, traffic and the loss of unspoilt country lanes. Policy AL/BE3 also contravenes Kent Structure Plan Policy ENV13: “Rural lanes which are of landscape, amenity, nature conservation, historic or archaeological importance will be protected from changes which would damage their character, and enhanced.” In any event, the cycle route is purely recreational and will not enhance the sustainability of these sites.
- . **Policy STR 7** proposes, in dealing with TWBC’s 2019 legally binding commitment to manage climate change, that all development in the borough will support the Council’s target to achieve net zero emissions by 2030. It is unsound, with such a goal, to propose a major development on the parish periphery, 3 miles equidistant from two villages where there is no shop (in spite of the PLSP’s statement AL/BE 3&4) and no café (BHS says its café was built for its own use not for the use of the public - see comments on the first draft of the LP). Residents will need their cars for almost everything.

- **Policy STR1** promotes the effective use of previously developed land, having due regard to relevant Plan policies, but in promoting AL/BE3&4, the PSLP disregards STR6 (environmental goals) & STR7 (transport goals). Under the NPPF, sustainability is the priority, as the PSLP acknowledges in STR3, 4.65 “A presumption of sustainability lies at the heart of the NPPF”, but in allocating AL/BE 3&4, the PSLP fails to respect its own and the NPPF’s strategic priorities.
- **Policy STR 8** states that development should contribute to and enhance rural landscapes with particular regard to the High Weald (HW) AONB. The PSLP promotes nature conservation. Its biodiversity objective is to achieve net gains and, where possible, secure long-term management of sites for biodiversity. AL/BE3 runs counter to this strategy since the BHS has produced plans showing houses built over the LWS. It has, furthermore, produced a document requiring that one of the two LWS be dug up and removed to another unspecified location, thereby nullifying the terms of the existing Landscape and Ecology Management Plan (LEMP) for that site. Para 3.21 of the BHS submission on the first draft LP states: *“The Society supports the requirement for long-term management of the core areas of LWS associated with the hospital land. This includes all but the modest area within the SEQ adjoining Peak Lodge which is too constraining on the South East Quadrant redevelopment proposals. Accordingly, the soils in the area will be translocated to a nearby receptor site to try to ensure that the rare fungi can continue to thrive in this local area.”* This is a particularly significant site for biodiversity. A letter from Keith Nicholson, former Planning and Conservation officer for the Kent Wildlife Trust, dated 4 March 2013, to TWBC Development Control Officer, Ellen Gilbert states that the hospital LWS are of national importance, mainly for the large number of different varieties of waxcaps. He states that they could well have been designated SSSI. Both in terms of waxcaps and in terms of valuable acid grassland, the hospital sites have high environmental value, see Comment DLP_3458 on the first draft of the LP, from the High Weald AONB Unit. The Benenden Hospital site *“includes rare and vulnerable acid grassland which should form a core area for unimproved grassland as part of a High Weald nature recovery network.”* AL/BE3&4 threaten the biodiversity of significant species in the LWS at the hospital sites, contrary to EN1.
- The LWS to the south of AL/BE3 is included in the BNP and BPC argues that this has been done in order to protect it (see their response to the Independent Examiner April 2021). It is difficult to follow this logic. The inclusion of the site in the area to be developed suggests that it too could be under threat.
- There is no plan showing the placement of houses on AL/BE 4, which is currently home to a large LWS and is the site of 18 habitable dwellings, almost all of the them currently in use and let. The proposal allows for these to be demolished and another 25 dwellings added to the site. The PSLP includes the LWS in the area to be developed and the BNP excludes most of it. Benenden Parish Council (BPC), in its April 2021 response to the Independent Examiner, has said that, in this case of a successful referendum, the PSLP’s plan (which includes the LWS), will prevail. In other words, of the 3 LWS in AL/BE 3&4, one is slated for removal, one will be built over if the PSLP prevails and one may be built over if the BNP prevails. This undermines STR8.
- The PSLP claims that the hospital development “has the potential to improve the setting of the HW AONB through the delivery of a more sensitive redevelopment of existing buildings” (para 5.454), but the claim is not supported by evidence produced by the *Hankinson & Duckett* (see above) while the HW AONB unit’s own view is the opposite. See TW first Draft LP, **DLP_3458 High Weald AONB Unit** (which objects to the Plan) : *“....In our view the development at Benenden Hospital will have a significant effect on the setting of the AONB and the purposes of its designation, and this issue has not been properly considered by the Plan.”*
- The NPPF section 2 para 11 states *“Plans and decisions should apply a presumption in favour of sustainable development... ..(b) strategic policies should provide for objectively assessed needs for housing ...that cannot be met within neighbouring areas unless ... (i) the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area.”* And see Footnote 6: the policies referred to are those in the Framework ... relating to habitat sites (and those sites listed in para 176) and /or designated as SSSI, AONBs
- NPPF para 177 requires that *“The presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site.”*

PSLP EN1 para 5. Biodiversity and geodiversity.

AL/BE 3&4 run counter to this policy as stated above in relation to the LWS.

The Environment

STR8 sets high environmental standards but these are undermined in the site allocations. This is particularly startling in the light of the July 2019 Full Council motion to recognise the climate and biodiversity emergency, in fact, the Benenden allocations put into question whether the motion was passed in good faith.

EN1 para 5 (Biodiversity and geodiversity) says that proposals should maximise opportunities to increase biodiversity. This goal may make sense in an urban setting, but development in the countryside, as is proposed in AL/BE 3 & 4, cannot hope to ever mitigate biodiversity loss. The destruction of trees and wild spaces, the introduction of lighting, kerbs, driveways, wider roads and narrower verges, the use of concrete, tarmac, bricks and mortar in a deeply rural setting cannot “increase biodiversity”.

EN1 provides for Long-term Management plans which would be satisfactory within an urban context. In a rural location like the East End, such plans are no substitute for natural wild spaces. A ‘managed’ green space set among streets is less likely to promote biodiversity and less likely to conserve wildlife than ‘unmanaged’ green space. Further, the three LWS in AL/BE3 are all already part of an existing LEMP agreement, and since one or all would be removed in the case of development as outlined by BHS under AL/BE3&4, instead of creating a long-term management plan, AL/BE3&4 would all but terminate an existing one. The sentiments expressed in EN1 are mocked by AL/BE3& 4.

4. Site policies

AL/BE3 excludes one of the 2 LWS at the site, and the BNP includes both, yet para 5.458 states “Both this policy and BNP draft Policy SSP3 broadly follow the same approach towards the potential for developing this site for a residential development..” This does not appear to be the case. Further, the SHELAA treats this site twice, once including the southern LWS (and excluding Windmill Cottage) and once excluding the LWS and including Windmill Cottage (SHELAA pages 1-3 and pages 18-19). In the second instance, the suggestion is for 67-73 houses, presumably building over the LWS. The first plan is the one adopted in the PSLP and appears to be the more accurate of the two in that it describes the site as “mostly PDL”. The second ignores all greenfield aspects and is almost identical to the plan in the BNP, a plan which BNP claims will prevail if it wins a referendum. Is AL/BE3 presenting us with the wrong plan?

AL/BE3 and AL/BE4 provide for a phased timetable for development of the two sites at different time intervals without calling for a comprehensive masterplan for the hospital site as a whole i.e. for the entire built up area. This is inconsistent with STR2, which requires a masterplan for large developments. The full extent of the area to be developed must be clear. See para 1a of Policy AL/BE3 which states that there is a need to “show indicatively how the other areas included within Policies AL/BE3 and AL/BE 4 can be developed to meet the overall policy requirements as set out within each of these policies, and *how the future needs for Benenden Hospital will be met on areas to the north west and south west that currently comprise the hospital buildings and associated ancillary uses and is previously developed land.*” It is not sound to proceed with an LP where the land to be developed is not indicated from the start.

AL/BE3&4 both call for an active travel link between the site and Benenden village. This proposal has been costed (see BPC’s April 2021 reply to the Independent Examiner) at between £180,000 and £220,000 for a 3m wide tarmacked surface, plus costs to upgrade it to a bridleway, plus the costs associated with obtaining landowners’ consent or, failing that, of starting compulsory purchase proceedings which TWBC expresses reluctance to undertake because of the significant compensation costs and legal costs which would be involved. No steps have been taken either by the BNP or TWBC to ascertain the willingness of landowners to give up their land although the major landowner involved wrote to BNP on 11th Sept. 2019 objecting to the plan. It is understood that he was not contacted for subsequent discussion.

AL/BE3&4 calls for the repurposing of the existing tennis courts for the use of local residents, which BHS denies it will offer for public use; for the public use of the hospital’s café; for the creation of a hospital shop (5.413); for a minibus service linking the hospital to the village (“The Society is not a transport provider” is BHS’ response); for green space, a playground and provision of a community hall - most of these policies are refuted in Savills’ comments on behalf of BHS, in the first draft of the LP, DLP_ 4956 paras 3.14, 3.18, 3.19, 3.20, 3.46 and 3.47. Rather than agreeing to such policies, the hospital is calling on TWBC to introduce a more flexible funding system to allow a *reduction* of developer

costs. BHS argues these will be high because they wish to demolish existing buildings. It is unsound to propose policies which cannot be implemented. Once the sites are sold, no relevant conditions to this effect could be imposed.

5. The PSLP is unsound because of inconsistencies in the treatment of different sites.

(i) **Uphill, AL/BE1** is described as having archaeological potential (para 5.428) requiring possible mitigation measures. This is not because of historical finds on the site, but because they *might* be found. A listed manor house lies on the other side of New Pond Road and, according to AL/BE1, “the site lies within, or very close to the relevant impact risk zone for Parsonage Wood”, a SSSI which is, in fact, several miles away. The archaeological significance of AL/BE 3&4 is far more certain and substantial. The hospital sites are where a bronze age palstaff was found (see the National Monument Register - SMR Number /Hob UID)) and the sites lie close to two ancient routeways. A Roman Road runs west-east (on BHS farmland) a few yards to the south of AL/BE3 and a medieval drove road (GGR), runs west-east between the two sites. Further, two Grade II Listed Buildings are sited here, also on BHS land. The Lister building stands a few yards to the west of AL/BE3 and Cleveland Farm house (the farmyard of which BHS is trying to develop separately and simultaneously as if a minor planning project) lies a few yards to the south. Instead of mentioning these facts, AL/BE3&4 reads (5.456 and 5.468) “Kent County Council states that the site includes significant archaeology, which could be dealt with through suitable conditions on a planning approval.” The imbalance in the treatment of the two sites is substantial and suggests confirmatory bias or prejudice.

(ii) The SHELAA assessment of site 158 suggests a potential yield of 50-65 houses, but then concludes that only the Uphill part of the site is suitable (20 houses). It states that “the remainder of the site is sensitive in landscaping terms and there is concern regarding scale and impact on the character of the landscape and settlement pattern”. This is contrary to the views of TW’s 2006 SA; to the TW 2018 document proposing 174 houses; and to the first draft of the LP. The dismissal of 158 as a suitable site is not supported by the evidence and suggests prejudice.

(iii) Site 222, west of the cross roads, was also considered in 2006, as a possible site for the new village school, though it was not one of the top two sites put to a referendum. The SHELAA suggests 222 has a potential for 76 houses. The site is considered unsuitable partly because the new LBD, if adopted, will exclude all houses west of the cross roads, when the village actually extends a considerable length along this road to the west. There is no mention of the fact that the owners of this site are offering the pond at the south west corner of the crossroads as village green space. The dismissal of 222 is not supported by the evidence and suggests prejudice.

(iv) The SHELAA suggests a capacity of 26 houses at Site LS8 in Iden Green, stating that it lies adjacent to the recreation ground and a children’s nursery and that there is a pavement on both sides of Iden Green’s main road. It fails to mention that the easternmost side of this pavement connects the village to the village primary school. The SHELAA dismisses the site as unsuitable saying that it is located in a remote location relative to services, facilities and public transport, but this site is far less remote than sites AL/BE 3&4. The dismissal of site LS8 is not supported by the evidence and suggests prejudice.

(v) The proposed new LBD has been constructed so as to include the new site at Uphill and to exclude 222, when in fact, the actual built development extends westwards from the crossroads and includes site 222. The LBD is ignored in respect of AL/BE3&4. Manipulation of the LBD to suit allocated sites is inappropriate.

As a general comment, I have found the process unnecessarily difficult to navigate. In fact, from the point of view of the ordinary lay-man, I would term the process ‘hostile’. The interactive on-line site was unmanageable. Question 4a is very badly worded. The PSLP’s prose entirely suited the opacity of the procedure. Here is one example from the SA (page 163) “However, the education objective does not deteriorate when considering cumulative effects as the schools in Tenterden will be a viable option for residents in East End and thus are likely to take the pressure off Benenden Primary School.” What does that mean?

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan 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 modifications needed are included in the submissions set out above. In summary, development on site AL/BE 3 should be limited to the existing, so far unused, planning permission for 24 houses, preferably by adapting the Garland Wing, which is a building of historic value, either to a wellness centre, in accordance with its original intention, or to a row of up to 10 terraced houses. Site AL/BE 4 already has 18 semi-detached houses on it, and cannot support any more. It should therefore be excluded. Housing should be allocated to sites (such as 158 and 222 in the village centre or LS8 in Iden Green) which lie on bus routes or are within walking distance of the village centre and school.

Paragraphs 5.421 and 5.422 should be omitted.

Question 7

***Please note** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.*

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . Yes, I wish to participate in hearing session(s)

Question 7a

***Please note** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.*

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

In order to put over my case, and to answer those with vested interests who may seek to put forward arguments against it.

Question 8

If you have any separate comments you wish to make on the accompanying Sustainability Appraisal, please make them here.

1. The Sustainability Appraisal (SA) is misleading. Table 58 on page 163 states that all Benenden sites "lack services, facilities and travel options". This belies the fact that AL/BE2 (Feoffee almshouses) is close to the Street as is AL/BE1 (Uphill). Both sites are within walking distance of the bus stop for daily bus services, the post office, village shop, the primary school, the village green, the butchers, pub, community hall, church, recreation ground and children's playground. AL/BE 3 & 4 are three miles northeast of the village with no daily bus service and no amenities whatsoever.
2. The commentary on Table 58, (page 163 of the SA), states that East End sites score badly on Climate Change and Travel, yet these are the sites promoted for most houses.
3. The SA argues on page 163 that East End residents will send their children to schools in Tenterden instead of to the village primary school, and that this will lessen the otherwise seriously negative effects of the two hospital sites. This is pure conjecture and possibly wishful thinking. The school has a good reputation and currently between 70 and 75% of children there come from outside the parish. East End children will have precedence over these, since intake depends on the distance of a child's

residence from the school. Pressure on Benenden Primary School will increase, not decrease. Further, the use of a car, whether it drives to Tenterden (5-6 miles) or to Benenden (3 miles), pollutes and deprives residents of the health-giving pleasure of walking to school. The AL/BE 3&4 are contrary to STR2, to the NPPF and to KCC policy on climate change.

4. Appendix L (pp331-2) shows Scores for Reasonable Sites in Benenden. Here we see scores for 158 and 222, two sites close to the village centre. Of 158, we read "A site that scores several neutrals with some positives, let down by its land use and landscape score impacted by a loss of a greenfield site in the AONB and lack of services and facilities including public transport at the settlement." This SA report compares poorly with the SA TWBC carried on site 158 in 2006. 158 is parallel to and just north of the Street with its exit onto New Pond Road. In 2006 site 158 was chosen in a village referendum as the site for a new C of E primary school. It was the preferred site out of a choice of two, both of which were greenfield. TWBC's 2006 SA on 158 decided (see page 18 of the Sustainability Appraisal Benenden Church of England Primary School Land Allocation DPD - Issues and Options report), that 158 was one of two top sites. "Situated adjacent to an area of ancient woodland, the site provides the potential for habitat linkages and wildlife corridors. The site is not adjacent to the CA and does not form a significant role in its setting. There are no Listed Buildings on or adjacent to the site. The site is consistent with the surrounding landscape character. There are limited views into the site and no public rights of way over the site." On page 38, we read, "This site is anticipated to have a major beneficial effect on improving educational standards and travel choice/traffic levels". In spite of the referendum result, the school was eventually built at the less preferred site and, since then, TWBC had been in consultation with 158's owners to build houses there.

5. In April 2018, BNP Steering Committee Deputy Chair, a borough councillor, showed the committee a piece of paper from TWBC saying that TWBC wishes to build 174 houses on site 158. He committed himself to seeing these numbers reduced and the numbers at the East End raised. After a meeting between representatives from the BNP group and TW planners on June 19th, 2018, the minutes reported that "At times the workshop was emotive ..." Following that meeting TW planners put site 158 on temporary hold, limiting development there to a future Local Plan by asking, in the first draft of the LP on page 270, that the Uphill site on New Pond Road, adjacent to 158 and allocated at that time as AL/BE3, should, under Clause 8, provide for vehicular access through Uphill to the site behind (158) "which may be allocated for development as part of a future Local Plan." In the PSLP, this wording for Clause 8 has disappeared. Where is the evidence-base for such wording to be included in the first draft and excluded in the second? Why is the site considered suitable in 2006, in 2018, and in the first draft, but not suitable in the PSLP?

6. Site 222, like 158 is described in Appendix L of the PSLP's SA as suffering from "a lack of services and facilities including public transport at the settlement." This is inaccurate. There is a daily bus service along Benenden Street and site 222 is within easy walking distance of the bus stop, shops, pub, community hall, primary school and all other amenities.

7. Site LS8, in the heart of Iden Green is, along with site 158 and 222, a site which on-the-ground evidence suggests is eminently suitable for development, but which the SA fails to allocate. Appendix L of the SA gives LS8 virtually the same scores as Uphill (LS16 of AL/BE1) yet the latter is included for development and the former is not. The commentary states of LS8 "A number of scores are negative however, reflecting the remote location of the site from services and facilities and public transport. It scores negatively in heritage terms as the site is a relatively sizeable piece of the Iden Green Conservation Area." This site is far less remote than sites AL/BE 3 & 4. It is one mile from the village and connected to it by a paved footpath running past a Roadside Conservation Area and then (still paved) through a field to the church and primary school. It is on a bus route and the bus stop is next to LS8. Iden Green has a community hall, tennis courts, a children's playground and pub/restaurant. The SA information is unreliable and the PSLP's use of it for site allocation is unwise.

8. In so far as Benenden is concerned, the sites were allocated before any sustainability appraisal was commissioned. It is not therefore relevant factor in the allocation of sites for housing.

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Ms Hazel Strouts [REDACTED]
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	Ms Hazel Strouts [REDACTED]
Comment ID	PSLP_220
Response Date	11/05/21 12:00
Consultation Point	Policy AL/BE 4 Land at Benenden Hospital (north of Goddards Green Road), East End (View)
Status	Processed
Submission Type	Other
Version	0.5
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Hazel Strouts
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy PSTR/BE 1 The Strategy for Benenden parish	
Policy: AL/BE4	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	No
Is sound	No

Complies with the Duty to Cooperate

No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not positively prepared
- . It is not effective
- . It is not justified
- . It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

[TWBC Comment: Note response slight variation on PSLP_194, 199, 200 and 202]

[TWBC comment - representation copied against policy PST/BE1]

This submission concerns the parish of Benenden, the only parish in the borough to have made its own allocations. The Benenden Neighbourhood Plan (BNP) has been developed in close consultation with TWBC, with the BNP in the lead. The BNP announced its allocations in February 2019, before inviting AECOM to produce its Strategic Environmental Assessment. Pre-Submission Local Plan, para 5.420 reads "The BNP was submitted to TWBC in October 2020 and was consulted on between 30 October and 11 December 2020." But the allocations had been made and published in February 2019. Further, Para 5.420 states "The BNP proposes to include site allocation policies that follow the approach of the site allocation policies for Benenden in this Local Plan." BNP allocations were first published in February 2019 i.e. before LP site allocation policies.

Allocations made by the LP, when it took up the BNP's baton, are therefore inevitably linked to BNP's weaknesses. Yet if the BNP passes a referendum before acceptance of the LP, it is said that it will take precedence over the LP (see para 5.421), with the exception of its plans for the northern site at Benenden hospital, which will be overruled by the plans advanced in the LP (see Benenden Parish Council April 2021 response to Independent Examiner queries on the BNP). This is in contravention of para 5.422 which talks of making "modifications to the LP" so that it matches the BNP.

1 Community involvement. EN1: this requirement has not been respected.

- . In Benenden, almost all new housing is slated for the East End, yet the Friends of the East End (FEE), were never asked to meet with the BNP steering group.
- . See EN1 para 9 requiring the effective engagement of the local community, neighbours of sites and others. The FEE submitted three petitions, two to the BNP and one in relation to the LP. A FEE submission with 127 signatures was submitted on April 4th 2019 in response the Informal Draft NP (published on February 23, 2019), in which the allocations later adopted by the LP were first set out. A FEE submission with 164 signatures was submitted in October 2019 objecting to the first draft of the LP, and in the same month, a FEE submission with 167 signatures was submitted in relation to the Reg 16 draft BNP. See the FEE's current online petition with more than 450 signatures <https://www.change.org/EastEndFriends>
- . Instead of being consulted, the FEE were ignored and belittled. They were informed on 11th March 2019 by the editor of the Parish Magazine (PM), husband of the Chair of the Parish Council, that "I'm of the view that much of the uncertainty has passed since the presentation of the plan to the village - to a highly favourable reception. At least we no longer have to give polite credence to *uninformed views* that fly in the face of TWBC policy and advocate direct and *pointless confrontation* with TWBC, thereby running the risk of having the entire BNDP thrown back in our

faces. *The ensuing chaos hardly bears thinking about.* At least it seems the opinions now being afforded most weight are those of *people who have worked hard for two years to understand the issues* and come up with a coherent way forward.”

- . One of the regular articles on the BNP submitted by the chair of the BNP Steering Group appeared in January 2020. It dismisses FEE opposition suggesting only “31 residents from the East End” sent in comments.
- . The core group behind the BNP has consistently tried to persuade those who support the FEE to desist. The chair of the Parish Council and the chair of the BNP Steering Group have twice asked to meet a Tunbridge Wells Alliance (TWA) Borough Councillor for the parish, once together with a TWA borough council candidate, in efforts to persuade them to adhere to the BNP’s approach and not to listen to the FEE.
- . The organiser of the FEE was a member of the Steering Committee 2017/2018 as chair of the Environmental Group. She expressed strong disagreement with a Borough Councillor who lives in the village (on occasion, he deputises as chair of the Steering Group) about his wish to step up allocations in the East End and suppress TWBC’s wish to build 174 houses on site 158. As a result, the Steering Group chair (using his own word), “sacked” her. This is contrary to EN1 para 9, encouraging early, proactive and effective engagements and the requirement that views expressed should be properly considered.
- . Consultation also failed in relation to the neighbouring parish of Biddenden. The Clerk of Biddenden Council has repeatedly responded to BPC in the course of the BNP consultation process, but received only acknowledgments. A Kent County Councillor and Ashford Borough Councillor wrote an article about BNP’s mismanagement of the parish of Biddenden in the Biddenden Parish Magazine, February 2021.
- . The LP is based on the BNP and BNP allocations were made before consultations with stakeholders such as the AONB. This is not consulting in a timely fashion. Further, the LP requires surveys of the hospital sites *after* the designation of the sites for development, for example, archaeological surveys (see AL/BE 3&4). Historic England (HE) asks for the surveys to be carried out *before*. See HE’s comments on the first draft LP (DLP_4556) - “we would expect the allocation of sites following on from this Strategy policy (STR1) to be subject to appropriately robust and detailed heritage impact assessment *prior to the allocations being adopted*.”
- 1 **The PSLP is not based on sound evidence**
 - . Throughout the LP process, misstatements have been made about amenities in Benenden’s East End. These may be traced back to a submission made by traffic and highways consultants, Transport Planning Associates (TPA) to Benenden Healthcare Society Ltd. (BHS). This submission was recently disclosed in BHS’s response to the Independent Examiner’s queries in relation to the BNP. TPA’s information is sometimes inaccurate and sometimes misleading and we consider it here in detail because it is difficult otherwise, to understand how the LP was able to continue, iteration after iteration, to relate false information about the hospital site.
 - . In October 2019, TPA reported (para 2.6) that there was a footpath along the southern edge of Goddards Green Road (GGR) and the PSLP, para 5.452 states “There is an intermittent pavement along GGR”. The GGR is a long road running from New Pond Road to Castleton’s Oak crossroads, and was formerly a lane. The pavement is limited to the short section immediately outside the hospital buildings. To say that there is an intermittent pavement along GGR is misleading.
 - . The TPA refers to the East End as a village, which it is not. The East End runs from the junction of GGR and Walkhurst Road, along the GGR to the border with Tenterden, then turns south to reach close to Hole Park in Rolvenden, then east back to Walkhurst Road at the site of the stream, then along Walkhurst Road back to GGR (see the old Electoral Roll for 2004 when the East End had its own polling station). It is a large, totally rural area of several square miles, which was why it was chosen as the site for an isolation hospital in 1906. Today it contains only 76 houses scattered across the entire area. The PSLP consistently refers to the East End as a hamlet. It is not, which is why BPC is able to advertise itself on its website as “Serving the people of Benenden and Iden Green” without any reference to the East End.
 - . The TPA says that “a day nursery is located immediately to the north of the Site within 400m.” There is incorrect, yet this error is repeated in para 5.413 of the PSLP “There are also nursery/pre-school facilities at Iden Green and East End.” An accurate account would mention Iden Green only.
 - . The TPA states that there are daily bus services along GGR provided by bus nos. 24 and 299, and twice a day service provided by the Hopper bus. This information is incorrect. The 2019 Hopper bus, operated by the Tenterden social services hub on an experimental basis, failed in

only a matter of months. While the 24 and the 299 buses pass along GGR, they do so on only one day a week. The 24 on Tuesdays and the 299 on Wednesdays. The East End has almost no public transport.

- . The TPA makes several statements in relation to traffic which have fed misinformation into the system to be reflected in AL/BA3&4. This misinformation was only recently revealed when documents were provided by BHS following April 2021 queries raised by the Independent Examiner on the BNP. These documents include a TPA 'Scoping Note' on road and traffic conditions at the site and a letter written in response to this Note from KCC Highways, dated 13 Nov. 2019. The TPA states that the GGR is 7m wide at the hospital site which detracts from the fact that it is actually a winding rural lane, now called a road, and varies considerably in width. It may at some point be 7m wide, but at others, it is so narrow that two lorries have difficulty passing each other. The TPA claims that there is no need for a road safety review because there have been "no personal injury accidents" recorded within 1,000m. Castleton's Oak crossroads lie 1.5 km from the site and accidents there are frequent, largely due to increasing traffic at the hospital. The hospital has turned itself into an almost exclusively out-patient centre and almost all its 300 employees drive in to work from outside the parish (formerly, they were housed on site in hospital staff buildings). Kent County Council (KCC) Highways make constant and repeated attempts to lower the risk of injury at the crossroads. Works there are ongoing at this time. The TPA claims that no traffic surveys are necessary which is a point queried in the KCC Highways' email. The email talks of the "heavy car dependency" of residents in any housing in this location and says this was one of its concerns, even at the time of the original application asking for only 24 houses. The email states that BHS's plans (and therefore AL/BE 3&4) are contrary to the NPPF and to KCC's own policy objectives, and points out that the hospital has not co-operated over the idea of a minibus to provide transport from the site to Benenden. The letter calls for: traffic counts along the GGR; a wider crash analysis; and expresses concern over the proposed access points to the SE Quadrant - 2 on Green Lane and 2 on GGR. Lastly, on trip generation, the TPA projects that 47 houses at the site will produce only 106 trips a day, though the consultants admit that they have difficulty in basing their estimate on comparable sites because there are none. These trip generation figures ignore existing traffic from local residents, from patients, from hospital staff and from the newly (January 2021) proposed housing estate at Cleveland. The AL/BE 3&4 fails to provide a traffic count, fails to ask for a road safety review and fails to acknowledge frequent traffic accidents near the sites.
- . Pre-submission supporting documents also produce inaccurate and sometimes irrelevant evidence. The hospital sites are within the setting of an AONB and even overlap into it, yet *Inset Map 18* (Benenden Hospital), unlike other maps attached, makes no reference to the AONB boundary. The BNP claims that the hospital is outside the AONB and on this basis, since the rest of the village is wholly within the AONB, largely justifies placing most of Benenden's housing in the East End. The relationship of the AONB boundary to the hospital sites is important yet it is ignored on the map. This looks like prejudice.
- . Hankinson Duckett Associates's *AONB Setting Analysis Report* (a supporting document for the PSLP, referred to as an evidence base) is, in its analysis of AL/BE3&4, unsound. The analysis argues that development at these sites will enhance the setting of the AONB. It illustrates the argument with photos of the hospital chapel and its carpark. Neither chapel nor car park are in the area up for development.
- 1 **Policies AL/BE3&4 are not consistent with the PSLP's Vision objectives nor with its strategies, nor with KCC's policies, nor with the NPPF.**
- . The PSLP's Vision Objective 1 is : "to improve access to suitable, especially affordable housing, including for local young people and older households." But this is inconsistent with allocations AL/BE 3 & 4. BHS is asking in its comments on the LP first draft, for a lower number of affordable homes because of the high cost of brownfield development. Living isolated in the countryside, families will need at least two cars. Old and young will be unable to walk to schools, shops or any other amenities. This is not a suitable site for a borough which (see para 2.16) expects the population over the age of 65 + to increase by around 40% between 2020 and 2038. The PSLP's Vision Objective 2 is to ensure sustainable development which allocations at AL/BE 3&4 do not achieve. On the contrary, the KCC warns that even with the existing permission for 24 houses on AL/BE3, the highway authority had concerns. This is an isolated location, deep in the countryside (see KCC Highways email 13 Nov 2019). More than 24 houses in this location is not sustainable.

- **Policy PSTR/BE1**, LBD 5.416 states “the LBD around Benenden village sets the extent of existing and planned development ..” This conflicts with the recommendation that major development be instated three miles beyond the LBD, on the border with Biddenden.
- **Policy STR 2** “The Council requires the use of masterplanning, including the use of design codes and sustainable design standards where appropriate, for strategic and larger-scale developments..” This is undermined by AL/BE 3&4 which calls for a masterplan for an area not included in the PSLP and not presented. Para 1a of Policy AL/BE3 states that there is a need to “show indicatively how the other areas included within Policies AL/BE3 and AL/BE 4 can be developed to meet the overall policy requirements as set out within each of these policies, and *how the future needs for Benenden Hospital will be met on areas to the north west and south west that currently comprise the hospital buildings and associated ancillary uses and is previously developed land.*” It is not sound to proceed with an LP where the land to be developed is not clearly indicated from the start.
- **A masterplan is essential to avoid current inconsistencies on the size of areas to be developed:** AL/BE3 excludes one of the 2 Local Wildlife Sites (LWS) at the site, yet the BNP includes both. Para 5.458 states “Both this policy and BNP draft Policy SSP3 broadly follow the same approach towards the potential for developing this site for a residential development..” They do not. The PSLP states that in the event of a successful referendum, the BNP’s proposals will prevail. If this is so, are we supposed to assume that AL/BE3 map is inaccurate?
- A similar problem arises at the northern site (AL/BE4) here there are currently 18 dwellings. The proposal allows for these to be demolished and another 25 dwellings added to the site. The size of the area to be developed varies between the LP and the BNP. The LP includes the LWS in the area to be developed but the BNP includes only a small section, but says in the event of a successful referendum the BNP plan will be over-ruled by the LP plan (see the BPC response April 2021 to the Independent Examiner’s queries). This is the reverse of 5.421 & 2. It is unsound to proceed with a plan when the NP and the LP are at odds with each other.
- **The PSLP claims building will only be within existing footprints**, an approach which is at odds with that of the BHS. Plans for 47 new houses in AL/BE3, presented to the village on 17th February 2020 by the hospital architects, show the buildings are not to be built within the footprint of previous buildings nor to respect LWS.
- **Policy STR 3** calls for the use of brownfield sites “within settlements” and in “sustainable locations.” AL/BE 3 consists of disused medical buildings and 2 LWS with parkland and veteran trees (depending on whether this second LWS is included or not). 5.448 is therefore incorrect. The site should be described not as brownfield but as partly brownfield. It is not on the Brownfield Register. Because of its remote location and its valuable LWS sites, it is not free from constraints which could be mitigated. As such, Policy AL/BE3 does not meet the criteria needed under the NPPF, Section 11, para 117 for development in “a way that makes as much use as possible of previously-developed or ‘brownfield’ land.” AL/BE 4 contains in-use residential housing and an LWS and therefore is not entirely brownfield.
- **Policy STR 5** states that “New residential ... development will be supported if sufficient infrastructure capacity is either available or can be provided in time to serve the development.” Will this happen at AL/BE3&4? Developers themselves are to provide the infrastructure at AL/BE 3&4. The LP proposes to take on trust suggestions that the BHS will avoid building on the LWS and will provide play-grounds, sports facilities and tennis courts. We know from submissions following the first draft LP, that BHS is actually planning to remove one LWS entirely and that its plans include building on the LWS and beyond the foot print of previous buildings. BHS suggests, in its response to the first draft LP (DLP_4956) that it is unlikely to provide play-grounds, sports facilities and tennis courts. The PSLP’s approach does not take comments to the first draft LP into account.
- **Policy STR 6** proposes to “Deliver future development in accessible locations, normally within or in close proximity to existing towns and villages across the borough.” In the case of the two isolated hospital sites, the PSLP contradicts its own strategic policy and fails to offer choices in transport or to prioritise active travel and public transport. The Benenden hospital sites have no daily bus service and no active travel link to the village, and neither the PSLP nor the BHS provide credible information on how these links are to be provided. The KCC email of Nov 13 suggests that the hospital is uncooperative on the proposal to organise a minibus service and the SHELAA says of AL/BE3 that it is “Remote from a settlement centre,” (unlike sites 158, 222 and LS8); that residents will rely heavily on private cars and thus air quality and travel objectives score negatively; and that, “although promoted by the policy, shared transport and active travel options are unlikely

to take precedence over private vehicle use thus air quality and climate change score negatively.” This is crucial. For all the talk of mitigating the remoteness of the hospital sites with a minibus link and cycle routes, nobody actually believes that any of these measures will succeed. As for the proposal to create links suitable for electric personal vehicles, such as mobility scooters (as suggested under STR 6), it is difficult to see, when the closest link with the village is a single-track lane (Walkhurst Road), how any personal electric vehicle could make that journey. The PSLP is creating, through its policies AL/BE3&4, a car dependent community. This thereby negates the sense of the LP’s supporting document, *Transport Strategy Review Sept 2019* which urges reducing the need to travel.

- . AL/BE3&4 also undermine TWBC’s Full Council motion of July 2019 to reduce CO2 emissions. “The dominance of the car as a mode of transport can lead to congestion, more road accidents, air and noise pollution. In addition it contributes to climate change, reduces social cohesion and leads to less healthy lifestyles” (para 44 *Transport Review*). According to TW’s own SA from 2006, if social cohesion, reduction in air pollutants, and public health were indeed the borough’s priorities, site 158 would have been among those chosen for Benenden, as originally intended.
- . **PSLP paras 5.453 and 5.467** state that “residents of development in this location will rely heavily on private cars.” These plans runs counter to STR6 policy on the environment see paras 6.8, 6.9, 6.10, 6.11 and 6.13. It also contravenes KCC policies on climate change and the NPPF (see KCC’s Nov 13, 2019 letter on this subject).
- . **Para 5.414** “The parish provides two relatively large sources of employment: at Benenden Hospital and at Benenden School.” The inference is that the employment opportunities are linked somehow to the population of Benenden. There is in fact little connection. The 300 plus staff at the hospital drive into the parish along GGR to work and, since the hospital is isolated from the village, their contribution to the local economy is negligible.
- . **Policy STR 6** The LP proposes to “**Deliver future development in accessible locations, normally within or in close proximity to existing towns and villages across the borough.**” In the case of the two isolated hospital sites, the LP contradicts its own strategic policy and fails to offer choices in transport or to prioritise active travel and public transport.
- . **Cycle routes:** The PSLP’s standards on the public benefits of cycling and walking are based on the *Cycle Strategy Supporting Document*, but these standards are undermined by site allocation in Benenden. The Cycle document states that: “When more people cycle or walk the health of the population improves and our roads become safer and less congested.” Its objectives 4 and 5 are to improve safety for cyclists and air quality for all, but AL/BE 3 & 4 will create a community, deep in the countryside, entirely dependent on the car and will contribute to poorer air quality for all. The allocation of these sites, as opposed to sites such as 158, is difficult to understand.
- . The *Cycle Strategy* states that fear of traffic is possibly the main factor discouraging people from cycling. National Cycle Route 18 runs from the Rolvenden Road, down Stepneyford Lane, to Green Lane, before joining the Benenden Road near the hospital, turning right and leading to Castleton’s Oak Cross roads and Gribblebridge Lane. This route is a largely on-road ride travelling through the High Weald, using narrow, picturesque country lanes as much as possible. Green Lane/Stepneyford Lane is mentioned in TWBC’s *Rural Lanes: Supplementary Planning Guidance*. It is particularly high scoring in terms of its landscape, its recreational value, its natural beauty and its history. For these reasons, it is part of National Route 18. Rather than encouraging cycling, AL/BE3, which proposes two exits for this major development on GGR and two on Green Lane (where a second housing estate, at Cleveland Farm is already leading to Kent Highways calling for road widening and the elimination of grass verges - see building application 20/03267/FULL) will cause an increase in those factors, identified in *TW Cycle Strategy*, as discouraging cyclists, namely, traffic and the loss of unspoilt country lanes. Policy AL/BE3 also contravenes Kent Structure Plan Policy ENV13: “Rural lanes which are of landscape, amenity, nature conservation, historic or archaeological importance will be protected from changes which would damage their character, and enhanced.” In any event, the cycle route is purely recreational and will not enhance the sustainability of these sites.
- . **Policy STR 7** proposes, in dealing with TWBC’s 2019 legally binding commitment to manage climate change, that all development in the borough will support the Council’s target to achieve net zero emissions by 2030. It is unsound, with such a goal, to propose a major development on the parish periphery, 3 miles equidistant from two villages where there is no shop (in spite of the PLSP’s statement AL/BE 3&4) and no café (BHS says its café was built for its own use not for the use of the public - see comments on the first draft of the LP). Residents will need their cars for almost everything.

- **Policy STR1** promotes the effective use of previously developed land, having due regard to relevant Plan policies, but in promoting AL/BE3&4, the PSLP disregards STR6 (environmental goals) & STR7 (transport goals). Under the NPPF, sustainability is the priority, as the PSLP acknowledges in STR3, 4.65 “A presumption of sustainability lies at the heart of the NPPF”, but in allocating AL/BE 3&4, the PSLP fails to respect its own and the NPPF’s strategic priorities.
- **Policy STR 8** states that development should contribute to and enhance rural landscapes with particular regard to the High Weald (HW) AONB. The PSLP promotes nature conservation. Its biodiversity objective is to achieve net gains and, where possible, secure long-term management of sites for biodiversity. AL/BE3 runs counter to this strategy since the BHS has produced plans showing houses built over the LWS. It has, furthermore, produced a document requiring that one of the two LWS be dug up and removed to another unspecified location, thereby nullifying the terms of the existing Landscape and Ecology Management Plan (LEMP) for that site. Para 3.21 of the BHS submission on the first draft LP states: *“The Society supports the requirement for long-term management of the core areas of LWS associated with the hospital land. This includes all but the modest area within the SEQ adjoining Peak Lodge which is too constraining on the South East Quadrant redevelopment proposals. Accordingly, the soils in the area will be translocated to a nearby receptor site to try to ensure that the rare fungi can continue to thrive in this local area.”* This is a particularly significant site for biodiversity. A letter from Keith Nicholson, former Planning and Conservation officer for the Kent Wildlife Trust, dated 4 March 2013, to TWBC Development Control Officer, Ellen Gilbert states that the hospital LWS are of national importance, mainly for the large number of different varieties of waxcaps. He states that they could well have been designated SSSI. Both in terms of waxcaps and in terms of valuable acid grassland, the hospital sites have high environmental value, see Comment DLP_3458 on the first draft of the LP, from the High Weald AONB Unit. The Benenden Hospital site *“includes rare and vulnerable acid grassland which should form a core area for unimproved grassland as part of a High Weald nature recovery network.”* AL/BE3&4 threaten the biodiversity of significant species in the LWS at the hospital sites, contrary to EN1.
- The LWS to the south of AL/BE3 is included in the BNP and BPC argues that this has been done in order to protect it (see their response to the Independent Examiner April 2021). It is difficult to follow this logic. The inclusion of the site in the area to be developed suggests that it too could be under threat.
- There is no plan showing the placement of houses on AL/BE 4, which is currently home to a large LWS and is the site of 18 habitable dwellings, almost all of the them currently in use and let. The proposal allows for these to be demolished and another 25 dwellings added to the site. The PSLP includes the LWS in the area to be developed and the BNP excludes most of it. Benenden Parish Council (BPC), in its April 2021 response to the Independent Examiner, has said that, in this case of a successful referendum, the PSLP’s plan (which includes the LWS), will prevail. In other words, of the 3 LWS in AL/BE 3&4, one is slated for removal, one will be built over if the PSLP prevails and one may be built over if the BNP prevails. This undermines STR8.
- The PSLP claims that the hospital development “has the potential to improve the setting of the HW AONB through the delivery of a more sensitive redevelopment of existing buildings” (para 5.454), but the claim is not supported by evidence produced by the *Hankinson & Duckett* (see above) while the HW AONB unit’s own view is the opposite. See TW first Draft LP, **DLP_3458 High Weald AONB Unit** (which objects to the Plan) : *“....In our view the development at Benenden Hospital will have a significant effect on the setting of the AONB and the purposes of its designation, and this issue has not been properly considered by the Plan.”*
- The NPPF section 2 para 11 states *“Plans and decisions should apply a presumption in favour of sustainable development... ..(b) strategic policies should provide for objectively assessed needs for housing ...that cannot be met within neighbouring areas unless ... (i) the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area.”* And see Footnote 6: the policies referred to are those in the Framework ... relating to habitat sites (and those sites listed in para 176) and /or designated as SSSI, AONBs
- NPPF para 177 requires that *“The presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site.”*

PSLP EN1 para 5. Biodiversity and geodiversity.

AL/BE 3&4 run counter to this policy as stated above in relation to the LWS.

The Environment

STR8 sets high environmental standards but these are undermined in the site allocations. This is particularly startling in the light of the July 2019 Full Council motion to recognise the climate and biodiversity emergency, in fact, the Benenden allocations put into question whether the motion was passed in good faith.

EN1 para 5 (Biodiversity and geodiversity) says that proposals should maximise opportunities to increase biodiversity. This goal may make sense in an urban setting, but development in the countryside, as is proposed in AL/BE 3 & 4, cannot hope to ever mitigate biodiversity loss. The destruction of trees and wild spaces, the introduction of lighting, kerbs, driveways, wider roads and narrower verges, the use of concrete, tarmac, bricks and mortar in a deeply rural setting cannot “increase biodiversity”.

EN1 provides for Long-term Management plans which would be satisfactory within an urban context. In a rural location like the East End, such plans are no substitute for natural wild spaces. A ‘managed’ green space set among streets is less likely to promote biodiversity and less likely to conserve wildlife than ‘unmanaged’ green space. Further, the three LWS in AL/BE3 are all already part of an existing LEMP agreement, and since one or all would be removed in the case of development as outlined by BHS under AL/BE3&4, instead of creating a long-term management plan, AL/BE3&4 would all but terminate an existing one. The sentiments expressed in EN1 are mocked by AL/BE3& 4.

4. Site policies

AL/BE3 excludes one of the 2 LWS at the site, and the BNP includes both, yet para 5.458 states “Both this policy and BNP draft Policy SSP3 broadly follow the same approach towards the potential for developing this site for a residential development..” This does not appear to be the case. Further, the SHELAA treats this site twice, once including the southern LWS (and excluding Windmill Cottage) and once excluding the LWS and including Windmill Cottage (SHELAA pages 1-3 and pages 18-19). In the second instance, the suggestion is for 67-73 houses, presumably building over the LWS. The first plan is the one adopted in the PSLP and appears to be the more accurate of the two in that it describes the site as “mostly PDL”. The second ignores all greenfield aspects and is almost identical to the plan in the BNP, a plan which BNP claims will prevail if it wins a referendum. Is AL/BE3 presenting us with the wrong plan?

AL/BE3 and AL/BE4 provide for a phased timetable for development of the two sites at different time intervals without calling for a comprehensive masterplan for the hospital site as a whole i.e. for the entire built up area. This is inconsistent with STR2, which requires a masterplan for large developments. The full extent of the area to be developed must be clear. See para 1a of Policy AL/BE3 which states that there is a need to “show indicatively how the other areas included within Policies AL/BE3 and AL/BE 4 can be developed to meet the overall policy requirements as set out within each of these policies, and *how the future needs for Benenden Hospital will be met on areas to the north west and south west that currently comprise the hospital buildings and associated ancillary uses and is previously developed land.*” It is not sound to proceed with an LP where the land to be developed is not indicated from the start.

AL/BE3&4 both call for an active travel link between the site and Benenden village. This proposal has been costed (see BPC’s April 2021 reply to the Independent Examiner) at between £180,000 and £220,000 for a 3m wide tarmacked surface, plus costs to upgrade it to a bridleway, plus the costs associated with obtaining landowners’ consent or, failing that, of starting compulsory purchase proceedings which TWBC expresses reluctance to undertake because of the significant compensation costs and legal costs which would be involved. No steps have been taken either by the BNP or TWBC to ascertain the willingness of landowners to give up their land although the major landowner involved wrote to BNP on 11th Sept. 2019 objecting to the plan. It is understood that he was not contacted for subsequent discussion.

AL/BE3&4 calls for the repurposing of the existing tennis courts for the use of local residents, which BHS denies it will offer for public use; for the public use of the hospital’s café; for the creation of a hospital shop (5.413); for a minibus service linking the hospital to the village (“The Society is not a transport provider” is BHS’ response); for green space, a playground and provision of a community hall - most of these policies are refuted in Savills’ comments on behalf of BHS, in the first draft of the LP, DLP_ 4956 paras 3.14, 3.18, 3.19, 3.20, 3.46 and 3.47. Rather than agreeing to such policies, the hospital is calling on TWBC to introduce a more flexible funding system to allow a *reduction* of developer

costs. BHS argues these will be high because they wish to demolish existing buildings. It is unsound to propose policies which cannot be implemented. Once the sites are sold, no relevant conditions to this effect could be imposed.

5. The PSLP is unsound because of inconsistencies in the treatment of different sites.

(i) **Uphill, AL/BE1** is described as having archaeological potential (para 5.428) requiring possible mitigation measures. This is not because of historical finds on the site, but because they *might* be found. A listed manor house lies on the other side of New Pond Road and, according to AL/BE1, “the site lies within, or very close to the relevant impact risk zone for Parsonage Wood”, a SSSI which is, in fact, several miles away. The archaeological significance of AL/BE 3&4 is far more certain and substantial. The hospital sites are where a bronze age palstaff was found (see the National Monument Register - SMR Number /Hob UID)) and the sites lie close to two ancient routeways. A Roman Road runs west-east (on BHS farmland) a few yards to the south of AL/BE3 and a medieval drove road (GGR), runs west-east between the two sites. Further, two Grade II Listed Buildings are sited here, also on BHS land. The Lister building stands a few yards to the west of AL/BE3 and Cleveland Farm house (the farmyard of which BHS is trying to develop separately and simultaneously as if a minor planning project) lies a few yards to the south. Instead of mentioning these facts, AL/BE3&4 reads (5.456 and 5.468) “Kent County Council states that the site includes significant archaeology, which could be dealt with through suitable conditions on a planning approval.” The imbalance in the treatment of the two sites is substantial and suggests confirmatory bias or prejudice.

(ii) The SHELAA assessment of site 158 suggests a potential yield of 50-65 houses, but then concludes that only the Uphill part of the site is suitable (20 houses). It states that “the remainder of the site is sensitive in landscaping terms and there is concern regarding scale and impact on the character of the landscape and settlement pattern”. This is contrary to the views of TW’s 2006 SA; to the TW 2018 document proposing 174 houses; and to the first draft of the LP. The dismissal of 158 as a suitable site is not supported by the evidence and suggests prejudice.

(iii) Site 222, west of the cross roads, was also considered in 2006, as a possible site for the new village school, though it was not one of the top two sites put to a referendum. The SHELAA suggests 222 has a potential for 76 houses. The site is considered unsuitable partly because the new LBD, if adopted, will exclude all houses west of the cross roads, when the village actually extends a considerable length along this road to the west. There is no mention of the fact that the owners of this site are offering the pond at the south west corner of the crossroads as village green space. The dismissal of 222 is not supported by the evidence and suggests prejudice.

(iv) The SHELAA suggests a capacity of 26 houses at Site LS8 in Iden Green, stating that it lies adjacent to the recreation ground and a children’s nursery and that there is a pavement on both sides of Iden Green’s main road. It fails to mention that the easternmost side of this pavement connects the village to the village primary school. The SHELAA dismisses the site as unsuitable saying that it is located in a remote location relative to services, facilities and public transport, but this site is far less remote than sites AL/BE 3&4. The dismissal of site LS8 is not supported by the evidence and suggests prejudice.

(v) The proposed new LBD has been constructed so as to include the new site at Uphill and to exclude 222, when in fact, the actual built development extends westwards from the crossroads and includes site 222. The LBD is ignored in respect of AL/BE3&4. Manipulation of the LBD to suit allocated sites is inappropriate.

As a general comment, I have found the process unnecessarily difficult to navigate. In fact, from the point of view of the ordinary lay-man, I would term the process ‘hostile’. The interactive on-line site was unmanageable. Question 4a is very badly worded. The PSLP’s prose entirely suited the opacity of the procedure. Here is one example from the SA (page 163) “However, the education objective does not deteriorate when considering cumulative effects as the schools in Tenterden will be a viable option for residents in East End and thus are likely to take the pressure off Benenden Primary School.” What does that mean?

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan 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 modifications needed are included in the submissions set out above. In summary, development on site AL/BE 3 should be limited to the existing, so far unused, planning permission for 24 houses, preferably by adapting the Garland Wing, which is a building of historic value, either to a wellness centre, in accordance with its original intention, or to a row of up to 10 terraced houses. Site AL/BE 4 already has 18 semi-detached houses on it, and cannot support any more. It should therefore be excluded. Housing should be allocated to sites (such as 158 and 222 in the village centre or LS8 in Iden Green) which lie on bus routes or are within walking distance of the village centre and school.

Paragraphs 5.421 and 5.422 should be omitted.

Question 7

***Please note** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.*

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . Yes, I wish to participate in hearing session(s)

Question 7a

***Please note** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.*

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

In order to put over my case, and to answer those with vested interests who may seek to put forward arguments against it.

Question 8

If you have any separate comments you wish to make on the accompanying Sustainability Appraisal, please make them here.

1. The Sustainability Appraisal (SA) is misleading. Table 58 on page 163 states that all Benenden sites "lack services, facilities and travel options". This belies the fact that AL/BE2 (Feoffee almshouses) is close to the Street as is AL/BE1 (Uphill). Both sites are within walking distance of the bus stop for daily bus services, the post office, village shop, the primary school, the village green, the butchers, pub, community hall, church, recreation ground and children's playground. AL/BE 3 & 4 are three miles northeast of the village with no daily bus service and no amenities whatsoever.
2. The commentary on Table 58, (page 163 of the SA), states that East End sites score badly on Climate Change and Travel, yet these are the sites promoted for most houses.
3. The SA argues on page 163 that East End residents will send their children to schools in Tenterden instead of to the village primary school, and that this will lessen the otherwise seriously negative effects of the two hospital sites. This is pure conjecture and possibly wishful thinking. The school has a good reputation and currently between 70 and 75% of children there come from outside the parish. East End children will have precedence over these, since intake depends on the distance of a child's

residence from the school. Pressure on Benenden Primary School will increase, not decrease. Further, the use of a car, whether it drives to Tenterden (5-6 miles) or to Benenden (3 miles), pollutes and deprives residents of the health-giving pleasure of walking to school. The AL/BE 3&4 are contrary to STR2, to the NPPF and to KCC policy on climate change.

4. Appendix L (pp331-2) shows Scores for Reasonable Sites in Benenden. Here we see scores for 158 and 222, two sites close to the village centre. Of 158, we read "A site that scores several neutrals with some positives, let down by its land use and landscape score impacted by a loss of a greenfield site in the AONB and lack of services and facilities including public transport at the settlement." This SA report compares poorly with the SA TWBC carried on site 158 in 2006. 158 is parallel to and just north of the Street with its exit onto New Pond Road. In 2006 site 158 was chosen in a village referendum as the site for a new C of E primary school. It was the preferred site out of a choice of two, both of which were greenfield. TWBC's 2006 SA on 158 decided (see page 18 of the Sustainability Appraisal Benenden Church of England Primary School Land Allocation DPD - Issues and Options report), that 158 was one of two top sites. "Situating adjacent to an area of ancient woodland, the site provides the potential for habitat linkages and wildlife corridors. The site is not adjacent to the CA and does not form a significant role in its setting. There are no Listed Buildings on or adjacent to the site. The site is consistent with the surrounding landscape character. There are limited views into the site and no public rights of way over the site." On page 38, we read, "This site is anticipated to have a major beneficial effect on improving educational standards and travel choice/traffic levels". In spite of the referendum result, the school was eventually built at the less preferred site and, since then, TWBC had been in consultation with 158's owners to build houses there.

5. In April 2018, BNP Steering Committee Deputy Chair, a borough councillor, showed the committee a piece of paper from TWBC saying that TWBC wishes to build 174 houses on site 158. He committed himself to seeing these numbers reduced and the numbers at the East End raised. After a meeting between representatives from the BNP group and TW planners on June 19th, 2018, the minutes reported that "At times the workshop was emotive ..." Following that meeting TW planners put site 158 on temporary hold, limiting development there to a future Local Plan by asking, in the first draft of the LP on page 270, that the Uphill site on New Pond Road, adjacent to 158 and allocated at that time as AL/BE3, should, under Clause 8, provide for vehicular access through Uphill to the site behind (158) "which may be allocated for development as part of a future Local Plan." In the PSLP, this wording for Clause 8 has disappeared. Where is the evidence-base for such wording to be included in the first draft and excluded in the second? Why is the site considered suitable in 2006, in 2018, and in the first draft, but not suitable in the PSLP?

6. Site 222, like 158 is described in Appendix L of the PSLP's SA as suffering from "a lack of services and facilities including public transport at the settlement." This is inaccurate. There is a daily bus service along Benenden Street and site 222 is within easy walking distance of the bus stop, shops, pub, community hall, primary school and all other amenities.

7. Site LS8, in the heart of Iden Green is, along with site 158 and 222, a site which on-the-ground evidence suggests is eminently suitable for development, but which the SA fails to allocate. Appendix L of the SA gives LS8 virtually the same scores as Uphill (LS16 of AL/BE1) yet the latter is included for development and the former is not. The commentary states of LS8 "A number of scores are negative however, reflecting the remote location of the site from services and facilities and public transport. It scores negatively in heritage terms as the site is a relatively sizeable piece of the Iden Green Conservation Area." This site is far less remote than sites AL/BE 3 & 4. It is one mile from the village and connected to it by a paved footpath running past a Roadside Conservation Area and then (still paved) through a field to the church and primary school. It is on a bus route and the bus stop is next to LS8. Iden Green has a community hall, tennis courts, a children's playground and pub/restaurant. The SA information is unreliable and the PSLP's use of it for site allocation is unwise.

8. In so far as Benenden is concerned, the sites were allocated before any sustainability appraisal was commissioned. It is not therefore relevant factor in the allocation of sites for housing.

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Ms Hazel Strouts [REDACTED]
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	Ms Hazel Strouts [REDACTED]
Comment ID	PSLP_294
Response Date	22/05/21 08:40
Consultation Point	Policy AL/BE 3 Land at Benenden Hospital (south of Goddards Green Road), East End (View)
Status	Processed
Submission Type	Email
Version	0.8
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Hazel Strouts
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy AL/BE 3 Land at Benenden Hospital (south of Goddards Green Road), East End	
Policy AL/BE4 Land at Benenden Hospital (north of Goddards Green Road), East End	
Inset Map 18	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	No

Is sound No

Complies with the Duty to Cooperate No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not positively prepared
- . It is not effective
- . It is not justified
- . It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

This representation relates to the Pre-submission Local Plan(PSLP) and its handling of the parish of Benenden

1. The plan is unsound because of inadequacies in the consultation process.

(i) Poor consultation between TWBC and other Borough Councils

A Statement of Common Ground (SoCG) between Maidstone and Tunbridge Wells Borough Councils (TWBC) is published, but nothing is apparently published in relation to Ashford Borough Council or Tonbridge and Malling Borough Council.

(ii) Poor consultation between TWBC, the parish of Benenden and the Benenden Healthcare Society (BHS), the single landowner of those sites in the East End of Benenden where most of Benenden's houses are allocated.

(iii) There is no Statement of Common Ground between TWBC and the Benenden Neighbourhood Plan (BNP) although a SoCG was listed as a supporting document to the BNP Reg 14. This is significant *because the two plans, though identical in their choice of sites, show different areas within those sites for development at the East End, and both plans differ from the view of BHS.* BHS's position is presented to the public through its comments on the first draft of the Local Plan (TWFDLP Comments) (see see web link

Looking at the issue in terms of its hectareage:

- . according to the PSLP the northern site (AL/BE4) is 3.72 ha and the South East Quadrant (SEQ or AL/BE3) is 3.07 ha;
- . according to the Benenden Neighbourhood Plan (BNP), the northern site (called LS41 in the BNP, see para 2.9.4.2.) is 1.9 ha and SEQ (called 424 plus LS40b, see para 2.9.3.2) is 4.24 ha.
- . according to BHS, the northern site is 3.7 ha and the southern site is 4.2 ha (see TWFDLP comments), Savills for BHS: DLP_4956)

The hectareage varies largely according to whether Local Wildlife Sites (LWS) are included in the development area. There are four LWS at the hospital. One of these lies in the northern area (AL/BE4) and two lie in the southern area (AL/BE3). The fourth is in an area not up for development.

- . For AL/BE3, the PSLP excludes the second and the most southerly of its two Local Wildlife Sites (LWS), while the BNP *includes* both LWS. *Currently, Strutt and Parker are advertising to developers the larger, BNP version of the site for sale, together with Cleveland Farm.* The PSLP states that in the event of the BNP passing a referendum, its own plans for Benenden will be

superseded by the BNP (see para 5.421). Which means the plan presented in the PSLP for AL/BE3 is incorrect.

- . For AL/BE4, the PSLP *includes* all the LWS at the site, while the BNP includes only a small southerly section of it. The PSLP states that in the event of the BNP passing a referendum, its own plans for Benenden will be superseded by the BNP (see para 5.421). Which means the plan presented in the PSLP for AL/BE4 is incorrect.
- . For AL/BE4, Savills' comments on behalf of the BHS (see TWFDLP comments), propose 43 dwellings for the site, which will include the LWS (see TWFDLP Comments, item DLP_4956 para 3.6), "Unlike the BNP, the TWLP is broader in the site area by providing a boundary encompassing the entire hospital site, yet aside from the discrepancy addressed previously in this representation the two allocations align in terms of proposed numbers. The Society intends to bring forward the development on the two sites identified through the BNP and *within the boundary identified in the TWLP*. The Society welcomes the consistent approach to unit numbers, and the allocation of both parcels of land through the draft BNP and the TWLP."

In terms of boundaries:

- . BHS understands (see DLP_4956, para 2.8 in TWFDLP Comments) "The North East Quadrant occupies the North East of the site, bordered to the North and East by Mockbeggar Lane, to the south by Goddards Green Lane / Benenden Road and the West by existing hospital buildings." *In other words, it includes the entire LWS in its area.*
- . To the south, BHS understands (see DLP_4956, para 2.9 in TWFDLP comments), "The South East Quadrant occupies the South East of the site, bordered to the north by Goddards Green Lane / Benenden Road, to the West by Green Lane and to the South and East by agricultural land and the High Weald AONB boundary." *In other words, it includes the whole of the more southerly of the two LWS at the site.*

This means that PSLP's AL/BE3 is inaccurate because the larger BNP plan will likely prevail, while the PSLP's AL/BE4 could be challenged by the BNP (if successful in a referendum) (see PSLP para 5.421) and substantially reduced in size. The PSLP's plans for the two hospital plans are therefore both potentially inaccurate.

A failure to coordinate and effectively consult has produced unsound documents.

(iv) Poor consultation with stakeholders, the local community and the neighbouring parish (possibly even more affected by the plans than Benenden). These parties have either not been consulted, or consulted after the fact or consulted but not engaged with.

- . **The Friends of the East End (FEE)** are more affected by the plans than most in the parish but they were not consulted over the development of the BNP on which the PSLP is based. The FEE are mainly residents of the East End which covers about one third of the parish and is a wholly rural location of 76 scattered households. Because it is isolated, it was chosen as the site for an isolation hospital. This now makes up a small enclave close to the border with the neighbouring parish of Biddenden.
 - . The BNP Steering Committee is the only one in the borough to have made its own site allocations and these allocations were published in an Informal Draft Plan in February 2019, before consultations with the High Weald -AONB and before inviting AECOM to produce a Strategic Environmental Assessment (SEA). (N.B. Even when the HW-AONB were invited to assess sites, they were NOT asked to assess the hospital sites).
 - . The FEE object strongly to the proposal to site almost all the new housing in the East End, but the BNP Steering Committee never asked to meet the FEE nor engaged with them (See EN1 para 9 requiring the effective engagement of the local community, neighbours of sites and others).
 - . The FEE submitted three petitions, two to the BNP and one in relation to the LP. A FEE submission with 127 signatures was submitted on April 4th 2019 in response the IDP (published on February 23, 2019), in which the allocations, later adopted by the PSLP were first set out. A second FEE submission with 164 signatures was submitted in October 2019 objecting to the TWFDLP, and in the same month, a third FEE submission with 167 signatures was submitted in relation to the Reg 16 draft BNP. Instead of acknowledging the strength of these views and the number of people who held them, the chair of the BNP Steering Group, who wrote a regular column in the Parish Magazine about the BNP process, wrote in January 2020, that only "31 residents from the East End" had sent in "comments".

For the strength of today's opposition to the BNP, see the FEE's current online petition with over 450 signatures see web link.

Instead of being consulted, the FEE were ignored and belittled. They were informed on 11th March 2019 by the editor of the Parish Magazine (PM), husband of the Chair of the Parish Council, that "I'm of the view that much of the uncertainty has passed since the presentation of the plan to the village - to a highly favourable reception. At least we no longer have to give polite credence to *uninformed views* that fly in the face of TWBC policy and advocate direct and *pointless confrontation* with TWBC, thereby running the risk of having the entire BNDP thrown back in our faces. *The ensuing chaos hardly bears thinking about.* At least it seems the opinions now being afforded most weight are those of *people who have worked hard for two years to understand the issues* and come up with a coherent way forward."

Consultation also failed in relation to the neighbouring **parish of Biddenden**. The Clerk of Biddenden Council has repeatedly responded to Benenden Parish Council in the course of the BNP consultation process, but received only acknowledgments. A Kent County Councillor and Ashford Borough Councillor wrote an article about BNP's mismanagement of consultations with the parish of Biddenden in the Biddenden Parish Magazine, February 2021.

2. The plan is unsound because of the untimely publication of site allocations

Pre-Submission Local Plan, para 5.420 reads "The BNP was submitted to TWBC in October 2020 and was consulted on between 30 October and 11 December 2020." But the allocations had already been made and published by the BNP in February 2019 in its so called "Informal Draft Plan". The 2019 February allocations are virtually identical to the PSLP 2021 allocations. Para 5.420 states "The BNP proposes to include site allocation policies that follow the approach of the site allocation policies for Benenden in this Local Plan." How can the BNP follow the PSLP's approach when its sites were already allocated? Because the PSLP is founded on site allocations made by the BNP, the unsoundness of the latter carries over and produces unsoundness in the former.

The LP is based on the BNP and BNP allocations were made before **consultations with stakeholders**. This is not consulting in a timely fashion. For example, the PSLP requires archaeological surveys of the hospital sites *after* the designation of the sites for development. Historic England (HE) asks for the surveys to be carried out *before* allocation (see TWFDLP Comments DLP_4556 - "we would expect the allocation of sites following on from this Strategy policy (STR1) to be subject to appropriately robust and detailed heritage impact assessment prior to the allocations being adopted."

3. The plan is unsound because the evidence on which it is based is inaccurate or irrelevant

Supporting Documents

AONB Setting Analysis report: Main Report and AONB Study Plans and Photographs Benenden Hospital/Hankinson Duckett Associates. November 2020.

See para 4.4.2, the description of the hospital site is for the *entire built up-hospital area*, minus the southerly LWS in the SEQ. It is therefore a *report on an area not submitted in the PSLP*. As a result, it draws its conclusions from areas not included in the PSLP. The conclusions are therefore unsound.

The report:

is concerned with adding 66-72 additional dwellings in addition to the 18 already extant on the northern site and presumably in addition to the 24 for which planning permission has been granted. That is between 108 and 114 new houses. The PSLP is talking about planning 43 houses for the northern site and 49 for the south. A total of 92 new houses. The report muddies the waters, leaving no clarity.

fails to note items of critical importance in any attempt to evaluate the landscape and historic importance of the site e.g.

that the site is on an east-west ridge giving it a dominant position in relation to the AONB;

the east-west Roman Road running over Benenden Healthcare Society (BHS) land a few yards to the south of the site, and the medieval drove road (Goddards Green Road - GGR) which divides the northern site from the southern one;

the National Monument Register which lists a Bronze Age palstaff (SMR Number/Hob UID) found at the hospital site, (though, oddly, the report does note Scheduled Monuments in the village);

that the SEQ development proposes two entrances on to Green Lane and two on to GGR, see Transport Planning Associates (tpa)- October 2019 Scoping note for BHS, 1907-038 under the

section headed 'Access', para 4.4 "The consented vehicle access arrangements will be retained. Therefore, vehicle access to the Site will be taken from two access points along Goddards Green Road and two on Green Lane." (This and other documents were revealed to the FEE in May 2021 as a result of the BNP Independent Examiner's queries. In spite of the Examiner's request that all such material be published on-line, this document and the KCC Highways 13 Nov 2019 "Pre-App Response" have been not been published). Such entrances will seriously impact the AONB. Both Goddards Green and Green Lane are designated Rural Lanes, and, of the two, Green Lane is mentioned as a particularly high scoring lane (for its beauty and tranquillity) in *TWBC's Rural Lanes: Supplementary Planning Guidance*. Creating a series of broad entrances large enough so that an "11.4 m refuse vehicle can enter and leave the site in forward gear (see KCC Pre-App Response 13-11-19, a document revealed to the FEE as a result of the BNP Examiner's queries but not made public) would have a substantial effect on the AONB. Hankinson Duckett Associates ignore the issue (see Section 4 on Benenden in the main report and photos B1 and B2 in *Supporting Plans and Photographs , Benenden*).

- . offers photos (B5 & B6) which are irrelevant to the site in question. These photos look south towards an area not up for development, and are taken from a point also not up for development. These omissions undermine the report's conclusion.
- . ***Inset Map 18 (Benenden Hospital)***, unlike other maps attached as supporting documents to the PSLP, Inset Map 18 makes no reference to the AONB boundary. This is a significant omission because both the PSLP and the BNP claim that the hospital is outside the AONB and on this basis, largely justify placing most of Benenden's housing in the East End. Because AL/BE3&4 lie on a high ridge to the north of the parish and because the AONB boundary wraps tightly round the site which bulges, like a balloon, into the AONB, development at the East End significantly affects the AONB. While TWBC acknowledges this by requesting the Hankinson Duckett Report, by publishing Inset Map 18, which omits the AONB boundary, TWBC loses a critical opportunity to show the true relevance of AL/BE 3&4 to the AONB. It could even be said that by leaving out the boundary, there is an implication that the hospital sites are genuinely 'outside' the protected area.
- . ***Previous Stages, Draft Local Plan, Benenden Overview***, p263, provides a basis for the PSLP but contains inaccuracies.
 - . There is no "pre-school/nursery" as stated in the Overview
 - . There is no "Small shop at hospital" as stated in the Overview
 - . The statement that there are tennis courts and a café at the site is misleading. In TWFDLP Comments, Savills requests (see DLP_4956 para 3.14) that "the requirement to incorporate the tennis courts and retain the sports pavilion is removed". As for the café, BHS states in its comments on the LP that the café is for hospital use only - "the existing hospital buildings ... have only been designed for hospital use". See TWFDLP detailed additional submissions from Savills "*Representation to the TWBC Draft Local Plan Regulation 18*" 2- Sept- 1Nov 2019 para 3.18 and 3.19)

4. Sustainability Appraisal

As far as the East End of Benenden is concerned, the plan is unsound because the **Sustainability Appraisal**, which is the heart of the planning process, provides evidence that is often incorrect, sometimes inadequate, but always untimely because the evidence on which site allocation should depend, follows, instead of precedes, site allocation. This was first published February 2019 in the BNP's Informal Draft Plan. The allocations then made are identical (save for a few additional houses) to those now made in the PSLP. Site allocation cannot be supported in retrospect.

An examination of SA Table 58 pp 161-163 Sites AL/BE 3&4 and Appendix L pp 331-332 shows faults in the SA's evidence base.

Climate Change: AL/BE3&4 are not scored for climate change, nor are sites 158 & 222, yet, inexplicably, climate change is scored for AL/BE1&2 (Uphill and Feoffee) and for LS8. Where is the explanation for the failure to assess all sites, especially when sites 158, 222, AL/BE1&2 are all close to each other? The issue is particularly concerning in that sites AL/BE3&4 are both 3 miles distant from the village and without any amenities. Residents at these sites will be heavily car dependent and this was of concern even when only 24 houses were proposed for the site. "You will see from KCC's comments on the hybrid application (12/03130) that in consideration of this earlier application for 24 dwellings, the highways authority raised concern that all residents will be very heavily car dependent, which is contrary to a number of policy objectives, including the NPPF." (see KCC Pre-App Response,

13 Nov 2019, revealed in response to the BNP's Independent Examiner's queries and still not in the public arena).

Biodiversity: AL/BE3 is considered to be less at risk in terms of biodiversity than AL/BE4 though AL/BE 3 has two Local Wildlife Sites (LWS) while AL/BE 4 has only one. Where is the evidence to support the idea that the one is less important for biodiversity than the other?

The SA's scoring is not supported by evidence in a letter from Keith Nicholson of the Kent Wildlife Trust, former Planning and Conservation officer for the Kent Wildlife Trust (KWT), dated 4 March 2013, to TWBC Development Control Officer, Ellen Gilbert in which he states, "The 2012 survey has demonstrated that Benenden hospital LWS is more valuable than previously believed. The applicant's consultant is now more firmly of the belief that the Site would fulfil the criteria for it to be considered a Site of Special Scientific Interest (paragraph 4.3.6.). The waxcap community is of national importance when judged against both the Reid classification (para 4.3.4.) and the JNCC Guidelines (para 4.3.5.)."

Nor is it supported by the view of the HW-AONB as stated in TWFDLP Comments (see DLP_3458) that the hospital LWS *"includes rare and vulnerable acid grassland which should form a core area for unimproved grassland as part of a High Weald nature recovery network."* Neither the KWT nor the HW-AONB offer any indication that one or other of the LWS at the hospital is of less value than the rest. Further, we now know from

(see web link)

Regulation 18 Representation made by Benenden Healthcare Society, November 2019, that BHS intends to abolish one of the two LWS in AL/BE3, see para 3.21. that "The Society supports the requirement for long-term management of the core areas of the LWS associated with the hospital land. This includes all but the modest area within the SEQ adjoining Peek Lodge which is too constraining on the South East Quadrant redevelopment proposals. Accordingly, the soils in the area will be translocated to a nearby receptor site to try to ensure that the rare fungi can continue to thrive in this local area."

In other words, far from supporting biodiversity, the BHS plan is to reduce it in AL/BE3 and the same is true of AL/BE4 see (in the same document) para 3.17. "In addition, as highlighted in paragraph 3.13 above, the Society do not intend to use the area in which the garage block is located as an extension to the Local Wildlife Site (LWS) or for additional sports provision. As such, the Society request that the requirement to specifically use the land occupied by the existing garage block and manage it in the long term for the benefit of the LWS and / or sports provision is removed from the policy requirement." Given this, biodiversity scoring in Table 58 of sites AL/BE3&4 is substantially overrated. Biodiversity at both sites is under threat.

Business Growth: AL/BE3&4 are scored as if they were more favourable to business growth than AL/BE1&2 and sites 158 and 222, but all four of these last-mentioned sites are in the heart of the village where residents will have ready access to local businesses as well as to daily bus services and other services and facilities. Residents at the East End, on the other hand, will have no access to local businesses except by car.

Education: All sites in this SA are scored equally for education, except for site 158 which scores less well. This SA report compares poorly with the SA which TWBC carried out on site 158 in 2006. 158 is parallel to and just north of the Street with its exit onto New Pond Road. In 2006 site 158 was chosen in a village referendum as the site for a new C of E primary school. It was the preferred site out of a choice of two, both of which were greenfield. TWBC's 2006 SA on 158 decided (see page 18 of the *Sustainability Appraisal Benenden Church of England Primary School Land Allocation DPD - Issues and Options* report), that 158 was one of two top sites. "Situated adjacent to an area of ancient woodland, the site provides the potential for habitat linkages and wildlife corridors. The site is not adjacent to the CA [Conservation Area] and does not form a significant role in its setting. There are no Listed Buildings on or adjacent to the site. The site is consistent with the surrounding landscape character. There are limited views into the site and no public rights of way over the site." On page 38, we read, "This site is anticipated to have a major beneficial effect on improving educational standards and travel choice/traffic levels". In spite of the referendum result, the school was eventually built at the less preferred site and, since then, TWBC had been in consultation with 158's owners to build houses there. If, in 2006, the SA offered site 158 as one of two top sites in the village for building the new primary school, where is the evidence that its appropriateness has somehow massively declined since then? Where is the evidence site 158 is less favourable to education than all the other sites mentioned,

especially given that the hospital sites, so favoured for development, are three miles distant from the village school?

Table 58 states that “the education objective does not deteriorate when considering the cumulative effects as the schools in Tenterden will be a viable option for residents in East End.” Children from the East End will have priority over the between 70 and 75% of the existing pupils at the school who come from outside the parish. On what basis is the assumption made that East End parents will prefer to drive their children 6 miles into Tenterden than drive to the primary school in their own village?

Heritage: AL/BE 3 scores slightly less well in terms of its heritage value than AL/BE4 without supporting evidence. How were heritage issues assessed when there is no apparent knowledge of the historic importance of the site, for example: the PSLP makes no mention of the Roman road a few yards south of AL/BE3; the medieval droveway (GGR), which runs through the site and along the ridge; and the Bronze Age palstaff found at the hospital site (National Monument Register - SMR Number/Hob UID). How can a site be scored or evaluated without at least some knowledge of the sites historic significance? This is available at see web link and advertised on the Benenden village website.

Services and Facilities: How can sites which are in the heart of the village such as 158 and 222, score the same as sites which are 3 miles distant and isolated in the country? The village has a daily bus service, continuous pavements on both sides of the street, several shops, including a post office, a general store, a butcher and a florist, as well as a pub/restaurant, village green, recreation ground, children’s playground, church, memorial hall, village hall and a primary school. In spite of this, sites 158 and 222, both as close to the centre as AL/BE1&2, are described as lacking services and facilities including public transport (Appendix L pp 331-332) while the sites chosen for most houses are 3 miles out of the village where there are no amenities whatsoever. LS8 is also described as being remote, but it is only one mile from the village and connected to it by a paved footpath. It is close to a bus stop, a playground, tennis courts and a community hall and it is within walking distance of a pub/restaurant. How can its Services and Facilities be offered the same score as AL/BE3&4? These assessments are not understandable except if the sites were chosen before the SA (as is the case) and the SA had to be manipulated to support those original choices.

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan 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.

Many of the PSLP’s problems are associated with failure in the duty to co-operate and can therefore not be remedied.

Many are due to poor evidence or poor interpretation of evidence. This too cannot be remedied.

In summary, development on site AL/BE3 should be limited to the existing, so far unused, planning permission for 24 houses, preferably by adapting the Garland Wing, which is a building of historic value, either to a wellness centre, in accordance with its original intention, or to a row of up to 10 terraced houses. Site AL/BE4 already has 18 semi-detached houses on it, and cannot support any more. It should therefore be excluded. Housing should be allocated to sites such as 158 and 222 in the village centre, or to LS8 in Iden Green. These sites all lie within walking distance of shops, other amenities and the primary school. Paragraphs 5.421 and 5.422 should be omitted.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . Yes, I wish to participate in hearing session(s)

Question 7a

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

In order to present my case and to answer those with vested interests who may seek to put forward arguments against it.

Question 8

If you have any separate comments you wish to make on the accompanying Sustainability Appraisal, please make them here.

Sustainability Appraisal

As far as the East End of Benenden is concerned, the plan is unsound because the Sustainability Appraisal, which is the heart of the planning process, provides evidence that is often incorrect, sometimes inadequate, but always untimely because the evidence on which site allocation should depend, follows, instead of precedes, site allocation. This was first published February 2019 in the BNP's Informal Draft Plan. The allocations then made are identical (save for a few additional houses) to those now made in the PSLP. Site allocation cannot be supported in retrospect.

An examination of SA Table 58 pp 161-163 Sites AL/BE 3&4 and Appendix L pp 331-332 shows faults in the SA's evidence base.

Climate Change: AL/BE3&4 are not scored for climate change, nor are sites 158 & 222, yet, inexplicably, climate change is scored for AL/BE1&2 (Uphill and Feoffee) and for LS8. Where is the explanation for the failure to assess all sites, especially when sites 158, 222, AL/BE1&2 are all close to each other? The issue is particularly concerning in that sites AL/BE3&4 are both 3 miles distant from the village and without any amenities. Residents at these sites will be heavily car dependent and this was of concern even when only 24 houses were proposed for the site. "You will see from KCC's comments on the hybrid application (12/03130) that in consideration of this earlier application for 24 dwellings, the highways authority raised concern that all residents will be very heavily car dependent, which is contrary to a number of policy objectives, including the NPPF" (see KCC Pre-App Response, 13 Nov 2019, revealed in response to the BNP's Independent Examiner's queries and still not in the public arena).

Biodiversity: AL/BE3 is considered to be less at risk in terms of biodiversity than AL/BE4 though AL/BE 3 has two Local Wildlife Sites (LWS) while AL/BE 4 has only one. Where is the evidence to support the idea that the one is less important for biodiversity than the other?

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rest. Further, we now know from

([https://ws.tunbridgewells.gov.uk/files/consulteessupportingdocuments/Benenden Healthcare/ Savills for The Benenden Healthcare Society_full representation.pdf](https://ws.tunbridgewells.gov.uk/files/consulteessupportingdocuments/Benenden%20Healthcare/Savills%20for%20The%20Benenden%20Healthcare%20Society_full%20representation.pdf)),

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Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

<input type="checkbox"/>	Yes, I wish to be notified of future stages of the Local Plan
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Comment

Consultee	Ms Hazel Strouts [REDACTED]
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	Ms Hazel Strouts [REDACTED]
Comment ID	PSLP_299
Response Date	22/05/21 08:40
Consultation Point	Policy AL/BE 4 Land at Benenden Hospital (north of Goddards Green Road), East End (View)
Status	Processed
Submission Type	Email
Version	0.3
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Hazel Strouts
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy AL/BE 3 Land at Benenden Hospital (south of Goddards Green Road), East End	
Policy AL/BE4 Land at Benenden Hospital (north of Goddards Green Road), East End	
Inset Map 18	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	No

Is sound No

Complies with the Duty to Cooperate No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not positively prepared
- . It is not effective
- . It is not justified
- . It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

This representation relates to the Pre-submission Local Plan(PSLP) and its handling of the parish of Benenden

1. The plan is unsound because of inadequacies in the consultation process.

(i) Poor consultation between TWBC and other Borough Councils

A Statement of Common Ground (SoCG) between Maidstone and Tunbridge Wells Borough Councils (TWBC) is published, but nothing is apparently published in relation to Ashford Borough Council or Tonbridge and Malling Borough Council.

(ii) Poor consultation between TWBC, the parish of Benenden and the Benenden Healthcare Society (BHS), the single landowner of those sites in the East End of Benenden where most of Benenden's houses are allocated.

(iii) There is no Statement of Common Ground between TWBC and the Benenden Neighbourhood Plan (BNP) although a SoCG was listed as a supporting document to the BNP Reg 14. This is significant *because the two plans, though identical in their choice of sites, show different areas within those sites for development at the East End, and both plans differ from the view of BHS.* BHS's position is presented to the public through its comments on the first draft of the Local Plan (TWFDLP Comments) (see see web link

Looking at the issue in terms of its hectarage:

- . according to the PSLP the northern site (AL/BE4) is 3.72 ha and the South East Quadrant (SEQ or AL/BE3) is 3.07 ha;
- . according to the Benenden Neighbourhood Plan (BNP), the northern site (called LS41 in the BNP, see para 2.9.4.2.) is 1.9 ha and SEQ (called 424 plus LS40b, see para 2.9.3.2) is 4.24 ha.
- . according to BHS, the northern site is 3.7 ha and the southern site is 4.2 ha (see TWFDLP comments), Savills for BHS: DLP_4956)

The hectarage varies largely according to whether Local Wildlife Sites (LWS) are included in the development area. There are four LWS at the hospital. One of these lies in the northern area (AL/BE4) and two lie in the southern area (AL/BE3). The fourth is in an area not up for development.

- . For AL/BE3, the PSLP excludes the second and the most southerly of its two Local Wildlife Sites (LWS), while the BNP *includes* both LWS. *Currently, Strutt and Parker are advertising to developers the larger, BNP version of the site for sale, together with Cleveland Farm.* The PSLP states that in the event of the BNP passing a referendum, its own plans for Benenden will be

superseded by the BNP (see para 5.421). Which means the plan presented in the PSLP for AL/BE3 is incorrect.

- . For AL/BE4, the PSLP *includes* all the LWS at the site, while the BNP includes only a small southerly section of it. The PSLP states that in the event of the BNP passing a referendum, its own plans for Benenden will be superseded by the BNP (see para 5.421). Which means the plan presented in the PSLP for AL/BE4 is incorrect.
- . For AL/BE4, Savills' comments on behalf of the BHS (see TWFDLP comments), propose 43 dwellings for the site, which will include the LWS (see TWFDLP Comments, item DLP_4956 para 3.6), "Unlike the BNP, the TWLP is broader in the site area by providing a boundary encompassing the entire hospital site, yet aside from the discrepancy addressed previously in this representation the two allocations align in terms of proposed numbers. The Society intends to bring forward the development on the two sites identified through the BNP and *within the boundary identified in the TWLP*. The Society welcomes the consistent approach to unit numbers, and the allocation of both parcels of land through the draft BNP and the TWLP."

In terms of boundaries:

- . BHS understands (see DLP_4956, para 2.8 in TWFDLP Comments) "The North East Quadrant occupies the North East of the site, bordered to the North and East by Mockbeggar Lane, to the south by Goddards Green Lane / Benenden Road and the West by existing hospital buildings." *In other words, it includes the entire LWS in its area.*
- . To the south, BHS understands (see DLP_4956, para 2.9 in TWFDLP comments), "The South East Quadrant occupies the South East of the site, bordered to the north by Goddards Green Lane / Benenden Road, to the West by Green Lane and to the South and East by agricultural land and the High Weald AONB boundary." *In other words, it includes the whole of the more southerly of the two LWS at the site.*

This means that PSLP's AL/BE3 is inaccurate because the larger BNP plan will likely prevail, while the PSLP's AL/BE4 could be challenged by the BNP (if successful in a referendum) (see PSLP para 5.421) and substantially reduced in size. The PSLP's plans for the two hospital plans are therefore both potentially inaccurate.

A failure to coordinate and effectively consult has produced unsound documents.

(iv) Poor consultation with stakeholders, the local community and the neighbouring parish (possibly even more affected by the plans than Benenden). These parties have either not been consulted, or consulted after the fact or consulted but not engaged with.

- . **The Friends of the East End (FEE)** are more affected by the plans than most in the parish but they were not consulted over the development of the BNP on which the PSLP is based. The FEE are mainly residents of the East End which covers about one third of the parish and is a wholly rural location of 76 scattered households. Because it is isolated, it was chosen as the site for an isolation hospital. This now makes up a small enclave close to the border with the neighbouring parish of Biddenden.
 - . The BNP Steering Committee is the only one in the borough to have made its own site allocations and these allocations were published in an Informal Draft Plan in February 2019, before consultations with the High Weald -AONB and before inviting AECOM to produce a Strategic Environmental Assessment (SEA). (N.B. Even when the HW-AONB were invited to assess sites, they were NOT asked to assess the hospital sites).
 - . The FEE object strongly to the proposal to site almost all the new housing in the East End, but the BNP Steering Committee never asked to meet the FEE nor engaged with them (See EN1 para 9 requiring the effective engagement of the local community, neighbours of sites and others).
 - . The FEE submitted three petitions, two to the BNP and one in relation to the LP. A FEE submission with 127 signatures was submitted on April 4th 2019 in response the IDP (published on February 23, 2019), in which the allocations, later adopted by the PSLP were first set out. A second FEE submission with 164 signatures was submitted in October 2019 objecting to the TWFDLP, and in the same month, a third FEE submission with 167 signatures was submitted in relation to the Reg 16 draft BNP. Instead of acknowledging the strength of these views and the number of people who held them, the chair of the BNP Steering Group, who wrote a regular column in the Parish Magazine about the BNP process, wrote in January 2020, that only "31 residents from the East End" had sent in "comments".

For the strength of today's opposition to the BNP, see the FEE's current online petition with over 450 signatures <https://www.change.org/EastEndFriends> .

Instead of being consulted, the FEE were ignored and belittled. They were informed on 11th March 2019 by the editor of the Parish Magazine (PM), husband of the Chair of the Parish Council, that "I'm of the view that much of the uncertainty has passed since the presentation of the plan to the village - to a highly favourable reception. At least we no longer have to give polite credence to *uninformed views* that fly in the face of TWBC policy and advocate direct and *pointless confrontation* with TWBC, thereby running the risk of having the entire BNDP thrown back in our faces. *The ensuing chaos hardly bears thinking about.* At least it seems the opinions now being afforded most weight are those of *people who have worked hard for two years to understand the issues* and come up with a coherent way forward."

Consultation also failed in relation to the neighbouring **parish of Biddenden**. The Clerk of Biddenden Council has repeatedly responded to Benenden Parish Council in the course of the BNP consultation process, but received only acknowledgments. A Kent County Councillor and Ashford Borough Councillor wrote an article about BNP's mismanagement of consultations with the parish of Biddenden in the Biddenden Parish Magazine, February 2021.

2. The plan is unsound because of the untimely publication of site allocations

Pre-Submission Local Plan, para 5.420 reads "The BNP was submitted to TWBC in October 2020 and was consulted on between 30 October and 11 December 2020." But the allocations had already been made and published by the BNP in February 2019 in its so called "Informal Draft Plan". The 2019 February allocations are virtually identical to the PSLP 2021 allocations. Para 5.420 states "The BNP proposes to include site "allocation policies that follow the approach of the site allocation policies for Benenden in this Local Plan." How can the BNP follow the PSLP's approach when its sites were already allocated? Because the PSLP is founded on site allocations made by the BNP, the unsoundness of the latter carries over and produces unsoundness in the former.

The LP is based on the BNP and BNP allocations were made before **consultations with stakeholders**. This is not consulting in a timely fashion. For example, the PSLP requires archaeological surveys of the hospital sites *after* the designation of the sites for development. Historic England (HE) asks for the surveys to be carried out *before* allocation (see TWFDLP Comments DLP_4556 - "we would expect the allocation of sites following on from this Strategy policy (STR1) to be subject to appropriately robust and detailed heritage impact assessment *prior to the allocations being adopted.*"

3. The plan is unsound because the evidence on which it is based is inaccurate or irrelevant

Supporting Documents

AONB Setting Analysis report: Main Report and AONB Study Plans and Photographs Benenden Hospital/Hankinson Duckett Associates. November 2020.

See para 4.4.2, the description of the hospital site is for the *entire built up-hospital area*, minus the southerly LWS in the SEQ. It is therefore a *report on an area not submitted in the PSLP*. As a result, it draws its conclusions from areas not included in the PSLP. The conclusions are therefore unsound.

The report:

- is concerned with adding 66-72 additional dwellings in addition to the 18 already extant on the northern site and presumably in addition to the 24 for which planning permission has been granted. That is between 108 and 114 new houses. The PSLP is talking about planning 43 houses for the northern site and 49 for the south. A total of 92 new houses. The report muddies the waters, leaving no clarity.
- fails to note items of critical importance in any attempt to evaluate the landscape and historic importance of the site e.g.
- that the site is on an east-west ridge giving it a dominant position in relation to the AONB;
- the east-west Roman Road running over Benenden Healthcare Society (BHS) land a few yards to the south of the site, and the medieval drove road (Goddards Green Road - GGR) which divides the northern site from the southern one;
- the National Monument Register which lists a Bronze Age palstaff (SMR Number/Hob UID) found at the hospital site, (though, oddly, the report does note Scheduled Monuments in the village);
- that the SEQ development proposes two entrances on to Green Lane and two on to GGR, see Transport Planning Associates (tpa)- October 2019 Scoping note for BHS, 1907-038 under the

- section headed 'Access', para 4.4 "The consented vehicle access arrangements will be retained. Therefore, vehicle access to the Site will be taken from two access points along Goddards Green Road and two on Green Lane." (This and other documents were revealed to the FEE in May 2021 as a result of the BNP Independent Examiner's queries. In spite of the Examiner's request that all such material be published on-line, this document and the KCC Highways 13 Nov 2019 "Pre-App Response" have been not been published). Such entrances will seriously impact the AONB. Both Goddards Green and Green Lane are designated Rural Lanes, and, of the two, Green Lane is mentioned as a particularly high scoring lane (for its beauty and tranquillity) in *TWBC's Rural Lanes: Supplementary Planning Guidance*. Creating a series of broad entrances large enough so that an "11.4 m refuse vehicle can enter and leave the site in forward gear (see KCC Pre-App Response 13-11-19, a document revealed to the FEE as a result of the BNP Examiner's queries but not made public) would have a substantial effect on the AONB. Hankinson Duckett Associates ignore the issue (see Section 4 on Benenden in the main report and photos B1 and B2 in *Supporting Plans and Photographs , Benenden*).
- . offers photos (B5 & B6) which are irrelevant to the site in question. These photos look south towards an area not up for development, and are taken from a point also not up for development. These omissions undermine the report's conclusion.
 - . ***Inset Map 18 (Benenden Hospital)***, unlike other maps attached as supporting documents to the PSLP, Inset Map 18 makes no reference to the AONB boundary. This is a significant omission because both the PSLP and the BNP claim that the hospital is outside the AONB and on this basis, largely justify placing most of Benenden's housing in the East End. Because AL/BE3&4 lie on a high ridge to the north of the parish and because the AONB boundary wraps tightly round the site which bulges, like a balloon, into the AONB, development at the East End significantly affects the AONB. While TWBC acknowledges this by requesting the Hankinson Duckett Report, by publishing Inset Map 18, which omits the AONB boundary, TWBC loses a critical opportunity to show the true relevance of AL/BE 3&4 to the AONB. It could even be said that by leaving out the boundary, there is an implication that the hospital sites are genuinely 'outside' the protected area.
 - . ***Previous Stages, Draft Local Plan, Benenden Overview***, p263, provides a basis for the PSLP but contains inaccuracies.
 - . There is no "pre-school/nursery" as stated in the Overview
 - . There is no "Small shop at hospital" as stated in the Overview
 - . The statement that there are tennis courts and a café at the site is misleading. In TWFDLP Comments, Savills requests (see DLP_4956 para 3.14) that "the requirement to incorporate the tennis courts and retain the sports pavilion is removed". As for the café, BHS states in its comments on the LP that the café is for hospital use only - "the existing hospital buildings ... have only been designed for hospital use". See TWFDLP detailed additional submissions from Savills "*Representation to the TWBC Draft Local Plan Regulation 18*" 2- Sept- 1Nov 2019 para 3.18 and 3.19)

4. Sustainability Appraisal

As far as the East End of Benenden is concerned, the plan is unsound because the **Sustainability Appraisal**, which is the heart of the planning process, provides evidence that is often incorrect, sometimes inadequate, but always untimely because the evidence on which site allocation should depend, follows, instead of precedes, site allocation. This was first published February 2019 in the BNP's Informal Draft Plan. The allocations then made are identical (save for a few additional houses) to those now made in the PSLP. Site allocation cannot be supported in retrospect.

An examination of SA Table 58 pp 161-163 Sites AL/BE 3&4 and Appendix L pp 331-332 shows faults in the SA's evidence base.

Climate Change: AL/BE3&4 are not scored for climate change, nor are sites 158 & 222, yet, inexplicably, climate change is scored for AL/BE1&2 (Uphill and Feoffee) and for LS8. Where is the explanation for the failure to assess all sites, especially when sites 158, 222, AL/BE1&2 are all close to each other? The issue is particularly concerning in that sites AL/BE3&4 are both 3 miles distant from the village and without any amenities. Residents at these sites will be heavily car dependent and this was of concern even when only 24 houses were proposed for the site. "You will see from KCC's comments on the hybrid application (12/03130) that in consideration of this earlier application for 24 dwellings, the highways authority raised concern that all residents will be very heavily car dependent, which is contrary to a number of policy objectives, including the NPPF." (see KCC Pre-App Response,

13 Nov 2019, revealed in response to the BNP's Independent Examiner's queries and still not in the public arena).

Biodiversity: AL/BE3 is considered to be less at risk in terms of biodiversity than AL/BE4 though AL/BE 3 has two Local Wildlife Sites (LWS) while AL/BE 4 has only one. Where is the evidence to support the idea that the one is less important for biodiversity than the other?

The SA's scoring is not supported by evidence in a letter from Keith Nicholson of the Kent Wildlife Trust, former Planning and Conservation officer for the Kent Wildlife Trust (KWT), dated 4 March 2013, to TWBC Development Control Officer, Ellen Gilbert in which he states, "The 2012 survey has demonstrated that Benenden hospital LWS is more valuable than previously believed. The applicant's consultant is now more firmly of the belief that the Site would fulfil the criteria for it to be considered a Site of Special Scientific Interest (paragraph 4.3.6.). The waxcap community is of national importance when judged against both the Reid classification (para 4.3.4.) and the JNCC Guidelines (para 4.3.5.)."

Nor is it supported by the view of the HW-AONB as stated in TWFDLP Comments (see DLP_3458) that the hospital LWS *"includes rare and vulnerable acid grassland which should form a core area for unimproved grassland as part of a High Weald nature recovery network."* Neither the KWT nor the HW-AONB offer any indication that one or other of the LWS at the hospital is of less value than the rest. Further, we now know from

see web link

Regulation 18 Representation made by Benenden Healthcare Society, November 2019, that BHS intends to abolish one of the two LWS in AL/BE3, see para 3.21. that "The Society supports the requirement for long-term management of the core areas of the LWS associated with the hospital land. This includes all but the modest area within the SEQ adjoining Peek Lodge which is too constraining on the South East Quadrant redevelopment proposals. Accordingly, the soils in the area will be translocated to a nearby receptor site to try to ensure that the rare fungi can continue to thrive in this local area."

In other words, far from supporting biodiversity, the BHS plan is to reduce it in AL/BE3 and the same is true of AL/BE4 see (in the same document) para 3.17. "In addition, as highlighted in paragraph 3.13 above, the Society do not intend to use the area in which the garage block is located as an extension to the Local Wildlife Site (LWS) or for additional sports provision. As such, the Society request that the requirement to specifically use the land occupied by the existing garage block and manage it in the long term for the benefit of the LWS and / or sports provision is removed from the policy requirement." Given this, biodiversity scoring in Table 58 of sites AL/BE3&4 is substantially overrated. Biodiversity at both sites is under threat.

Business Growth: AL/BE3&4 are scored as if they were more favourable to business growth than AL/BE1&2 and sites 158 and 222, but all four of these last-mentioned sites are in the heart of the village where residents will have ready access to local businesses as well as to daily bus services and other services and facilities. Residents at the East End, on the other hand, will have no access to local businesses except by car.

Education: All sites in this SA are scored equally for education, except for site 158 which scores less well. This SA report compares poorly with the SA which TWBC carried out on site 158 in 2006. 158 is parallel to and just north of the Street with its exit onto New Pond Road. In 2006 site 158 was chosen in a village referendum as the site for a new C of E primary school. It was the preferred site out of a choice of two, both of which were greenfield. TWBC's 2006 SA on 158 decided (see page 18 of the *Sustainability Appraisal Benenden Church of England Primary School Land Allocation DPD - Issues and Options* report), that 158 was one of two top sites. "Situated adjacent to an area of ancient woodland, the site provides the potential for habitat linkages and wildlife corridors. The site is not adjacent to the CA [Conservation Area] and does not form a significant role in its setting. There are no Listed Buildings on or adjacent to the site. The site is consistent with the surrounding landscape character. There are limited views into the site and no public rights of way over the site." On page 38, we read, "This site is anticipated to have a major beneficial effect on improving educational standards and travel choice/traffic levels". In spite of the referendum result, the school was eventually built at the less preferred site and, since then, TWBC had been in consultation with 158's owners to build houses there. If, in 2006, the SA offered site 158 as one of two top sites in the village for building the new primary school, where is the evidence that its appropriateness has somehow massively declined since then? Where is the evidence site 158 is less favourable to education than all the other sites mentioned,

especially given that the hospital sites, so favoured for development, are three miles distant from the village school?

Table 58 states that “the education objective does not deteriorate when considering the cumulative effects as the schools in Tenterden will be a viable option for residents in East End.” Children from the East End will have priority over the between 70 and 75% of the existing pupils at the school who come from outside the parish. On what basis is the assumption made that East End parents will prefer to drive their children 6 miles into Tenterden than drive to the primary school in their own village?

Heritage: AL/BE 3 scores slightly less well in terms of its heritage value than AL/BE4 without supporting evidence. How were heritage issues assessed when there is no apparent knowledge of the historic importance of the site, for example: the PSLP makes no mention of the Roman road a few yards south of AL/BE3; the medieval droveway (GGR), which runs through the site and along the ridge; and the Bronze Age palstaff found at the hospital site (National Monument Register - SMR Number/Hob UID). How can a site be scored or evaluated without at least some knowledge of the sites historic significance? This is available at <https://www.benendenvillage.org.uk/History/benweb2006.pdf> and advertised on the Benenden village website.

Services and Facilities: How can sites which are in the heart of the village such as 158 and 222, score the same as sites which are 3 miles distant and isolated in the country? The village has a daily bus service, continuous pavements on both sides of the street, several shops, including a post office, a general store, a butcher and a florist, as well as a pub/restaurant, village green, recreation ground, children’s playground, church, memorial hall, village hall and a primary school. In spite of this, sites 158 and 222, both as close to the centre as AL/BE1&2, are described as lacking services and facilities including public transport (Appendix L pp 331-332) while the sites chosen for most houses are 3 miles out of the village where there are no amenities whatsoever. LS8 is also described as being remote, but it is only one mile from the village and connected to it by a paved footpath. It is close to a bus stop, a playground, tennis courts and a community hall and it is within walking distance of a pub/restaurant. How can its Services and Facilities be offered the same score as AL/BE3&4? These assessments are not understandable except if the sites were chosen before the SA (as is the case) and the SA had to be manipulated to support those original choices.

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan 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.

Many of the PSLP’s problems are associated with failure in the duty to co-operate and can therefore not be remedied.

Many are due to poor evidence or poor interpretation of evidence. This too cannot be remedied.

In summary, development on site AL/BE3 should be limited to the existing, so far unused, planning permission for 24 houses, preferably by adapting the Garland Wing, which is a building of historic value, either to a wellness centre, in accordance with its original intention, or to a row of up to 10 terraced houses. Site AL/BE4 already has 18 semi-detached houses on it, and cannot support any more. It should therefore be excluded. Housing should be allocated to sites such as 158 and 222 in the village centre, or to LS8 in Iden Green. These sites all lie within walking distance of shops, other amenities and the primary school. Paragraphs 5.421 and 5.422 should be omitted.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . Yes, I wish to participate in hearing session(s)

Question 7a

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

In order to present my case and to answer those with vested interests who may seek to put forward arguments against it.

Question 8

If you have any separate comments you wish to make on the accompanying Sustainability Appraisal, please make them here.

Sustainability Appraisal

As far as the East End of Benenden is concerned, the plan is unsound because the Sustainability Appraisal, which is the heart of the planning process, provides evidence that is often incorrect, sometimes inadequate, but always untimely because the evidence on which site allocation should depend, follows, instead of precedes, site allocation. This was first published February 2019 in the BNP's Informal Draft Plan. The allocations then made are identical (save for a few additional houses) to those now made in the PSLP. Site allocation cannot be supported in retrospect.

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rest. Further, we now know from
(https://ws.tunbridgewells.gov.uk/files/consulteessupportingdocuments/Benenden%20Healthcare/Savills%20for%20The%20Benenden%20Healthcare%20Society_full%20representation.pdf),

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Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

<input type="checkbox"/>	Yes, I wish to be notified of future stages of the Local Plan
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Comment

Consultee	Ms Hazel Strouts [REDACTED]
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	Ms Hazel Strouts [REDACTED]
Comment ID	PSLP_1113
Response Date	02/06/21 21:29
Consultation Point	Policy PSTR/BE 1 The Strategy for Benenden parish (View)
Status	Processed
Submission Type	Email
Version	0.3
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Hazel Strouts
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy PSTR/BE 1 The Strategy for Benenden parish	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	No
Is sound	No
Complies with the Duty to Cooperate	No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not positively prepared
- . It is not effective
- . It is not justified
- . It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

Benenden & Iden Green

- 1 These representations are concerned with the policies in the draft Tunbridge Wells Local Plan (TWBC PSLP) affecting the parish of Benenden, where, contrary to PSTr1 (providing for the growth of existing settlements), contrary to PSTr5 (concern for infrastructure), PSTr6 (concern for the development of accessible locations), and PSTr7 (climate change and reducing the need to travel), almost all development is focused on the unsustainable, rural East End and any new housing in the hamlet of Iden Green is excluded. This also contravenes the NPPF (see PSLP para 1.23) which states that the NPPF operates with a presumption in favour of sustainable development.
- 1 The *Limits to Built Development (LBD) Topic Paper Boundary Review for Reg 18 Consultation under Previous Stages*, para 2.1, states that the object is "to ensure that Limits to Built Development are logical and reflect what is on the ground". The same document proposes that, for Iden Green, the LBD boundary "be removed as it is considered to be an unsustainable settlement for further development with a small number of facilities and services and limited bus services." (see also LBD Topic Paper to PSLP page 49).
- 1 It is illogical to remove the LBD boundary from the only hamlet in the parish, a hamlet with a far better connectivity to the village of Benenden than the land at the East End, where the plan proposes to site most houses. If Iden Green is unsustainable and therefore cannot support more houses, how can the East End, which is void of all amenities, be considered suitable? Iden Green is the only hamlet within the parish, see Benenden Parish Council website which states that the Parish Council serves the people of Benenden and Iden Green. It does not mention the East End. The East End is a rural area with no settlement. It was chosen, for this reason, as the site for an isolation hospital which forms a small enclave within the East End area.
- 1 The PSLP states that the focus is to be on new development within LBDs and to limit development in the countryside. (Vision Objective 1 "Important local services, infrastructure and amenities will be retained and where necessary, improved in line with community needs. Development should help achieve the Council's goal of carbon neutrality for the borough by 2030.") But this strategy is not supported by Policies AL/BE3&4 (both sites are outside the LBD and 3 miles distant from any settlement) nor by the proposal to remove the LBD around Iden Green, an existing and functioning sustainable hamlet (see Draft LP Reg 18, Draft Policies and Maps, Inset Map 18 for Iden Green, Inset Map 16 for Benenden and Inset Map 17 for the East End - N.B. The numbers of the maps change during the course of the development of the supporting documents).
- 1 The Inset Maps are unreliable and sometimes incorrect - see Draft LP Reg 18, Draft Policies and Maps, Inset Map 17 for the East End of Benenden which shows an area for development which does not reflect the area proposed for development elsewhere in the PSLP i.e AL/BE 3&4. Plans are also sometimes incorrect, see those for AL/BE 3 and AL/BE 4. Neither of these match the

BNP plans for those sites, although the BNP plans will override the PSLP in the event of the BNP being successful in a referendum (see para 5.420 and 5.421).

- 1 As currently drafted, the identified policies and maps are unsound and cannot be adopted. They are unjustified, ineffective and inconsistent with national policy.

Policy PTSR/BE1 – Limits to Built Development (LBD)

- 1 Policy PTSR/BE1 of the Local Plan seeks to define the strategy for Benenden parish. Paragraph 1 of Policy PTSR/BE1 states that:

The development strategy for Benenden parish is to:

- 1 *Set Limits to Built Development for Benenden village, as defined on the Policies Map (Inset Map 17) as a framework for new development over the plan period;*
- 1 The proposed LBD for Benenden are shown on Inset Map 17. Notably, the majority of development proposed for Benenden is actually outside of the LBD for Benenden and is in fact directed towards Benenden Hospital (Inset Map 18, Policies AL/BE3 and AL/BE4 of the Local Plan).
- 2 The Pre-Submission Local Plan (PSLP) proposes to remove the LBD established in the 2006 TWBC LP (see the Benenden Neighbourhood Plan (BNP) Reg 15/16, pp12-15. See Figure 2 for Iden Green). Under Figure 2, site LS8 is immediately next to Iden Green's Recreation Ground and both are immediately next to the LBD which skirts the eastern boundary of LS8. Both are within the Conservation Area (PSLP Iden Green Map 18).
- 1 No development is proposed for Iden Green though two sites, including LS8, are mentioned in the PSLP, but both are dismissed as being unsustainable. Iden Green is more sustainable than the East End, a site for almost all the housing proposed for the parish and outside the LBD. By removing Iden Green's LBD, the proposal is to freeze the only hamlet in the parish in a state of non-development. This is unsound.
- 1 The purpose of LBDs is to act as settlement boundaries, the effect of which is that development is focussed within LBDs. Policy STR1(2), (9) of the Local Plan states that:

"The broad development strategy for Tunbridge Wells borough over the period 2020-2038, as shown indicatively on the Key Diagram (Figure 5), is to ensure that a minimum of 12,204 dwellings and 14 hectares of employment (Use Classes B and E) land are developed, together with supporting infrastructure and services.

To achieve this, the Local Plan:

(i) Looks to focus new development within the Limits to Built Development of settlements, as defined on the Policies Map, where proposals accord with other relevant policies of this Plan;

[...]

(ii) Normally limits development in the countryside (being defined as that outside the Limits to Built Development) to that which accords with specific policies of this Plan and/or that for which a rural location is fully demonstrated to be necessary

- 1 This accords with the stated strategy for Benenden in the Local Plan. Paragraph 5.416 of the Local Plan states that:

"The LBD around Benenden village sets the extent of existing and planned development, and provides for any potential future windfall development. Any windfall sites that do come forward for residential development over the plan period should provide affordable housing in accordance with the relevant Local Plan policy in Section 6, having regard to information on local housing needs"

- 1 Accordingly, LBDs play a fundamental role in the Local Plan. They define areas to which development is directed (STR1; paragraph 5.416) and define areas beyond the LBD as countryside. As a result of this, development proposals outside of the LBDs will be significantly harder to obtain permission for and Iden Green is destined to be frozen in time, with no credible explanation for granting it exclusion from Policy STR1.
- 1 In our view the LBD currently proposed for Benenden and the removal of the LBD from Iden Green as proposed in the BNDP (which if passed in a referendum before the PSLP will prevail) fails to accord with the Local Plan. Around Benenden, the proposed LBD unjustifiably excludes built development to the west of the New Pond Road crossroads towards Benenden School, bordering the B2086. It also excludes Iden Green in its entirety. The purported basis for the exclusion of Iden Green is that this settlement has *"limited key facilities and bus service making them unsustainable in this context."* This is plainly untrue.
- 1 Furthermore, the LBD is tightly drawn around Benenden itself. This avoids any prospect of in-filling in these areas and has in turn informed the site-selection process for Policies AL/BE1 & AL/BE2.

- 1 It is our case that upon analysis the LBD as currently drawn for Benenden and its removal from Iden Green has resulted in sustainable, appropriate sites for development being excluded from Benenden and Iden Green. It has pushed development to unsustainable, isolated areas (AL/BE3 and AL/BE4). This is addressed in the submissions below on the sustainability of AL/BE3 and AL/BE4 but, in our view, the only conclusion that can be drawn is that the LBD for Benenden is unsound, undermines the Local Plan and should not be adopted.

The Sustainability Appraisal (SA)

- 1 The **Sustainability Appraisal** is the heart of the planning process, but the TWBC's SA provides evidence that is often incorrect, sometimes inadequate, but always untimely because site allocation for the parish of Benenden (the only parish in the borough for which the Neighbourhood Plan Steering Committee allocated its own sites) was first published in February 2019 in the BNP's Informal Draft Plan. This was prior to the BNP Steering Committee inviting AECOM to submit its Strategic Environmental Assessment (SEA). In other words, the process was done the wrong way round. The cart came before the horse.
- 1 Since that time (February 2019), there have been many meetings between the BNP Steering Committee and TWBC planners with the result that the PSLP allocations are identical (save for a few additional houses in the East End) to those made in the BNP's February 2019 Informal Draft Plan. Just as the SEA appears to have been interpreted selectively in order to provide the justifications required to fit site allocations made beforehand, so the SA appears to have been manipulated to make it fit the PSLP's site allocations.
- 1 **SA Table 58 pp 161-163 Sites AL/BE 3&4 and Appendix L pp 331-332 which includes Site LS 8, show faults in the SA's evidence base.**
- 1 **Climate Change:** AL/BE3&4 are not scored for climate change, nor are sites 158 & 222, yet, inexplicably, climate change is scored for AL/BE1&2 (Uphill and Feoffee) and for LS8. Where is the explanation for the failure to assess all sites, especially when sites 158, 222, AL/BE1&2 are all close to each other? The issue is particularly concerning in that sites AL/BE3&4 are both 3 miles distant from the village and without any amenities. Residents at these sites will be heavily car dependent and this was of concern even when only 24 houses were proposed for the site. "You will see from KCC's comments on the hybrid application (12/03130) that in consideration of this earlier application for 24 dwellings, the highways authority raised concern that all residents will be very heavily car dependent, which is contrary to a number of policy objectives, including the NPPF" (see KCC Pre-App Response, 13 Nov 2019, revealed in response to the BNP's Independent Examiner's queries and still not in the public arena). LS8, by contrast, is within walking distance of the village centre, of the church and of the village primary school.
- 1 Policies AL/BE 3&4 are contrary to the PSLP's plans for a post-Covid world (see para 2.41 and 2.42, page 28). The PSLP states that there will be pressure on "rural shops and services in village and other local centres, which provide an important supporting role at the heart of communities" and plans to counter such pressures. In Iden Green this process of decline was already underway in the pre-Covid world. Until recently, there were two pubs, a village shop and a post office in the hamlet. Now there is only one village pub and restaurant. Benenden village shop has only survived thanks to its transformation into a co-operative run by the village itself. By excluding Iden Green from development and forcing development out to the East End, the PSLP contributes to, rather than alleviates, the difficulties outlined in 2.42. It contributes to, rather than alleviates, climate change.
- 1 **Business Growth:** AL/BE3&4 are scored as if they were more favourable to business growth than AL/BE1&2 and sites 158 and 222, but all four of these last-mentioned sites are in the heart of the village where residents will have ready access to local businesses as well as to daily bus services and other services and facilities. Residents at the East End, will only be able to access commercial operations, whether in the village or anywhere else, by car, but residents of Iden Green are not car dependent. The hamlet is connected to the village by a paved footpath running along the Street, past a designated Roadside Nature Reserve and the up through Hilly Fields to the top of the village green (close to the church and the primary school). Iden Green residents play a significant role not just in the commercial life of the village but in maintaining its social life (the Women's Institute for the Parish is, for example, actually known as the Iden Green and Benenden Village Institute. It was started in Iden Green). In spite of these links, LS8 is scored in the SA as being less favourable to business growth than AL/BE 3&4.
- 1 **Education:** All sites in this SA are scored equally for education, except for site 158 which scores less well. This SA report compares poorly with TWBC's 2006 SA on site 158 which concluded that the site was **one of the two best sites in the village for the new village primary school**

(see page 18 of the *Sustainability Appraisal Benenden Church of England Primary School Land Allocation DPD - Issues and Options* report). At that time, that SA stated that “The site is consistent with the surrounding landscape character. There are limited views into the site and no public rights of way over the site.” On page 38, we read, “This site is anticipated to have a major beneficial effect on improving educational standards and travel choice/traffic levels”. The site was chosen by the village in a referendum as the preferred site, but, nevertheless, the school was built at the other site. Since then, TWBC had been in consultation with 158’s owners to build houses there. Where is the evidence site 158 is now less favourable to education than it was in 2006 and that it is today, less favourable than all the other sites mentioned?

- 1 LS8 meanwhile, is within walking distance of the new village school and the path thither leads through a Roadside Nature Reserve and grassy fields. It is a pleasant, healthy, rural walk. There is however, no such existing paved pedestrian link between the hospital sites and the school. In spite of this, the SA scores LS 8 and the hospital sites identically.
- 1 Table 58 states that “the education objective does not deteriorate when considering the cumulative effects as the schools in Tenterden will be a viable option for residents in East End.” Children from the East End will have priority over the between 70 and 75% of the existing pupils at Benenden primary school who come from outside the parish. On what basis is the assumption made that East End parents will prefer to drive their children 6 miles into Tenterden than drive to the primary school in their own village? This argument is based on conjecture and is unsound.
- 1 **Heritage:** AL/BE 3 scores slightly less well in terms of its heritage value than AL/BE4 without supporting evidence. How were heritage issues assessed when there is no apparent knowledge of the historic importance of the site, for example: the PSLP makes no mention of the Roman road a few yards south of AL/BE3; the medieval driveway (GGR), which runs through the site and along the ridge; and the Bronze Age palstaff found at the hospital site (National Monument Register - SMR Number/Hob UID). How can a site be scored or evaluated without at least some knowledge of the sites historic significance? This is available at <https://www.benendenvillage.org.uk/History/benweb2006.pdf> and advertised on the Benenden village website. The omission suggests a ‘confirmatory bias’ - evidence is selected or ignored with a view to achieving a pre-conceived result.
- 1 **Services and Facilities:** How can sites which are in the heart of the village such as 158 and 222, score the same as sites which are 3 miles distant and isolated in the country? The village has a daily bus service, continuous pavements on both sides of the street, several shops, including a post office, a general store, a butcher and a florist, as well as a pub/restaurant, village green, recreation ground, children’s playground, church, memorial hall, village hall and a primary school. In spite of this, sites 158 and 222, both as close to the centre as AL/BE1&2, are described as lacking services and facilities including public transport (Appendix L pp 331-332). The conclusion beggars belief. At the same time, those sites chosen for most houses are 3 miles out of the village where there are no amenities whatsoever. The same bias is shown in the SA’s description of LS8 as a “remote location ... (far) ..from services and facilities and public transport” yet it is one mile from the village and connected to it by a paved footpath. Further, it lies on a bus route, has a nursery school, church, playground, recreation ground, tennis courts, a community hall and a pub/restaurant. How can Services and Facilities in LS8 score the same as in AL/BE3&4? How can AL/BE 1&2 score the same as AL/BE 3&4? Such assessments raise questions rather than answering them.
- 1 AL/BE 3&4 were also found to be “remote” and “isolated” and therefore the unsustainable in the 2012 application for 24 houses on AL/BE3. No infrastructure has been introduced since then. The only change is the extant permission for the development of 24 homes which further stresses the sustainability and connectivity of the Site. On this basis, there is no policy support for the allocation of development to this location. Iden Green however, has the infrastructure required under STR3 (green, grey and blue), yet it is excluded not only from development under the PSLP but, by the removal of the LBD, from all future development.
- 1 For these reasons, the omission of site LS8 and the inclusion of Policies AL/BE3 and AL/BE4 are unjustified, ineffective and inconsistent with the Local Plan and the NPPF. It therefore follows that these policies are unsound and cannot be adopted.

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan 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 modifications needed are included in the submissions set out above. In summary, development on sites AL/BE 3& 4 should be limited to the existing, so far unused, planning permission for 24 houses. Housing should be allocated to sites (such as LS8, 158 and 222 in the village centre and Iden Green) which lie on bus routes and are within walking distance of the village centre and school. Paragraphs 5.421 and 5.422 should be omitted.

Question 7

***Please note** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.*

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . Yes, I wish to participate in hearing session(s)

Question 7a

***Please note** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.*

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

In order to put over my case, and to answer those with vested interests who may seek to put forward arguments against it.

Question 8

If you have any separate comments you wish to make on the accompanying Sustainability Appraisal, please make them here.

The Sustainability Appraisal (SA)

10. The Sustainability Appraisal is the heart of the planning process, but the TWBC's SA provides evidence that is often incorrect, sometimes inadequate, but always untimely because site allocation for the parish of Benenden (the only parish in the borough for which the Neighbourhood Plan Steering Committee allocated its own sites) was first published in February 2019 in the BNP's Informal Draft Plan. This was prior to the BNP Steering Committee inviting AECOM to submit its Strategic Environmental Assessment (SEA). In other words, the process was done the wrong way round. The cart came before the horse.

11. Since that time (February 2019), there have been many meetings between the BNP Steering Committee and TWBC planners with the result that the PSLP allocations are identical (save for a few additional houses in the East End) to those made in the BNP's February 2019 Informal Draft Plan. Just as the SEA appears to have been interpreted selectively in order to provide the justifications required to fit site allocations made beforehand, so the SA appears to have been manipulated to make it fit the PSLP's site allocations.

12. SA Table 58 pp 161-163 Sites AL/BE 3&4 and Appendix L pp 331-332 which includes Site LS 8, show faults in the SA's evidence base.

13. Climate Change: AL/BE3&4 are not scored for climate change, nor are sites 158 & 222, yet, inexplicably, climate change is scored for AL/BE1&2 (Uphill and Feoffee) and for LS8. Where is the explanation for the failure to assess all sites, especially when sites 158, 222, AL/BE1&2 are all close to each other? The issue is particularly concerning in that sites AL/BE3&4 are both 3 miles distant from the village and without any amenities. Residents at these sites will be heavily car dependent and this was of concern even when only 24 houses were proposed for the site. "You will see from KCC's comments on the hybrid application (12/03130) that in consideration of this earlier application for 24 dwellings, the highways authority raised concern that all residents will be very heavily car dependent, which is contrary to a number of policy objectives, including the NPPF." (see KCC Pre-App Response, 13 Nov 2019, revealed in response to the BNP's Independent Examiner's queries and still not in the public arena). LS8, by contrast, is within walking distance of the village centre, of the church and of the village primary school.

14. Policies AL/BE 3&4 are contrary to the PSLP's plans for a post-Covid world (see para 2.41 and 2.42, page 28). The PSLP states that there will be pressure on "rural shops and services in village and other local centres, which provide an important supporting role at the heart of communities" and plans to counter such pressures. In Iden Green this process of decline was already underway in the pre-Covid world. Until recently, there were two pubs, a village shop and a post office in the hamlet. Now there is only one village pub and restaurant. Benenden village shop has only survived thanks to its transformation into a co-operative run by the village itself. By excluding Iden Green from development and forcing development out to the East End, the PSLP contributes to, rather than alleviates, the difficulties outlined in 2.42. It contributes to, rather than alleviates, climate change.

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16. Education: All sites in this SA are scored equally for education, except for site 158 which scores less well. This SA report compares poorly with TWBC's 2006 SA on site 158 which concluded that the site was one of the two best sites in the village for the new village primary school (see page 18 of the Sustainability Appraisal Benenden Church of England Primary School Land Allocation DPD - Issues and Options report). At that time, that SA stated that "The site is consistent with the surrounding landscape character. There are limited views into the site and no public rights of way over the site." On page 38, we read, "This site is anticipated to have a major beneficial effect on improving educational standards and travel choice/traffic levels". The site was chosen by the village in a referendum as the preferred site, but, nevertheless, the school was built at the other site. Since then, TWBC had been in consultation with 158's owners to build houses there. Where is the evidence site 158 is now less favourable to education than it was in 2006 and that it is today, less favourable than all the other sites mentioned?

17. LS8 meanwhile, is within walking distance of the new village school and the path thither leads through a Roadside Nature Reserve and grassy fields. It is a pleasant, healthy, rural walk. There is however, no such existing paved pedestrian link between the hospital sites and the school. In spite of this, the SA scores LS 8 and the hospital sites identically.

18. Table 58 states that "the education objective does not deteriorate when considering the cumulative effects as the schools in Tenterden will be a viable option for residents in East End." Children from the East End will have priority over the between 70 and 75% of the existing pupils at Benenden primary school who come from outside the parish. On what basis is the assumption made that East End parents will prefer to drive their children 6 miles into Tenterden than drive to the primary school in their own village? This argument is based on conjecture and is unsound.

19. Heritage: AL/BE 3 scores slightly less well in terms of its heritage value than AL/BE4 without supporting evidence. How were heritage issues assessed when there is no apparent knowledge of the historic importance of the site, for example: the PSLP makes no mention of the Roman road a few yards south of AL/BE3; the medieval droveway (GGR), which runs through the site and along the ridge;

and the Bronze Age palstaff found at the hospital site (National Monument Register - SMR Number/Hob UID). How can a site be scored or evaluated without at least some knowledge of the sites historic significance? This is available at <https://www.benendenvillage.org.uk/History/benweb2006.pdf> and advertised on the Benenden village website. The omission suggests a 'confirmatory bias' - evidence is selected or ignored with a view to achieving a pre-conceived result.

20. Services and Facilities: How can sites which are in the heart of the village such as 158 and 222, score the same as sites which are 3 miles distant and isolated in the country? The village has a daily bus service, continuous pavements on both sides of the street, several shops, including a post office, a general store, a butcher and a florist, as well as a pub/restaurant, village green, recreation ground, children's playground, church, memorial hall, village hall and a primary school. In spite of this, sites 158 and 222, both as close to the centre as AL/BE1&2, are described as lacking services and facilities including public transport (Appendix L pp 331-332). The conclusion beggars belief. At the same time, those sites chosen for most houses are 3 miles out of the village where there are no amenities whatsoever. The same bias is shown in the SA's description of LS8 as a "remote location ... (far) ..from services and facilities and public transport" yet it is one mile from the village and connected to it by a paved footpath. Further, it lies on a bus route, has a nursery school, church, playground, recreation ground, tennis courts, a community hall and a pub/restaurant. How can Services and Facilities in LS8 score the same as in AL/BE3&4? How can AL/BE 1&2 score the same as AL/BE 3&4? Such assessments raise questions rather than answering them.

21. AL/BE 3&4 were also found to be "remote" and "isolated" and therefore the unsustainable in the 2012 application for 24 houses on AL/BE3. No infrastructure has been introduced since then. The only change is the extant permission for the development of 24 homes which further stresses the sustainability and connectivity of the Site. On this basis, there is no policy support for the allocation of development to this location. Iden Green however, has the infrastructure required under STR3 (green, grey and blue), yet it is excluded not only from development under the PSLP but, by the removal of the LBD, from all future development.

22. For these reasons, the omission of site LS8 and the inclusion of Policies AL/BE3 and AL/BE4 are unjustified, ineffective and inconsistent with the Local Plan and the NPPF. It therefore follows that these policies are unsound and cannot be adopted.

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Chris Sutton [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] Paddock Wood [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Chris Sutton [REDACTED]
Comment ID	PSLP_150
Response Date	22/05/21 14:18
Consultation Point	Strategic Sites: Tudeley Village and Paddock Wood, including land at east Capel (View)
Status	Processed
Submission Type	Web
Version	0.1
Question 1	
Respondent's Name and/or Organisation	Chris Sutton
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
STR/SS1	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Don't know
Is sound	No
Complies with the Duty to Cooperate	Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not effective
- . It is not justified
- . It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

Background

I have lived for the past 27 years on Eastlands Lane, surrounded by open fields and right in the centre of the proposed development north west of Paddock Wood.

First comment

Proposed allocation of 126 hectares of greenfield agricultural land at Paddock Wood for development (area north of railway, west of Maidstone road)

I am surprised that there is no mention of the impact of the proposals on 1 and 2 Eastlands Cottages in the Local Plan, despite the fact that the map shows that they are squeezed into a tiny plot of land sandwiched within a massive new development on all sides. These two family homes are local heritage assets converted from a single large oast house in the 1950s, and their oast roofs are a distinctive feature of the local landscape. They sit 100m from Eastlands Farm (also known as 3 Eastlands Cottages) which sits on the other side of Tudeley Brook. Presumably these are among the properties mentioned in SHELAA for AL/PW1 where it states that “the negative heritage score reflects the land take required and thus negative impacts that would occur largely upon the setting of heritage assets.”

However, the more detailed SHELAA reports for sites 315 and 316 (the land immediately to the south and north of 1 and 2 Eastlands Cottages) states there are no buildings on the site. This is strictly true, but gives a very misleading impression as the Local Plan proposal is to develop both sites with Eastlands Cottages squeezed in between. Given the emphasis in the Local Plan that piecemeal development around Paddock Wood is unacceptable, and policies STR2 (Principle number 9) around avoiding overbearing development around existing residences and EN5 on Heritage Assets, it is unacceptable that there is no mention of any proposal of how Eastlands Cottages would be sensitively incorporated into the proposed development that would appear to completely surround it. Given this absence, I object to the development as it does not respect local residents or the local trees, hedgerows, vegetation and landscape.

The SHELAA report also has overlap between sites 315 and site 51. Why does this overlap exist? Is it in case the overall development of PW1.1 to 1.4 does not take place, and TWBC is trying to reserve the ability to develop site 51 in isolation? If so, this must be made very clear. Planning officers at TWBC will be very aware that previous versions of the Local Plan have proposed the area of site 51 for development, only to be overruled by the independent Planning Inspector who decided that the site was unsuitable for development due to flooding and other risks. The Local Plan should acknowledge this, and not only be specific on the grounds of how it will seek to develop land that the Planning Inspector rejected for development, but also acknowledge that the Local Plan causes stress for local residents who relied on the judgement of the Planning Inspector in terms of continuing to invest in their properties believing that current values, influenced by the rural setting, would be maintained. TWBC planning officers will recall the “Fight the Blight” campaign by residents of Paddock Wood living north

of the railway line to protect 51 from development in the late 1990s, on the basis that this would cut off residents of Maidstone Road, Lucknow Road and Nursery Road from access to green open spaces and can be assured that this campaign would resume if the Local Plan continues to include this site for development in the next version of the Local Plan.

The descriptions of the two overlapping sites are inconsistent. Site 315 talks of existing buildings (plural – there is only one) to the north, site 51 talks of sporadic buildings to the north. The word sporadic suggests multiple buildings, again wrong. Site 51 correctly mentions public footpath WT176 on the western edge of the site, Site 315 ignores it. Site 51 has the two word sentence “Appears Lacking” in the Site Description. What is the significance of this statement (other than perhaps to suggest that the assessment was not properly quality reviewed?). The SHELAA report for adjacent site 313 states “The site is a managed arable greenfield which appears to be in agricultural use.” What is the significance of the word “appears” here? The reality is that all of PW1.1 to PW 1.4 (except for a very tiny area at the south of site 51) has been in continual agricultural use since before the existence of Paddock Wood, first as hop fields, then as orchards, and now for more than thirty years for growing crops.

The Local Plan also fails to mention that this land is a very popular area for walkers, or how residents of Maidstone Road (north of the railway line) will be able to walk to other green areas. Eastlands Lane is a bridleway which leads from the north of Paddock Wood to Whetstead, and WT176 follows the west bank of Tudeley Brook from the railway level crossing up to the A228 where it continues into Hop Farm land on the other side of the A228. The northern edge of the field marked as 316 is also popular with walkers, enabling a circuit route around 316 which is an important open space for residents of Paddock Wood who live north of the railway line, given that the Transfesa estate provides no green walking opportunities to the eastern side of Maidstone Road. The circuit route described is accessed either from Maidstone Road or Nursery Road. The July 2018 Landscape Sensitivity Assessment for Paddock Wood, commissioned by TWBC suggests that arable agricultural land is not a distinctive feature of the Low Weald, and therefore is relatively attractive for development. Local residents beg to differ. TWBC officers might wish to consider that comments in the Local Plan which state how the Common is integral to the character of Royal Tunbridge Wells cause offense to residents of Paddock Wood when there is no acknowledgement that the greenfield land surrounding Paddock Wood is integral to Paddock Wood’s character. TWBC thereby creates an impression that the preservation of the environment of Royal Tunbridge Wells is more important than the preservation of the environment of Paddock Wood.

From the publication of the David Locke Associates map of the proposed developments at Paddock Wood, it is clear that the nearest access to open countryside (as opposed to narrow green corridors) for residents living on Maidstone Road to the north of the railway line is being moved considerably further than the current start of open space at the junction of Eastlands Lane and Maidstone Road. The nearest access to genuine countryside would now start just south of the point where the A228 crosses Tudeley Brook – this is about 20 minutes walk from the junction of Eastlands Lane and Maidstone Road. This means that residents / home workers living north of the railway line will no longer be able to enjoy a walk in the countryside in their lunch break, and thus has negative impact on wellbeing. It also means crossing a fast and busy road where the sight lines are extremely poor, which is a real deterrent to dog walkers. There are no proposals in the local plan to build a safe crossing of the A228 for walkers at the Tudeley Brook bridge.

Planners will be aware that residents living north of the railway line are disinclined to walk across the busy railway bridge to access the parks in Paddock Wood – it really is the case that the fields alongside and to the north of Eastlands Lane comprise the principal recreation area for those who live north of the railway bridge, and the local plan would obliterate this area. In so doing it also obliterates many hectares of productive arable farmland.

Section 5.231 talks of the large irregular arable fields to the north and west. It does not mention that these will no longer be a feature of the north and west of Paddock Wood if the development takes place. The David Locke map leaves no space for economically viable arable farming between the A228 and the railway line.

The David Locke map allows for two very narrow corridor views to the north. Today walkers along Eastlands Lane enjoy panoramic 180 degree views to the north, to the Greensand Ridge and further on to the radio mast north of Wrotham Heath on the North Downs, some twelve miles away. This is the only area in Paddock Wood from which people can enjoy long distance north facing views to the ridges that are so distinctive in our landscape. The plan will obliterate those views. The David Locke map allows for no views whatsoever to the south. Walkers along Tudeley Brook in the area proposed

for development can get unlimited 180 degree views south to the High Weald AONB which are not available from the Hop Farm fields in Tonbridge and Malling Borough Council further north. The grand view from the development area south ranges from Pembury to the west as far as Curtisden Green to the east, a broad ten mile vista which is not possible to see south of the railway line. All of these views are obliterated by the Local Plan. I invite the Inspector to come and see these views.

A further comment in Section 5.231 says that fields to the north west contain a mix of agricultural land uses, including arable farmland, pasture, and orchards. I invite the Inspector to come and identify any orchards to the north west of the town. There aren't any. Section 5.232 says "Ponds are common to the north west of the town". I would like to invite the inspector to come and find them. There aren't any. This illustrates the very slapdash way that the Plan has been put together, with such poor research and lack of attention to detail. It suggests that the planning team at TWBC and borough councillors have not actually visited the development site. In this and in so many other aspects, this not a sound plan.

On a related theme, there is a major problem for residents in north Paddock Wood to access the main part of the town by cycle or car to go shopping, in that there is no left turn allowed at the southern end of the railway bridge, and thus you have to drive / cycle all the way to White's Corner and then back up Commercial Road. The local plan has not considered how this road configuration would have to be seriously altered if the town centre traffic is going to be able to absorb thousands of new residents coming in to the town centre from housing developments in north Paddock Wood.

I did not comment on Flooding in my response to the local plan in 2019, but this bad issue has got significantly worse since 2019, with multiple occasions of Tudeley Brook running outwith the capacity of its banks in December 2019 and December 2020, and crossing over the top of the concrete bridge on Eastlands Lane, which has flooded 3 Eastlands Lane and caused Eastlands Lane itself to become a fast flowing stream threatening 1 and 2 Eastlands Lane. There is much talk of investment in flood protection in the new development, but a complete lack of any detail which might indicate that the planners have given any serious thought about what betterment measures they will take to address it.

Second comment

Masterplanned approach

The Local Plan makes extensive references to the concept of Masterplanned approach but there is no definition of it in the Glossary. The Local Plan simply states that Masterplanning is an enabling policy with no specific targets but progress to be monitored regularly.

It appears that the use of the word "Masterplanning" (together with words such as "Garden Settlement" and "Exemplar" which are also not defined in the Glossary) are used in the Local Plan document to create a sense that TWBC will be working with Developers to ensure exceptionally well managed development, and thereby to try to allay concerns from local residents who are impacted by the very substantial nature of the proposed developments, particularly in Tudeley Village and around Paddock Wood. But none of these words are defined in the Glossary. They are therefore assumed to be Public Relations spin. The use of Masterplanning in particular seems to be an excuse for TWBC to say "we don't need to provide detail now, because it will come later once the Local Plan has been approved".

Given the very extensive impact of these developments on the local communities, surely we should expect substance rather than spin from TWBC. We need to know now what we are being asked to support. This should include much more detail about local community involvement in the proposals.

Perhaps TWBC could point the residents of Paddock Wood to the implementation of recent developments in Paddock Wood, because presumably at least some of the concepts of Masterplanning would have been used in those? Could they perhaps cite Mascalls Grange as an example, where executive homes have been built with cesspits because the sewage infrastructure was simply not there? The Local Plan talks of the importance of good landscaping at the entrances to our communities to create a positive impression for visitors – which is absolutely not the case with steel fencing that enclosed the Badsell Road site for many months. There is absolutely no mention of the piecemeal development of the Mascalls Grange and Badsell Road sites in the Local Plan. Has TWBC not paused to reflect that the proposed additional new development will create even more concern for potential homebuyers on the current development sites? The Local Plan sets off huge alarm bells for anyone

thinking of moving to Paddock Wood, because of its lack of infrastructure and wave after wave of new development proposed by the distant Planning Office in leafy Royal Tunbridge Wells.

Perhaps TWBC could also point to the proposed community centre for Paddock Wood. The Local Plan is completely silent on the fact that PWTC arranged a ballot of local residents on whether this site was appropriate for a community centre, and the result was that local residents said no. This may be an item that TWBC feels does not strictly need to be mentioned in the Local Plan – but surely it must be mentioned in the context that TWBC are claiming in the Local Plan that local communities will be fully involved and engaged as Paddock Wood future development will be under a “Masterplanning” approach.

I understand the some Masterplanning meetings relating to the proposed developments around Paddock Wood have already started. As a local resident living right in the middle of the site I would have thought I would have been invited to participate. But no one from the Planning department has reached out to me, and I am hugely concerned at the lack of engagement to my response to Reg 18.

The reality is that over the course of successive Local Plans TWBC has subjected Paddock Wood residents to a totally disjointed, piecemeal approach, and, given residents’ experience, it stretches all credibility to suggest that TWBC Planners have got it right this time round, both with regard to design and implementation of new developments. We are told that Councillors and Officers in the TWBC have felt serious personal stress because of the challenges of working with private developers to firstly demolish and now build on the old cinema site opposite the Town Hall. Given that they know what this stress feels like, TWBC Councillors and Officers should be wary about exporting such stress to the current residents of Paddock Wood and Capel.

I concur with the views of many other residents of Tudeley, Capel and Paddock Wood that this plan is unbalanced, putting a disproportionate number of houses right on the very edge of the borough, in a way which not only passes infrastructure challenges on to neighbouring Maidstone and Tonbridge & Malling boroughs, but also does not in any way represent a reasonable share of development across all areas of the borough.

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan 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.

STR/SS1 is so fundamentally unsound that it needs to go right back to the drawing board. It cannot be soundly modified by making minor modifications.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? Yes, I wish to participate in hearing session(s)

Question 7a

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

I am a resident whose house is right in the middle of the proposed development.

Comment

Consultee	Andrew Sweeney ([REDACTED])
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	Andrew Sweeney ([REDACTED])
Comment ID	PSLP_1350
Response Date	04/06/21 16:28
Consultation Point	Policy STR/SS 1 The Strategy for Paddock Wood, including land at east Capel (View)
Status	Processed
Submission Type	Web
Version	0.3
Question 1	
Respondent's Name and/or Organisation	Andrew Sweeney
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Strategy for Paddock Wood, including land at east Capel

Question 4

Do you consider that the Local Plan:

Is legally compliant	Don't know
Is sound	No
Complies with the Duty to Cooperate	Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:	. It is not effective
	. It is not justified
	. It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

Flood Risk

There was a significant flood event in 2013/14 affecting Tonbridge and Golden Green.

Development of East Capel is entirely on the flood plain.

HOW can development of such an area even be considered both from a common-sense point of view and in light of Govts concern over sustainability and global warming.

These proposals are surely a future scandal if allowed to proceed.

Finally, it should be noted the South-East of England is prone to a lack of water; with the reservoir at Bewl Water frequently suffers low levels in summer. Has proper research to be done to evaluate the impact of a new town on supply?

Rail Transport

A huge expansion of housing at Capel and Tudeley, along with other housing development downline in Kent will put significant demand on peak time train services. It is unclear if Tudeley will have a station and if not then of course commuters will be drawn to Tonbridge via road.

Tonbridge station parking is already limited and constrained so thousands more commuters and or vehicle movements really could be disastrous.

Schools

East Capel has a 200 student primary school which already causes severe congestion at the location.

These proposals seek to add 2000 pupil secondary school.

This is not much improvement on their previous proposal.

Process

I question the integrity of this process.

TWBC has 20 wards and is seeking to put half of their proposed new housing in 1 ward, obliterating the existing local communities, green belt land materially impacting Tonbridge which already suffers from severe peak time congestion on road and rail infrastructure.

Has TWBC worked to identify brownfield sites to the same extent as they have targeted greenfield sites for development? Despite the assertion that no other brownfield sites exist some might suspect TWBC prefers to deal with a single transaction, rather than engage in the hard work to identify multiple but more suitable locations.

Para 137 NPPF requires local planning authorities to “examine fully all other options for meeting its identified need for development” before concluding whether exceptional circumstances exist to justify changes to Green Belt boundaries.

Does this draft plan fail this test?

The land to be used is Green Belt that lies adjacent to Kent's Area of Outstanding Natural beauty (AONB) and in close proximity to at least one Area of Ancient Woodland. To use Green Belt land, there must be “exceptional circumstances”, and housing need is NOT sufficient to overrule currently protected Green Belt.

It is understood that the housing need figure is not a mandatory target and the NPPF is clear that only in exceptional circumstances may a Green Belt boundary be altered, through the Local Plan process.

Consequently, Government-imposed housing targets are disproportionate for a borough and parish with such a high proportion of Green Belt and/or AONB land.

Sevenoaks Council has pushed back on this external imposition of housing targets from central government which in any case, uses out of date 2014 ONS data, not the updated 2016 numbers.

Finally, TWBC received extensive comments objecting to the local plan in 2019 and apart from dropping its grossly ill-conceived proposals for another school in Tonbridge has ignored the responses and is just carrying on trying to bludgeon its way through.

It seems TWBC is simply paying lip service to “community engagement” but I suppose as the communities affected are not voters in TWBC they simply don’t care.

In summary

Unwarranted proposals to build on green belt and on flood plain.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Andrew Sweeney ([REDACTED])
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	Andrew Sweeney ([REDACTED])
Comment ID	PSLP_1372
Response Date	04/06/21 16:39
Consultation Point	Policy STR/SS 3 The Strategy for Tudeley Village (View)
Status	Processed
Submission Type	Web
Version	0.3
Question 1	
Respondent's Name and/or Organisation	Andrew Sweeney
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
STR/SS 3 Strategy for Tudeley Village	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Don't know
Is sound	No
Complies with the Duty to Cooperate	Don't know
Question 4a	

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not effective
- . It is not justified
- . It is not consistent with national policy

Question 5

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Flood Risk

There was a significant flood event in 2013/14 affecting Tonbridge and Golden Green.

Tudeley is in a flood risk area.

HOW can development of such an area even be considered both from a common-sense point of view and in light of Govts concern over sustainability and global warming.

These proposals are surely a future scandal if allowed to proceed.

It should also be noted the South-East of England is prone to a lack of water; with the reservoir at Bewl Water frequently suffers low levels in summer. Has proper research to be done to evaluate the impact of a new town on supply?

Road Transport

Congestion in and around Tonbridge at Peak hours is already terrible.

This is due to the high number of secondary schools in the area plus Tonbridge main line station is a major draw for commuters.

Placing a new town on the border will obviously impose a huge negative impact for Tonbridge.

My daughter attends school at TWGGS and her bus journey of 6 miles frequently takes around 45 minutes and this is primarily due to the amount of time it takes for the bus to transit Tonbridge (as it exists now).

It is no exaggeration to say these proposals could inflict utter chaos to the finely balanced Tonbridge transport network.

Finally I note the proposal to close Hartlake Road, a well-used route particularly at peak times

I often use Hartlake road to avoid the considerable congestion in Tonbridge and TWBC plan is to shut this vital route whilst simultaneously seeking to worsen the congestion in Tonbridge.

This is simply outrageous.

Rail Transport

A huge expansion of housing at Tudeley & Capel, along with other housing development downline in Kent will put significant demand on peak time train services. It is unclear if Tudeley will have a station and if not then of course commuters will be drawn to Tonbridge via road.

Tonbridge station parking is already limited and constrained so thousands more commuters and or vehicle movements really could be disastrous.

Process

Has TWBC worked to identify brownfield sites to the same extent as they have targeted greenfield sites for development? Despite the assertion that no other brownfield sites exist some might suspect TWBC prefers to deal with a single transaction, rather than engage in the hard work to identify multiple but more suitable locations.

Para 137 NPPF requires local planning authorities to “examine fully all other options for meeting its identified need for development” before concluding whether exceptional circumstances exist to justify changes to Green Belt boundaries.

Does this draft plan fail this test?

The land to be used is Green Belt that lies adjacent to Kent's Area of Outstanding Natural beauty (AONB) and in close proximity to at least one Area of Ancient Woodland. To use Green Belt land, there must be “exceptional circumstances”, and housing need is NOT sufficient to overrule currently protected Green Belt.

It is understood that the housing need figure is not a mandatory target and the NPPF is clear that only in exceptional circumstances may a Green Belt boundary be altered, through the Local Plan process.

Consequently, Government-imposed housing targets are disproportionate for a borough and parish with such a high proportion of Green Belt and/or AONB land.

Sevenoaks Council has pushed back on this external imposition of housing targets from central government which in any case, uses out of date 2014 ONS data, not the updated 2016 numbers.

Finally, TWBC received extensive comments objecting to the local plan in 2019 and apart from dropping its grossly ill-conceived proposals for another school in Tonbridge has ignored the responses and is just carrying on trying to bludgeon its way through.

In summary

Unwarranted proposals to build on green belt and on flood risk areas.

TWBC will benefit from receipt of council tax while residents of TMBC will suffer the considerable degradation in the environment and their quality of life.

As a resident of Hildenborough and TMBC am I wrong to view this as a cynical attempt by TWBC to offload the impact of their proposals onto residents of a neighbouring authority which has its own housing needs to address?

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Paul Tanner [REDACTED]
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	Paul Tanner [REDACTED]
Comment ID	PSLP_72
Response Date	28/04/21 13:20
Consultation Point	Delivery of Housing (View)
Status	Processed
Submission Type	Web
Version	0.2
Question 1	
Respondent's Name and/or Organisation	Paul Tanner: Tanner Architecture
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Delivery of Housing: Policies H1 - H5

Question 4

Do you consider that the Local Plan:

Is legally compliant	Yes
Is sound	Don't know
Complies with the Duty to Cooperate	Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because: . It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

National Planning Policy Framework (Feb 2019 version) Paragraph 127, item f, footnote 46 indicates that

'Planning policies for housing should make use of the Government's optional technical standards for accessible and adaptable housing, where this would address an identified need for such properties. Policies may also make use of the nationally described space standard, where the need for an internal space standard can be justified.'

The Draft Local Plan contains no reference to minimum space standards within the proposals. This is a missed opportunity to ensure that the quality of residential accommodation to be provided during the applicable period (over 12,000 dwellings proposed during the 18 year period) will be of a minimum decent standard.

The omission of minimum space standards within the Local Plan presents a serious risk of new homes being created that would, in fact, be detrimental their residents' mental and physical health and well-being.

Following a series of high profile abuses of recent changes to Permitted Development Rights legislation, in October 2020, the Housing Secretary, Robert Jenrick, announced that all homes built through permitted development rights must now have to meet these standards.

To omit ensuring that new build dwellings will be designed to these minimum standards must be considered careless, if not negligent.

Question 6

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Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan 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.

There is plenty of precedent of Local Authorities including reference to Nationally Prescribed Minimum Space Standards within their policies or including reference to them on their website. The London Plan incorporates the standards into its own text.

But essentially the proposed modification is:

New dwellings are to be designed to meet the standards as set out in 'Nationally Prescribed Minimum Space Standards'.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Future Notifications

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Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Trix Tanzarella [REDACTED]
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	Trix Tanzarella [REDACTED]
Comment ID	PSLP_92
Response Date	04/06/21 16:15
Consultation Point	Map 6 Site Layout Plan (View)
Status	Processed
Submission Type	Web
Version	0.5

Question 2

Agent's Name and Organisation (if applicable)	Trix Tanzarella
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Question 3

To which part of the Local Plan does this representation relate?	Policies Map
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Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

AL/RTW6

Question 4

Do you consider that the Local Plan:

Is legally compliant	Don't know
Is sound	No
Complies with the Duty to Cooperate	Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not positively prepared
- . It is not effective
- . It is not justified
- . It is not consistent with national policy

Question 5

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We have found, based on the below, that the proposed policy AL/RTW6 is unsound as it is not consistent with national policy and does not enable the delivery of sustainable development in accordance with the policies in the NPPF. We present the following reasons.

1) OVERDEVELOPMENT:

NPPF paragraph 117 states that: “Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.”

The allocation of 40-45 residential dwellings constitutes an overdevelopment of the site. The site, at 0.47 hectare not taking the access road and pedestrian access into account, is constrained, isolated and ill proportioned for a development of this scale. If the premise is that the trees under TPO on the borders need to be maintained in order to protect amenity and biodiversity and to make the new development pleasant and liveable, then the effective developable area is indeed only 0.29 hectare, given the extent of the root protection areas required (as illustrated by the arboricultural report submitted in support of the current planning application for this site).

A number of previous planning applications for this site have been unsuccessful over the years due to the cramped nature of the site, for developments constituting 24 dwellings (2004), 14 dwellings (2004), and 2 dwellings (2005). One of the reasons cited by the planning dept. for the refusal of the application in 2005 was that the proposal “would give rise to a cramped and discordant form of backland development... The development would threaten existing trees (some of which are covered by Area tree preservation order No.8 2005) and Laurel hedge screen, which act as significant landscape features, the potential loss of which... would severely impact on the visual amenity and character of the area and create overlooking to the rear gardens of no’s 204-220 Upper Grosvenor Road, thereby harming the privacy and amenity of the occupants of those properties...”

Although these conditions on site have not changed, we understand that the housing context has changed, and there is a greater need than ever to satisfy demand. The NPPF however requires that decisions should promote an effective use of land and that safe and healthy living conditions should be achieved. We understand that councils should be responsive to the demand, but we also believe it is of critical importance for this to be done with sensitivity and in the spirit of the NPPF, which encourages the creation of well-designed and liveable spaces. Extreme care should be taken to ensure that any available land is used well and overdevelopment should be avoided where it will lead to an environment that is cramped, over-occupied, isolated and overshadowed. Higher density developments should have adequate surrounding spill-over space to accommodate the needs of the residents and to create an environment generous enough to carry the inhabitants of the development. A development of 40-45 units with its substantial building footprint and towering nature, as is illustrated by the current planning application, will require extensive parking, ample room for services and waste, generous external amenity space for its many users, play areas and ample access to sunlight. The site is simply not big enough to accommodate such needs adequately. The planning application for this site currently at council illustrates this fact clearly, as they are only able to provide very minimally in respect of

external amenity space. In order to establish such a density on this site, deep blocks will be required, with single aspect apartments and with limitations on proper orientation in regards to solar gain and daylighting due to the limiting factors of preventing overlooking and the problems of facing onto the adjacent railway line.

In regards to local biodiversity, this site is an important stepping stone from Hilbert Wood to gardens along UGR. The site will sustain a heavy loss in biodiversity over the span of the construction works, especially given that the works area will be cramped, particularly if the boundary trees are to be maintained. In addition to accommodating the needs of any future residents, the area remaining around the building footprints should be large enough to sustain a nett biodiversity gain through landscaping measures – the smaller an area remains for such measures, the more difficult and costly for a developer to achieve the nett gain. Policies put in place should make it feasible for developers to achieve these requirements without excessive strain, or the requirements simply won't be achieved.

2) BOUNDARY TREES AS SCREEN & HIGH RISK OF DAMAGE TO TREES:

The AL/RTW6 proposal states that “The layout of any development within the site will need to have regard to the amenities of the existing properties and to retain an appropriate level of screening” with one of the requirements (No. 4) being that the layout and design of the development should protect the trees of most amenity value. It states that “Particular regard shall be had to the retention and reinforcement of the trees along the eastern and southern boundaries to retain an appropriate level of screening”. The proposal therefore relies heavily on the presence of trees on the boundary to prevent overlooking and protect amenity.

It's worth mentioning however, that the tall trees which are seen on plan to act as a visual screen all along the boundaries of the development do not do so uniformly as much depend on the crown height, density and whether they are indeed evergreen. Some trees are not in good health and require removal. Much of the existing “screen” is currently provided by lower infill vegetation which will likely be removed. There is no guarantee that any retained trees will remain in place into the future and won't be excessively pruned throughout the lifetime of a development. Cumulatively these factors indicate that the trees alone cannot be the means by which the harmful effects on amenity could be overcome.

Furthermore and probably more problematic, is that fact that a development at this scale poses a real risk to the health of the trees under TPO surrounding the site.

Extensive root protection areas would be required to reasonably protect the TPO trees on the boundary, as has been shown in the arboricultural report submitted under the current planning app for this site. The same planning application illustrates the large building footprints which would be required to establish 40-45 units. The root protection areas and building footprints combined would leave an excessively narrow works area around the building perimeter – with single access to the site for works, operations will be cramped and damage to these established TPO trees, will invariably become very difficult to avoid.

3) NOISE DISTURBANCE, AIR & LIGHT POLLUTION:

Paragraph 180 of the National Planning Policy Framework (2019) states:

Planning policies and decisions should ensure that new development is appropriate for its location taking into account the likely effects... and should:

- 1 *Mitigate and reduce to a minimum potential adverse impact resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life.*
- 2 *Identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason; and*
- 3 *Limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.*

Noise disturbance and air pollution are both existing problems along Upper Grosvenor Road. These problems will be deepened substantially by the introduction of 40-45 units. Currently there is some refuge from the existing road pollution and noise disturbance on UGR to the rear of the properties facing onto the green and undisturbed gardens of 230 UGR, which would be lost if this previously unaffected site were to be overdeveloped at the proposed scale.

Currently the residents along UGR facing onto 230 UGR have the benefit of dark sky to the rear with minimal artificial light in the evenings. The development itself but especially the streetlights required for the access road and new parking will likely drastically affect the amenity to the rear in this regard.

4) SAFE ACCESS & ROAD SAFETY:

Paragraph 108 of the National Planning Policy Framework (2019) states:

In assessing sites that may be allocated for development in plans, or specific

applications for development, it should be ensured that: safe and suitable access to the site can be achieved for all users;

and Paragraph 110 states:

that applications for development should: create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles.

Upper Grosvenor Road is a busy road with many existing safety hazards to pedestrians and road users – especially being a main route for various large vehicles. This particular stretch of road is a school route and is in frequent use by large numbers of pedestrians due to the nearby High Brooms train station, Grosvenor & Hilbert Park and the Co-op on Silverdale Lane. The proposed access road joins to UGR on a bend with very poor visibility, especially to the north where there is a down slope. Residents on UGR have witnessed many accidents on this bend over the years and there are two known pedestrian deaths due to car accidents (please see attached photo record provided by Luke Engleback in his objection to the current planning app for this site: 21/00460/OUT). The bus stop and Silverdale Ln opposite the proposed entrance are further compounding factors on an already unsafe bend.

The Transport Statement provided by Motion for the current planning application determines that the proposed access achieves a required 43.3m visibility splay to the north. It is clear from the plan submitted that this is only achieved by drawing the splay almost on top of the adjacent property boundary. Furthermore, the traffic counter used to determine vehicle speeds which the required visibility splays are based on was recording traffic during tier 3 lockdown restrictions and the sample taken therefore does not represent real traffic conditions outside lockdown times. The determination in terms of the splay thus lacks due care on two counts. We are quite confused as to why the KCC Highways report for this same application considers that this splay is achieved, as in so doing it clearly does not take into account the particularities of the location. Bins put out along this boundary and the existing (or any future) boundary treatments of the property adjacent the sidewalk actually drastically impede the view. The hedging in question is reasonably well maintained and not overhanging to an inordinate extent (photograph attached) – it is not unreasonable to suppose that future boundary treatments might well impede the view even more drastically. Minimal caution has been applied here and setting the bar so low is an incredible oversight. This is of critical importance and should not be considered an auxiliary point as the combination of conditions on this bend, at a point of such low visibility will put lives in real danger. This is not a safe location for an access road to the site.

With Grenfell in our recent history we need no greater reminder of the real effects of decisions at these early stages of the planning process. With very many residents having highlighted the on-ground dangers of this road and the seriously inappropriate location of the proposed access road on the recent planning application, it would not be fair to say at any future evaluation, that caution had not been raised by local residents.

5) EMERGENCY ACCESS:

It should be noted that there is a single emergency access road to the proposed site. The narrow existing access to the north is not wide enough to accommodate emergency vehicles. With a single emergency access to the site and very tight turning circles one has to consider what the conditions might be like in the case of a fire.

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Access should be provided at a location where suitable visibility of oncoming traffic can be achieved, so that paragraphs 108 & 110 of the NPPF can be satisfied.

The scale of development and density should be proportionate to the site with the number of residential units at a much lower number than proposed, so that paragraph 117 & 180 of the NPPF can be satisfied and so that the land can be used effectively. Development should be proposed at a scale where it will be feasible for a developer to achieve the requirements set out in regards to well-designed and liveable spaces, adequate external amenity spaces, adequate daylighting and solar control, limiting impact on the amenity of existing residents, achieving of nett biodiversity gains etc. Development should be proposed at a scale where it would be feasible to construct and maintain the development without adverse impacts on the existing trees under TPO.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . Yes, I wish to participate in hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box: Yes, I wish to be notified of future stages of the Local Plan

Supporting Information File Ref No: SI_4a-c

Comment

Consultee	Trix Tanzarella [REDACTED]
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	Trix Tanzarella [REDACTED]
Comment ID	PSLP_94
Response Date	04/06/21 16:16
Consultation Point	Policy AL/RTW 6 Land at 202 and 230 Upper Grosvenor Road (View)
Status	Processed
Submission Type	Web
Version	0.1
Files	21_00460_OUT-Luke_Engleback-4157778-7.pdf 1_Claimed_visibility_splay.pdf 2_ACTUAL_Visibility_Splay_taking_boundary_treatment_into_account.png
Question 1	
Respondent's Name and/or Organisation	Trix Tanzarella
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
	Policy AL/RTW 6
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Don't know
Is sound	No

Complies with the Duty to Cooperate

Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not positively prepared
- . It is not effective
- . It is not consistent with national policy

Question 5

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Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

We have found, based on the below, that the proposed policy AL/RTW6 is unsound as it is not consistent with national policy and does not enable the delivery of sustainable development in accordance with the policies in the NPPF. We present the following reasons.

1) OVERDEVELOPMENT:

NPPF paragraph 117 states that: "Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions."

The allocation of 40-45 residential dwellings constitutes an overdevelopment of the site. The site, at 0.47 hectare not taking the access road and pedestrian access into account, is constrained, isolated and ill proportioned for a development of this scale. If the premise is that the trees under TPO on the borders need to be maintained in order to protect amenity and biodiversity and to make the new development pleasant and liveable, then the effective developable area is indeed only 0.29 hectare, given the extent of the root protection areas required (as illustrated by the arboricultural report submitted in support of the current planning application for this site).

A number of previous planning applications for this site have been unsuccessful over the years due to the cramped nature of the site, for developments constituting 24 dwellings (2004), 14 dwellings (2004), and 2 dwellings (2005). One of the reasons cited by the planning dept. for the refusal of the application in 2005 was that the proposal "would give rise to a cramped and discordant form of backland development... The development would threaten existing trees (some of which are covered by Area tree preservation order No.8 2005) and Laurel hedge screen, which act as significant landscape features, the potential loss of which... would severely impact on the visual amenity and character of the area and create overlooking to the rear gardens of no's 204-220 Upper Grosvenor Road, thereby harming the privacy and amenity of the occupants of those properties..."

Although these conditions on site have not changed, we understand that the housing context has changed, and there is a greater need than ever to satisfy demand. The NPPF however requires that decisions should promote an effective use of land and that safe and healthy living conditions should be achieved. We understand that councils should be responsive to the demand, but we also believe it is of critical importance for this to be done with sensitivity and in the spirit of the NPPF, which encourages the creation of well-designed and liveable spaces. Extreme care should be taken to ensure that any available land is used well and overdevelopment should be avoided where it will lead to an environment that is cramped, over-occupied, isolated and overshadowed. Higher density developments should have adequate surrounding spill-over space to accommodate the needs of the residents and to create an environment generous enough to carry the inhabitants of the development. A development

of 40-45 units with its substantial building footprint and towering nature, as is illustrated by the current planning application, will require extensive parking, ample room for services and waste, generous external amenity space for its many users, play areas and ample access to sunlight. The site is simply not big enough to accommodate such needs adequately. The planning application for this site currently at council illustrates this fact clearly, as they are only able to provide very minimally in respect of external amenity space. In order to establish such a density on this site, deep blocks will be required, with single aspect apartments and with limitations on proper orientation in regards to solar gain and daylighting due to the limiting factors of preventing overlooking and the problems of facing onto the adjacent railway line.

In regards to local biodiversity, this site is an important stepping stone from Hilbert Wood to gardens along UGR. The site will sustain a heavy loss in biodiversity over the span of the construction works, especially given that the works area will be cramped, particularly if the boundary trees are to be maintained. In addition to accommodating the needs of any future residents, the area remaining around the building footprints should be large enough to sustain a nett biodiversity gain through landscaping measures – the smaller an area remains for such measures, the more difficult and costly for a developer to achieve the nett gain. Policies put in place should make it feasible for developers to achieve these requirements without excessive strain, or the requirements simply won't be achieved.

2) BOUNDARY TREES AS SCREEN & HIGH RISK OF DAMAGE TO TREES:

The AL/RTW6 proposal states that “The layout of any development within the site will need to have regard to the amenities of the existing properties and to retain an appropriate level of screening” with one of the requirements (No. 4) being that the layout and design of the development should protect the trees of most amenity value. It states that “Particular regard shall be had to the retention and reinforcement of the trees along the eastern and southern boundaries to retain an appropriate level of screening”. The proposal therefore relies heavily on the presence of trees on the boundary to prevent overlooking and protect amenity.

It's worth mentioning however, that the tall trees which are seen on plan to act as a visual screen all along the boundaries of the development do not do so uniformly as much depend on the crown height, density and whether they are indeed evergreen. Some trees are not in good health and require removal. Much of the existing “screen” is currently provided by lower infill vegetation which will likely be removed. There is no guarantee that any retained trees will remain in place into the future and won't be excessively pruned throughout the lifetime of a development. Cumulatively these factors indicate that the trees alone cannot be the means by which the harmful effects on amenity could be overcome.

Furthermore and probably more problematic, is that fact that a development at this scale poses a real risk to the health of the trees under TPO surrounding the site.

Extensive root protection areas would be required to reasonably protect the TPO trees on the boundary, as has been shown in the arboricultural report submitted under the current planning app for this site. The same planning application illustrates the large building footprints which would be required to establish 40-45 units. The root protection areas and building footprints combined would leave an excessively narrow works area around the building perimeter – with single access to the site for works, operations will be cramped and damage to these established TPO trees, will invariably become very difficult to avoid.

3) NOISE DISTURBANCE, AIR & LIGHT POLLUTION:

Paragraph 180 of the National Planning Policy Framework (2019) states:

Planning policies and decisions should ensure that new development is appropriate for its location taking into account the likely effects... and should:

- 1 *Mitigate and reduce to a minimum potential adverse impact resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life.*
- 2 *Identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason; and*
- 3 *Limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.*

Noise disturbance and air pollution are both existing problems along Upper Grosvenor Road. These problems will be deepened substantially by the introduction of 40-45 units. Currently there is some refuge from the existing road pollution and noise disturbance on UGR to the rear of the properties facing onto the green and undisturbed gardens of 230 UGR, which would be lost if this previously unaffected site were to be overdeveloped at the proposed scale.

Currently the residents along UGR facing onto 230 UGR have the benefit of dark sky to the rear with minimal artificial light in the evenings. The development itself but especially the streetlights required for the access road and new parking will likely drastically affect the amenity to the rear in this regard.

4) SAFE ACCESS & ROAD SAFETY:

Paragraph 108 of the National Planning Policy Framework (2019) states:

In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that: safe and suitable access to the site can be achieved for all users;

and Paragraph 110 states:

that applications for development should: create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles.

Upper Grosvenor Road is a busy road with many existing safety hazards to pedestrians and road users – especially being a main route for various large vehicles. This particular stretch of road is a school route and is in frequent use by large numbers of pedestrians due to the nearby High Brooms train station, Grosvenor & Hilbert Park and the Co-op on Silverdale Lane. The proposed access road joins to UGR on a bend with very poor visibility, especially to the north where there is a down slope. Residents on UGR have witnessed many accidents on this bend over the years and there are two known pedestrian deaths due to car accidents (please see attached photo record provided by Luke Engleback in his objection to the current planning app for this site: 21/00460/OUT). The bus stop and Silverdale Ln opposite the proposed entrance are further compounding factors on an already unsafe bend.

The Transport Statement provided by Motion for the current planning application determines that the proposed access achieves a required 43.3m visibility splay to the north. It is clear from the plan submitted that this is only achieved by drawing the splay almost on top of the adjacent property boundary. Furthermore, the traffic counter used to determine vehicle speeds which the required visibility splays are based on was recording traffic during tier 3 lockdown restrictions and the sample taken therefore does not represent real traffic conditions outside lockdown times. The determination in terms of the splay thus lacks due care on two counts. We are quite confused as to why the KCC Highways report for this same application considers that this splay is achieved, as in so doing it clearly does not take into account the particularities of the location. Bins put out along this boundary and the existing (or any future) boundary treatments of the property adjacent the sidewalk actually drastically impede the view. The hedging in question is reasonably well maintained and not overhanging to an inordinate extent (photograph attached) – it is not unreasonable to suppose that future boundary treatments might well impede the view even more drastically. Minimal caution has been applied here and setting the bar so low is an incredible oversight. This is of critical importance and should not be considered an auxiliary point as the combination of conditions on this bend, at a point of such low visibility will put lives in real danger. This is not a safe location for an access road to the site.

With Grenfell in our recent history we need no greater reminder of the real effects of decisions at these early stages of the planning process. With very many residents having highlighted the on-ground dangers of this road and the seriously inappropriate location of the proposed access road on the recent planning application, it would not be fair to say at any future evaluation, that caution had not been raised by local residents.

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Question 6

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Supporting Information File Ref No: SI_89

Comment

Agent	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Lambert Smith Hampton
Address	180 Oxford Street London W1D 1NN
Consultee	Targetfollow (Pantiles) Ltd ([REDACTED])
Address	Riverside House 11/12 Riverside Road NORWICH NR1 1SQ
Event Name	Pre-Submission Local Plan
Comment by	Targetfollow (Pantiles) Ltd (1011802)
Comment ID	PSLP_1677
Response Date	04/06/21 14:52
Consultation Point	Policy PSTR/RU 1 The Strategy for Rusthall parish (View)
Status	Processed
Submission Type	Email
Version	0.7
Files	PSLP_1677_Lambert_Smith_Hampton_(Targetfollow)_SI_Ecology_Scoping.pdf PSLP_1677_Lambert_Smith_Hampton_(Targetfollow)_SI_Greenbelt_Assessment.pdf PSLP_1677_Lambert_Smith_Hampton_(Targetfollow)_SI_Land_at_Tunbridge_Wells_2021.pdf PSLP_1677_Lambert_Smith_Hampton_(Targetfollow)_SI_Access PSLP_1677_Lambert_Smith_Hampton_(Targetfollow)_SI_Flood
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Targetfollow
Question 2	

Agent's Name and Organisation (if applicable) Lambert Smith Hampton

Question 3

To which part of the Local Plan does this representation relate? Policy

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy PSTR/RU 1 The Strategy for Rusthall parish

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

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Question 5

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On behalf of our client, Targetfollow, please find enclosed a representation to the Tunbridge Wells Draft Local Plan Regulation 19 consultation. We welcome the opportunity to engage with the Council for the duration of the Local Plan process.

This representation relates to the Land at Tunbridge Wells Golf Course and aspirations for the site to be allocated in the draft Local Plan for the delivery of up to 100 residential (C3) dwellings (mix of affordable, market and retirement units), public open space and community facilities. The representation outlines a detailed draft masterplan and assessment of the site and our recommended changes to the draft Plan so that it can be found sound.

This letter is supported by the following suite of technical documents, which are to be read as a single representation:

i. Vision Document for the site, prepared by Lambert Smith Hampton; ii. Flooding and Drainage Technical Note prepared by Logika; iii. Access and Trip Technical Note prepared by Sweco; iv. Green Belt Assessment prepared by Pegasus; and v. Ecology note prepared by Eight Associates.

Background

Representations in relation to the site were submitted to the Regulation 18 consultation in November 2019. Since then, Targetfollow has instructed a full consultancy team to review the previous Regulation 18 representation submission to strengthen the masterplan to ensure that it is robust and adequately responds to previous feedback from officers. Amendments to the masterplan have therefore been made in line with the recommendations set out in the supporting consultants' reports as well as responding to various planning policy designations that impact the site.

The Site

The site comprises a golf course which measures 14.6ha. Part of the site also includes an area of Ancient Woodland. The site is located adjacent to the settlement boundaries of Rusthall to the west and Tunbridge Wells to the east. The site is bounded to the north by residential development and open countryside and to the south by Langton Road.

The site is located In Flood Zone 1 and is therefore at low risk of flooding. The site is located in the metropolitan Green Belt.

There are no heritage assets located within the site boundaries but the site is located adjacent to the Tunbridge Wells and Rusthall Conservation Areas. The site will be accessed by the existing access onto Langton Road. An Access and Trip Technical Note has been prepared by SWECO and is appended to the enclosed representation. The note concludes that the site is accessible by sustainable modes of transport such as bus, walking and rail. The site is therefore a sustainable location for development.

Regulation 19 – Draft Local Plan Assessment

Site Proposals and Assessment

The draft Local Plan identifies an overall housing need of 12,204 dwellings (approximately 5,814 affordable) across the plan period. Although 5,259 units are identified through extant planning permissions and windfall allowances there is a consequent need for the draft plan to allocate additional sites to provide a minimum of 7,221 dwellings. In addition, we note that Tunbridge Wells Council has only delivered 86% of its Housing Delivery Test measurement (2020) in the last three years, and consequently there is a need for the Council to prepare an Action Plan to ensure that sufficient sites are delivered in accordance with the requirements of the National Planning Policy Framework (NPPF).

The draft Local Plan outlines that the AONB and the Green Belt collectively cover 75% of the Borough. This has put a constraint on housing delivery within the Borough. The Council acknowledge that the release of Green Belt land is required to meet housing demand and therefore the draft plan proposes the release of approximately 5% of green belt land in the Borough for development.

The Tunbridge Wells Golf Course is located within the Green Belt and at this stage in the plan process has not been allocated for development. The enclosed representation promotes the land for allocation within the draft Local Plan to provide up to 100 residential (C3) dwellings (mix of affordable, market and retirement units, subject to viability), public open space and community facilities. The representation includes a detailed draft masterplan, which is set out in the enclosed Vision Document.

New community facilities and a new cricket pitch or leisure facilities, for use by the local community, are proposed in the central and southern portion of the site. A country park will extend from the north of the site along the existing water course. It is proposed that the cricket pavilion and pitch will replace the existing facilities on Rusthall Common and that the land at Rusthall Common would be returned to common land.

We acknowledge that the provision of appropriate facilities for outdoor sports and recreation are considered to be, in principle, acceptable in the Green Belt and therefore the provision of outdoor community or leisure facilities alone are not sufficient to justify an amendment to the Green Belt. Nevertheless, the proposals for residential dwellings on site have been assessed on the weight of the 'exceptional circumstances' that justify proposals within the Green Belt (in line with the requirements of paragraph 136 of the NPPF) against the substantial weight accorded to the harm of inappropriate development in the Green Belt.

It is therefore appropriate to assess the benefits of amending the Green Belt boundary in order to promote the use of the site for residential use (including affordable, market and retirement units), which is considered in further detail below.

Proposed Layout

The proposed layout has been designed to minimise the harm of the proposals on the Green Belt. The proposed residential accommodation is located on the western boundary of Tunbridge Wells and the eastern boundary, acting as logical extension to the built up settlement. The Council's Green Belt review has acknowledged that Rusthall and Tunbridge Wells are considered to be one settlement and therefore development of small parcels of land within the site would not contribute to coalescence of settlements.

The two parcels are relatively well screened from the remainder of the site due to tree planting undertaken for the development of the golf course and are therefore not considered to be a strong

contributor to the openness of the site. The preservation of the existing central ancient woodland and the proposed location of the community facilities to the south, ensure that the open nature of the site is preserved.

An allocation in this location is not considered to contribute to urban sprawl or coalescence. This is because the proposed residential units will be contained within three small development parcels. Given that the extent of development will be limited to the three development parcels, development will not extend northwards beyond Grange Road and Thirlmere Road. Consequently, the proposed development is not considered to contribute to encroachment of development on the countryside.

In accordance with paragraph 136 of the NPPF, the 'exceptional circumstances' that would be considered in respect of development proposals on this site are considered to be the contribution that the development of the site would make to housing needs in terms of delivering much needed affordable, market and retirement units and community facilities.

Exceptional Circumstances

a) General Housing Need

Whilst a site's contribution to housing need alone is not considered to be an 'exceptional circumstance', unmet housing demand can be weighed against the harm to the Green Belt in combination with other factors. This approach has been confirmed by the Inspector in the appeal decision for a retirement living scheme in West Malling (APP/H2265/W/18/3202040). The appeal also included that the provision of specialist properties and extra care housing contributes to housing need figures. Therefore the ability for the site to meet the Borough's pressing housing need is relevant to this consideration.

As noted previously, the draft Local Plan is required to allocate sites to provide an additional minimum of 7,221 dwellings. Whilst the draft Local Plan has allocated some sites to meet the identified need a significant proportion of the need is to be met through two large scale allocations at Capel and Paddock Wood (STR/SS1) and Tudeley Village (STR/SS3). Capel and Paddock Wood has been allocated for the delivery 3,490-3,590 residential units, across four masterplan areas whilst Tudeley village has been allocated for the delivery 2,800 residential dwellings, 2,100 of which are to be delivered within the plan period. These two draft allocations account for approximately 47% of the Borough's housing allocations across the plan period.

The strategic allocations outline that 40% affordable housing should be delivered at the site. The sites combined would provide circa 2,276 affordable units, which equates to approximately 39% of the Borough's affordable housing need across the plan period. Additional allocated sites, such as the Golf Course, should therefore be identified to contribute towards meeting this potential shortfall in affordable housing need.

Whilst we recognise the ambitions of the Borough to aid the delivery of the draft allocations across the plan period, we consider that the draft plan is overly reliant on large scale allocations. The delivery of enabling infrastructure works and the scale of such proposals are likely to incur a level of delay during the planning and construction period and therefore it is unlikely that all the required new market and affordable homes will be delivered across the plan period within the required five year period.

To ensure that the Council can deliver the required market and affordable housing need across the plan period, we strongly recommend that the Council ensures that sufficient numbers of small and medium sites that can be built out in the short term, including the Golf Course site, are allocated through the Local Plan process. This will help to provide variety and also aid with the provision of smaller sites that do not rely so heavily on the need for new infrastructure or funding to unlock delivery and meet the potential shortfall in allocated sites.

b) Older Persons Housing Need

In addition to the Borough's general housing need, the TWBC Housing Needs Survey (2018) details that there is expected to be an approximate 40% increase in the population of over 65s (TWBC's definition of 'older people') within the Borough across the plan period. This equates to approximately an additional 9,200 older residents within the Borough. Whilst the majority of respondents surveyed expressed a desire to remain in their homes, approximately a quarter of those surveyed would consider living in alternative specialist accommodation. Based on the data within the needs survey approximately 10% of older residents will consider relocating to sheltered accommodation/ Extra Care units. Therefore the Council will need to ensure that there is a sufficient supply of specialist retirement accommodation to accommodate the growth of older residents within the Borough.

Paragraph 6.363 of the draft plan states that the need identified within the Housing Needs Survey will be addressed through a combination of site allocation policies and planning permissions being granted. Whilst many of the larger draft site allocations have been worded to state that, if deemed appropriate, part of the site's residential offering could be used for delivering housing for older people; there is no policy requirement to provide certainty that such housing must be delivered.

There are only three draft allocation sites that specifically include a provision for the delivery of retirement (C3) housing for older people. These include:

(1) Site AL/RTW 4 (Arriva Kent and Sussex Ltd, Bus Depot, 36-40 St. John's Road, Royal Tunbridge Wells) is allocated to provide 65 residential dwellings or approximately 90 dwellings for older people; (2) Site AL/HA 1 (Land at The White House Highgate Hill, Hawkhurst) is allocated for the provision of 43 retirement apartments; and (3) Site AL/PE 6 (Woodsgate Corner, Pembur) is allocated for the provision of specialist housing for older people this is either as extra care housing (approximately 80 units) and/or residential care (approximately 120 units).

The draft allocations within the Regulation 19 Consultation document, therefore, equate to the provision of maximum 213 retirement living/ sheltered accommodation/ extra care units. Although the Housing Needs Survey does not detail a specific numerical housing need for the over 65s, based on the data within the survey the authors (Arc4) would expect approximately 920 older residents to seek extra care units/ sheltered accommodation across the plan period. This is a significant increase when compared with the number of units allocated in the draft plan and suggests there is likely to be a significant shortfall in housing for older people.

The Housing Needs Survey concludes that the range of housing options available to older people within the Borough will need to be diversified to meet the projected growing need. At present, the draft Local Plan is largely relying on future planning applications to meet the need, rather than through allocating sites in the Local Plan. Based on the available data in the Housing Needs Survey, this approach is likely to result in an under-supply of accommodation for older residents, and an already aging population, within the Borough. Accordingly, we recommend that additional sites should be allocated to address this serious shortfall.

Furthermore, we have undertaken a review of recent and current proposals for older persons housing within the Borough. At present a proposed scheme for 43 retirement living units at The White House in Cranbrook (19/01271/FULL) has been approved and a scheme for 42 retirement living units have been approved at Pinewood Court in Tunbridge Wells (17/01191/FULL). The approvals should result in a total of 85 units for older people being delivered within the plan period. Nevertheless, it is important to note that the approval at Pinewood Court was for the demolition of 39 vacant retirement flats and the erection of 42 units. The net increase in approved provision of units for older persons is therefore only 46 units. At the time of submission of this representation, there are currently no applications for older persons housing (C3 use) pending. It is also relevant to note that, in establishing if there were 'very special circumstances' to permit development in the Green Belt, the demand for extra care housing could be attributed substantial weight (West Malling appeal decision APP/A0665/W/18/3203413).

The NPPF (2019) encourages the need for housing for different groups to be reflected within planning policies. Whilst it is acknowledged that draft Policy H6 (Housing for Older People and People with Disabilities) confirms the requirement for the provision of homes for older people, in line with the requirements of the NPPF and taking into account recent approvals, the draft Local Plan would be more robust if the provision for retirement units was increased further via an explicit additional site allocations in the draft Plan. As currently drafted, therefore, we conclude that the Regulation 19 Local Plan is unsound although this could be remedied through the allocation of the Golf Course site.

c) Public Benefits

The site is considered to be underused. A number of public benefits would arise from the proposed development on site. The proposed community facilities and cricket pitch/leisure facilities will provide the local community with modern community facilities and access to new public open space. The proposed layout of the site will also provide improved access to the ancient woodland, improving the accessibility of this natural asset to the local community. Additionally, as aforementioned, it is proposed that the cricket pavilion and pitch will replace the existing facilities on Rusthall Common and therefore the land at Rusthall Common would be returned to common land. This would result in the common being accessible to the public and therefore provide a significant public benefit to the local community.

Furthermore, the proposed cricket pitch and ancient forest could be designated as village green land to protect against future development of the land. This would ensure that the land is protected for community use, providing a direct public benefit of any development on site. Pegasus' Green Belt Assessment concludes that the potential harm to the Green Belt in this case is clearly outweighed by other considerations including a clear housing need (including retirement units), the creation of infrastructure which would be a community benefit and the creation of a sustainable development proposal.

A full planning assessment of the site is outlined in section 9 of the enclosed Green Belt report. Our assessment concludes that at present there is a risk that the draft Local Plan will not be found sound due to an over reliance on large strategic allocations to meet the required housing need and the under provision of new homes to meet the assessed older persons housing need. The Tunbridge Wells Golf Course site is located in a sustainable location and would contribute to meeting the required housing need across the Borough.

Green Belt Impact

In determining that the site is suitable for limited release from the green belt, we have undertaken a detailed assessment of the key characteristics of the site and prepared an indicative masterplan that demonstrates how the development could provide limited infill sites that would not harm the overall function of the green belt in this location.

A Green Belt Assessment has been undertaken by Pegasus and should be reviewed in full as part of this representation. A summary of the assessment of the site and the proposed development's contribution to the Green Belt principles is assessed against the Borough's Green Belt Assessment within Section 7 of the Vision Document.

The Green Belt Assessment confirms that from a landscape and visual perspective, the site is located in a sustainable location contiguous with an existing residential neighbourhood. The site benefits from a considerable degree of physical and visual containment due to the surrounding mature tree cover and existing residential development and as such, development of the site is only likely to have a bearing upon views within the site itself, and not beyond the wider surrounding countryside. As a consequence, the sense of openness associated with the wider landscape would remain unchanged if the site were developed in line with the masterplan. Vehicular and pedestrian access linkages to the wider area and the adjacent residential neighbourhood could be effectively provided. From a landscape and visual perspective, the site is suitable for residential development as it can be effectively assimilated into the surrounding existing green infrastructure and wider environment.

The site benefits from an existing access point off the main road to the south. Beyond the site itself, the sense of visual and physical separation between the settlements of Rusthall and Tunbridge Wells would continue to remain in terms of the sense of openness associated with the existing Green Belt beyond the site. The visual amenity of the area which is designated as Green Belt would not be materially adversely affected by the proposed development as it would be substantially screened from wider views by the existing and proposed topography, together with tree cover. It is considered that the proposal would not harm the openness of the Green Belt accordingly.

The assessment therefore concludes that having analysed the proposals it is considered that the proposal would not conflict with either the Framework (NPPF) in that it would not harm the openness of the Green Belt nor harm the purposes of the designation.

Transport and Road Safety

Sweco has prepared an Access and Trip Technical Note which has been used to inform the amendments to the proposed masterplan.

As outlined on the illustrative masterplan, the proposals will retain the existing site access to Langton Road. As existing, this access has reduced visibility to the east along Langton Road. As shown on the Main Site Access Arrangement drawing in Appendix B of the Technical Note, improvements can be made to this access and it is advised that the proposals include the provision of a more formal kerbed radii access junction with footways and improved visibility parameters to ensure suitable safe access arrangements to the site. The suggested access upgrades have been incorporated into the illustrative masterplan layout to provide safe access to the site.

In addition to re-using the existing site access to Langton Road there are potential pedestrian/cycle access points to the surrounding area some of which could be utilised as an emergency access.

The Technical Note also assessed the sustainability of the site and outlined that the site is accessible by sustainable modes of transport other than the private car. Frequent bus services are available from stops less than 100m from the existing and proposed site accesses with Tunbridge Wells Railway Station located an 18 minute walk to the east of the Site.

The Technical Note outlines that when taking into account the permitted use of the Site the net increase in traffic of the proposals will equate, on average, to about 2 additional vehicle movements every 3 minutes during the peak hours. This is based on a proposed housing scheme that does not include retirement units. It is important to note that inclusion of any retirement dwelling in the proposals will reduce the peak hour vehicle movements. The proposals are therefore considered to be acceptable in terms of trip generation.

The Access and Trip Technical Note concludes that the site could support development with appropriate mitigation without affecting highway safety or capacity and promote travel by sustainable modes. The masterplan has been designed, in line with the safety advice set out within the note and now proposes a safe site entrance via onto Langton Road. The masterplan therefore aligns with the requirements of draft Local Plan Policy TP2 (Transport Design and Accessibility).

Flooding and Drainage

The Flood and Drainage Technical Note, prepared by Logika, concludes that the proposed masterplan takes into account the potential flood risk on the Site associated with the on-Site watercourse. The pluvial flood maps have been considered to ensure the masterplan is designed robustly with all development located outside of the 1 in 1000 year flood extent. Easements are provided to ensure that the watercourse is protected, and a highly sustainable drainage strategy will be incorporated into the detailed design of the scheme. The masterplan therefore aligns with the requirements of draft Local Plan Policy EN25 (Flood Risk).

Ecology

Eight Associates prepared an Ecology Scoping Note to support the proposed representation and draft masterplan for the site. The Scoping Note confirms that the site is located within a SSSI Impact Zone. The proposed development does not, however, fall into any of the at-risk categories for this SSSI Impact Zone.

The site is bounded by stretches of woodland to the north, east and west, with residential properties bounding the remaining areas. Parcels of wood pasture and parkland Biodiversity Action Plan (BAP). Priority Habitat, ancient woodland and deciduous woodland are present within 500m of the site and extend inside the site boundary, acting as an ecological corridor to green space and designated sites within the wider local area. The proposed illustrative masterplan layout has, however, been designed to protect the parcel of Ancient Woodland within the site boundary and to seek to limit the loss of trees which are important in the landscape or as natural habitats, or historically.

The site is located within a Natural England network enhancement zone, which seek to connect existing patches of primary habitat, with land that is likely to be suitable for the creation of primary habitat, such as the site. The Ecology Scoping Note recognises that this has been considered as part of the amended masterplan design, incorporating a landscape framework of green corridors with retained trees and water courses will provide a significant boost to public open space in Tunbridge Wells.

The Ecology Scoping Note identifies that the proposals include green corridors of public open space that will provide setting for the new development, accommodate SuDs and provide a resource for the new and existing communities as well as promoting ecology. Therefore there is an opportunity for the development to enhance the ecology of the site in line with draft Local Plan Policy STR 8 (Conserving and Enhancing the Natural, Built and Historic Environment).

Conclusions

The required amendment to the Green Belt boundary, as set out in this representation, is considered justifiable in order to meet the Borough's need for retirement and market/affordable housing. Draft Policy H6 requires proposals for residential care homes and retirement living properties to be located in accessible locations. The site is located in a sustainable location on the edge of Tunbridge Wells, approximately 1 mile from the town centre, 0.7 miles from the Pantiles shopping centre and 0.9 miles from the station. The site is adjacent to the Rusthall Road bus stop, providing a regular service to both the town centre and the Pantiles. The site is also in an accessible location and is therefore considered suitable for retirement units.

Previous concerns regarding the safety of the proposed Langton Road junction have been addressed in the masterplan, in line with the junction improvement advice set out in Sweco's Access and Trip Technical Note. As such, it has been determined that the site could support development without affecting highway safety or capacity and promote travel by sustainable modes.

Through architectural design and layout it is considered that any potential impact on the historic character of the Tunbridge Wells Conservation Area can be mitigated and the heritage asset can be preserved and enhanced.

As outlined in the representation, the Local Plan as drafted is overly reliant on large strategic sites to deliver housing. Due to the scale of such proposals and the requirement for the delivery of enabling infrastructure works, it is likely that delays in delivery will be incurred. Therefore, it is unlikely that all the new homes required will be delivered across the plan period within the required five year period, resulting in a shortfall of housing provision.

In order to ensure that the Council can deliver the required housing need across the plan period, we strongly recommend that sufficient numbers of small and medium sites are allocated for development in the short term, including the Golf Course site. This will help to provide variety and also aid with the provision of smaller sites that do not rely so heavily on the need for new infrastructure or funding to unlock delivery and meet the shortfall in allocated sites. This approach would also allow the Plan to be found sound.

Regarding potential impact on the Green Belt, the supporting Green Belt Assessment has demonstrated that the proposals are not considered to conflict with either the NPPF as the proposals would not harm the openness of the Green Belt nor harm the purposes of the designation. The proposed country park, cricket pavilion and grounds, or leisure facilities, will incorporate public open space and a significant public benefit to the local community that can only be facilitated through the minor amendment of the Green Belt boundary and the proposed allocation of the site.

In summary, the site presents an opportunity for the development of an accessible site for the provision of much needed retirement housing within the Borough. The site's ability to contribute to the provision of housing for older people, alongside the site's contribution to the Borough's general housing need and provision of community facilities is considered to justify the limited amendment of the site's Green Belt boundaries via the Local Plan process.

This representation has, therefore, demonstrated that there are exceptional circumstances for amending the Green Belt boundary and allocating the site for development of up to 100 residential units (including market, affordable and retirement units).

Proposed Amendments to the Draft Local Plan

To ensure that the Local Plan can be found sound at examination, we urge the Council to allocate the site at Tunbridge Wells Golf Course, for older persons housing and standard housing together with public open space, to ensure that the housing need across the Borough can be met and delivered within the plan period. Below is our suggest text for a site allocation policy for the Golf Course site:

'Policy AL/RU 2 Tunbridge Wells Golf Course, Langton Road

The site, as defined on figure xxx, is allocated for residential (C3 development) up to 100 dwellings (mix of affordable, market and retirement units), public open space, leisure and community facilities.

Development on the site shall accord with the following requirements:

- 1. Vehicular access shall be taken from the existing accesses onto Langton Road (see Criterion 2 of Policy EN 1: Sustainable Design);***
- 2. Pedestrian linkages shall be provided into wider network (see Policy TP 2: Transport Design and Accessibility);***
- 3. Proposals should conserve and enhance the Conservation Area (see Policy EN 5: Heritage Assets);***
- 4. Improvements to existing allotments, amenity/natural green space, parks and recreation grounds, children's play space and youth play space in accordance with the requirements of Policy OSSR 2: Provision of publicly accessible open space and recreation. It is expected that***

contributions will be required towards the following if necessary, to mitigate the impact of the development:

- a. Improvements to public realm;**
- b. Any other highway related works;**
- c. Improvements to bus services’.**

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

Supporting Information File Ref No: SI_121

Comment

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Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Tarmac Trading Ltd. [REDACTED]
Comment ID	PSLP_1899
Response Date	04/06/21 16:55
Consultation Point	Policy STR/SS 1 The Strategy for Paddock Wood, including land at east Capel (View)
Status	Processed
Submission Type	Email
Version	0.9
Files	PSLP_1899 & 1905 Heaton Planning for Tarmac Trading Ltd. Representation with Appendices Redacted.pdf
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Tarmac Trading Ltd.
Question 2	
Agent's Name and Organisation (if applicable)	Heaton Planning
Question 3	

To which part of the Local Plan does this representation relate?

Policy

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR/SS 1 The Strategy for Paddock Wood, including land at east Capel

[TWBC: this representation has been input against Policies STR/SS 1 and EN 9 - please see Comment Numbers PSLP_1899 and PSLP_1905]

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

TUNBRIDGE WELLS LOCAL PLAN REGULATION 19 PRE-SUBMISSION CONSULTATION - REPRESENTATIONS ON BEHALF OF TARMAC TRADING LIMITED

We are writing on behalf of Tarmac Trading Limited (Tarmac) with regard to their land interest north west of Paddock Wood. The purpose of this letter is to outline the availability and suitability of the site for consideration by the Borough Council and local developers in securing potential offsetting/off site biodiversity net gain contributions in coordination with nearby land which is proposed to accommodate strategic growth as set out within the emerging Local Plan.

We would also like to comment on the consistency of proposed policy EN 9 against the National Planning Policy Framework (NPPF) in relation to the locational hierarchy for biodiversity net gain.

Background

The site lies to the north west of Paddock Wood within the wider extent of Stonecastle Farm Quarry, an existing sharp sand and gravel quarry which straddles the administrative boundaries of Tonbridge and Malling and Tunbridge Wells.

Tarmac's freehold land interests in this area extend to ca. 80 hectares (Ha); a map showing the extent of Tarmac's freehold interest is enclosed at Appendix 1. The wider extent of Tarmac's freehold interest contains operational areas associated with Stonecastle Farm Quarry plant site. The operational areas are illustrated on drawing reference SC/003/A enclosed at Appendix 2. These areas are to be retained in operational use over the plan period of the Tunbridge Wells Pre-submission Local Plan (the 'Plan').

The site subject of this letter is promoted to highlight its potential for biodiversity net gain contributions. The site extends 22 Ha across the north east of the freehold interest. It includes Ancient Woodland (1.8 Ha) and National Forest (5.9 Ha) with designated Priority Habitats (7 Ha) and bare ground surrounding three former silt lagoons.

The site hereby promoted is shown at Appendix 3.

[TWBC: for appendices, please see supporting documents]

Policy and Legislation

The Plan sets out the overarching development strategy for the Borough covering the period between 2020 and 2038. One of the key challenges identified in the Plan is meeting the housing needs of the Borough, which has been assessed in line with national policy using the standard methodology at approximately 678 per annum, equivalent to 12,200 additional homes over the Plan period as a minimum.

Combined, the designated High Weald AONB and Metropolitan Green Belt cover approximately 75% of the Borough. These designations are instrumental in determining the development strategy and location of future growth within the Borough. There is an identified need to deliver a minimum of 12,200 additional homes over the Plan period

The Plan sets out two strategic growth areas which comprise a strategic extension to Paddock Wood including east Capel (Policy STR/SS 1) and a garden village at Tudeley (Policy STR/SS 3). Paddock Wood strategic growth area is located on existing agricultural land and woodland and is facilitated through the release of ca. 150 Ha of Green Belt land. The proposed extension to Paddock Wood comprises 3,490-3,590 new dwellings, considerable employment use, and associated education, leisure, retail, and health facilities and is to be delivered using garden settlement principles.

Policy STR/SS 1 (The strategy for Paddock Wood, including land at east Capel) requires certain environmental enhancements to offset the overall impact of development in that location. These include:

- . Creation of a Paddock Wood 'Wetland Park' to the north of the western parcel to deliver flood water attenuation and new wetland habitat, and allowing for informal recreation via a network of footpaths and boardwalks;
- . For development on land to the west, to provide compensatory improvements to the Green Belt; and
- . Provide a scheme for the management and funding for green spaces and green infrastructure for each parcel of land, for both amenity and biodiversity for the lifetime of the development.

The Plan also introduces a requirement for all development to contribute towards delivering net gains for nature, in accordance with the emerging Environmental Bill. The Environmental Bill will, through various mechanisms, provide a new framework for improving the natural environment. The 'biodiversity gain objective' set out in Part 6 (supporting Schedule 14) is one of these mechanisms, whereby the biodiversity attributable to developments covered by the Town & Country Planning Act (1990) will be required to exceed the pre-development biodiversity value of the 'onsite habitat' by at least 10%, which is defined as the habitat on the land to which the planning permission relates.

Strategic Objective 8 of the Plan seeks to 'conserve and enhance the natural environment' and achieve 'net gains for nature'. Biodiversity compensation will be achieved, if required, through a combination of on-site provision, off-site contribution or through purchasing biodiversity credits. Part 6 (supporting Schedule 14) section 93 sets out the 'Biodiversity gain site register' which will be used by Local Planning Authorities (LPAs) when off-site biodiversity compensation is required. The Government register will set out compensation receptor sites to be used by developers and the LPA to achieve biodiversity net gains through development.

Proposed Policy EN 9 of the Plan (Biodiversity Net Gain) sets out the criteria for development to achieve biodiversity net gain. All major development (10 dwellings plus, 1,000 sqm plus of floorspace, new build, or conversion or outline proposals capable of accommodating either) is required to provide mitigation, compensation, and enhancement measures for biodiversity on or adjacent to the development site.

The National Planning Policy Framework (NPPF) is the overarching planning policy guide for England and provides guidance on the principles required when determining planning applications. Paragraph 175 (a) states that 'if significant harm to biodiversity resulting from a development cannot be avoided..., adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused'.

Sustainable development is achieved by balancing economic, social and environmental objectives (NPPF Para. 8). In order to achieve the levels of housing and economic growth anticipated over the plan period, it is important to ensure that planning policies provide adequate flexibility to ensure that development is achievable. It is preferable to provide biodiversity offsetting in proximity to the development site, however, the overall objective is to achieve a net gain in biodiversity within the LPA.

Part 1 (a) of proposed Policy EN 9 states that the location and type of net gain shall be provided in accordance with 'the supporting text or as otherwise required by supplementary planning guidance'. Paragraph 6.135 of the supporting text to proposed Policy EN 9 states that, for major development, off-site proposals will only be considered in 'exceptional circumstances' and in the interests of biodiversity. We do not consider that the requirement for 'exceptional circumstances' is consistent with the approach at paragraph 175 (a) of the NPPF.

The approved Defra Biodiversity Metric (2019) used to calculate biodiversity net gain has an in-built locational hierarchy whereby if habitat creation, enhancement and accelerated succession is undertaken off-site, an additional spatial risk multiplier is applied. The offsite risk multiplier seeks to ensure that compensation habitat is provided locally to where biodiversity losses occur. Where off-site compensation is local, within the local planning authority area (LPA) or the same National Character Area (NCA), it is considered acceptable and no off-site risk multiplier is applied.

We are supportive of providing compensation habitat locally within the LPA/NCA.

Key Opportunity for Net Gain at Stonecastle Farm

As previously set out, the site comprises ca. 22 Ha and includes an area of Ancient Woodland and National Forest with Priority (Deciduous Woodland) and bare ground surrounding three former silt lagoons. The bare ground at present has low value for biodiversity.

The site falls within an area identified for Network Enhancement (Zone 2) which is defined by Natural England as "land connecting existing patches of primary and associated habitats which is less likely to be suitable for creation of the primary habitat. Action in this zone that improves the biodiversity value through land management changes and/or green infrastructure provision can be targeted here." 1 (emphasis added)

The site is located 500 m north of the village of Whetsted and ca. 1.5 km north west of the existing settlement of Paddock Wood. The A228 Whetsted Road separates the site from the settlement of Paddock Wood. The A228 Whetsted Road will form the new western settlement boundary of Paddock Wood taking into consideration the strategic growth site STR/SS 1. Therefore, the site will be located less than 500 m from the new settlement boundary of Paddock Wood. The site is therefore in close proximity and can, if required, accommodate biodiversity enhancement to offset potential biodiversity losses as a result of the proposed strategic-scale development at Paddock Wood, or indeed anywhere else within the Borough.

The site is located within the Metropolitan Green Belt and contains areas of Ancient Woodland and Priority Habitats which are protected under proposed policies STR 9 (Green Belt), EN10 (Protection of designated sites and Habitats), and EN13 (Ancient Woodland and Veteran Trees). The safeguarded areas are illustrated on Inset Map 4 of the Plan (Paddock Wood). Proposed policy STR 9 (Green Belt) supports improvements to the environmental quality and accessibility of the Green Belt through developer contributions.

Tarmac hereby seeks to promote the site for biodiversity offsetting in accordance with the emerging Environment Bill and planning policies set out above. Promotion of the site for biodiversity enhancement is considered to support the environmental objectives of the emerging Plan and assist in the sustainable development of strategic growth site STR/SS 1. Off-site biodiversity offsetting is the least favoured mechanism to achieve net gains through development. However, given the proximity of the strategic growth site (STR/SS 1) to our client's land, it is considered that the biodiversity offsetting in this location is supported through proposed policy EN 9 (Biodiversity net gain).

The proposed restoration strategy demonstrates the ability of the site to achieve a high-quality scheme that provides a wide range of habitats to support biodiversity gains. The size of the site provides further opportunities to establish a wide variety of environmental improvements on the wider scale through off-site compensatory measures.

One of the two key locations for sustainable growth within the Plan is proposed in close proximity to the site as an extension to Paddock Wood (Policy STR/SS 1). Development of the site is governed by various environmental parameters including requirement for a Paddock Wood 'Wetland Park', compensatory improvements to the Green Belt and a scheme for the management and funding for green spaces and green infrastructure. Furthermore, proposed policy EN 9 requires all major development to provide mitigation, compensation, and enhancement measures for biodiversity on or adjacent to the development site with off-site proposals considered in exceptional circumstances.

In addition to proposed strategic growth at Paddock Wood, there are a number of consented development sites at Mascalls (476 houses), Church Farm (300 houses) and Residential and Secondary Expansion site (350 houses). Development coming forward on these sites, in combination with the strategic growth sites at Paddock Wood and Tudeley, strengthens the need to provide mitigation, compensation, and enhancement measures for biodiversity on or in close proximity to these development sites.

Our client's land is available, well related to the proposed strategic growth site west of Paddock Wood and extends across a large area of designated Green Belt land where improvements to environmental quality are highly supported through the Plan.

Concluding Remarks

We would welcome consideration by the Council of the potential for our client's land north west of Paddock Wood to be used as a site for potential biodiversity offsetting to enhance biodiversity within the Borough, in line with the contents of the emerging Plan and the approach set out in the Environment Bill. The strategic location of our client's landholding in close proximity to the strategic growth site surrounding Paddock Wood strongly supports use of the site for off-site biodiversity compensation.

We would be delighted to discuss a holistic future development strategy for the site which mutually supports the Council's growth aspirations for Paddock Wood, east Capel, and Tudeley, as well as the environmental gains required through emerging legislation and planning policy.

We would also like to highlight the in-consistency of proposed Policy EN 9 against the NPPF in relation to biodiversity net gain and the potential limitations this places on achieving the required levels of development.

We trust that these representations are of benefit to the Council in refining the emerging Local Plan and its associated evidence base. Should any matters require clarification we would be delighted to assist. Likewise, we look forward to further discussions to explore the timely delivery of compensatory environmental uses at the site.

1 National Habitat Network Maps - User Guidance v.2 (Natural England) May 2020

[TWBC: for full representation with appendices, please see supporting documents]

For office use only

New Site Submission? Enter site address

Stonecastle Farm Quarry Plant Site (site available for biodiversity net gain)

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

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If responder hasn't ticked an option on this box, data inputter to tick 'not stated' box. Not Stated

If you would like to attach a file in support of your comments, please upload it here.

PSLP 1899 & 1905 Heaton Planning for Tarmac Trading Ltd. Representation with Appendices Redacted.pdf

Supporting Information File Ref No: SI_121

Comment

Agent	Georgina Illsley [REDACTED]
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Company / Organisation	Tarmac Trading Ltd.
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Tarmac Trading Ltd. [REDACTED]
Comment ID	PSLP_1905
Response Date	04/06/21 16:55
Consultation Point	Policy EN 9 Biodiversity Net Gain (View)
Status	Processed
Submission Type	Email
Version	0.5
Files	PSLP_1899 & 1905_Heaton Planning for Tarmac Trading Ltd. Representation with Appendices Redacted.pdf
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Tarmac Trading Ltd.
Question 2	
Agent's Name and Organisation (if applicable)	Heaton Planning
Question 3	

To which part of the Local Plan does this representation relate?

Policy

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy EN 9 Biodiversity Net Gain

[TWBC: this representation has been input against Policies STR/SS 1 and EN 9 - please see Comment Numbers PSLP_1899 and PSLP_1905]

Question 4a

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We would also like to comment on the consistency of proposed policy EN 9 against the National Planning Policy Framework (NPPF) in relation to the locational hierarchy for biodiversity net gain.

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The site hereby promoted is shown at Appendix 3.

[TWBC: for appendices, please see supporting documents]

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Policy STR/SS 1 (The strategy for Paddock Wood, including land at east Capel) requires certain environmental enhancements to offset the overall impact of development in that location. These include:

- . Creation of a Paddock Wood 'Wetland Park' to the north of the western parcel to deliver flood water attenuation and new wetland habitat, and allowing for informal recreation via a network of footpaths and boardwalks;
- . For development on land to the west, to provide compensatory improvements to the Green Belt; and
- . Provide a scheme for the management and funding for green spaces and green infrastructure for each parcel of land, for both amenity and biodiversity for the lifetime of the development.

The Plan also introduces a requirement for all development to contribute towards delivering net gains for nature, in accordance with the emerging Environmental Bill. The Environmental Bill will, through various mechanisms, provide a new framework for improving the natural environment. The 'biodiversity gain objective' set out in Part 6 (supporting Schedule 14) is one of these mechanisms, whereby the biodiversity attributable to developments covered by the Town & Country Planning Act (1990) will be required to exceed the pre-development biodiversity value of the 'onsite habitat' by at least 10%, which is defined as the habitat on the land to which the planning permission relates.

Strategic Objective 8 of the Plan seeks to 'conserve and enhance the natural environment' and achieve 'net gains for nature'. Biodiversity compensation will be achieved, if required, through a combination of on-site provision, off-site contribution or through purchasing biodiversity credits. Part 6 (supporting Schedule 14) section 93 sets out the 'Biodiversity gain site register' which will be used by Local Planning Authorities (LPAs) when off-site biodiversity compensation is required. The Government register will set out compensation receptor sites to be used by developers and the LPA to achieve biodiversity net gains through development.

Proposed Policy EN 9 of the Plan (Biodiversity Net Gain) sets out the criteria for development to achieve biodiversity net gain. All major development (10 dwellings plus, 1,000 sqm plus of floorspace, new build, or conversion or outline proposals capable of accommodating either) is required to provide mitigation, compensation, and enhancement measures for biodiversity on or adjacent to the development site.

The National Planning Policy Framework (NPPF) is the overarching planning policy guide for England and provides guidance on the principles required when determining planning applications. Paragraph 175 (a) states that 'if significant harm to biodiversity resulting from a development cannot be avoided..., adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused'.

Sustainable development is achieved by balancing economic, social and environmental objectives (NPPF Para. 8). In order to achieve the levels of housing and economic growth anticipated over the plan period, it is important to ensure that planning policies provide adequate flexibility to ensure that development is achievable. It is preferable to provide biodiversity offsetting in proximity to the development site, however, the overall objective is to achieve a net gain in biodiversity within the LPA.

Part 1 (a) of proposed Policy EN 9 states that the location and type of net gain shall be provided in accordance with 'the supporting text or as otherwise required by supplementary planning guidance'. Paragraph 6.135 of the supporting text to proposed Policy EN 9 states that, for major development, off-site proposals will only be considered in 'exceptional circumstances' and in the interests of biodiversity. We do not consider that the requirement for 'exceptional circumstances' is consistent with the approach at paragraph 175 (a) of the NPPF.

The approved Defra Biodiversity Metric (2019) used to calculate biodiversity net gain has an in-built locational hierarchy whereby if habitat creation, enhancement and accelerated succession is undertaken off-site, an additional spatial risk multiplier is applied. The offsite risk multiplier seeks to ensure that compensation habitat is provided locally to where biodiversity losses occur. Where off-site compensation is local, within the local planning authority area (LPA) or the same National Character Area (NCA), it is considered acceptable and no off-site risk multiplier is applied.

We are supportive of providing compensation habitat locally within the LPA/NCA.

Key Opportunity for Net Gain at Stonecastle Farm

As previously set out, the site comprises ca. 22 Ha and includes an area of Ancient Woodland and National Forest with Priority (Deciduous Woodland) and bare ground surrounding three former silt lagoons. The bare ground at present has low value for biodiversity.

The site falls within an area identified for Network Enhancement (Zone 2) which is defined by Natural England as "land connecting existing patches of primary and associated habitats which is less likely to be suitable for creation of the primary habitat. Action in this zone that improves the biodiversity value through land management changes and/or green infrastructure provision can be targeted here." 1 (emphasis added)

The site is located 500 m north of the village of Whetsted and ca. 1.5 km north west of the existing settlement of Paddock Wood. The A228 Whetsted Road separates the site from the settlement of Paddock Wood. The A228 Whetsted Road will form the new western settlement boundary of Paddock Wood taking into consideration the strategic growth site STR/SS 1. Therefore, the site will be located less than 500 m from the new settlement boundary of Paddock Wood. The site is therefore in close proximity and can, if required, accommodate biodiversity enhancement to offset potential biodiversity losses as a result of the proposed strategic-scale development at Paddock Wood, or indeed anywhere else within the Borough.

The site is located within the Metropolitan Green Belt and contains areas of Ancient Woodland and Priority Habitats which are protected under proposed policies STR 9 (Green Belt), EN10 (Protection of designated sites and Habitats), and EN13 (Ancient Woodland and Veteran Trees). The safeguarded areas are illustrated on Inset Map 4 of the Plan (Paddock Wood). Proposed policy STR 9 (Green Belt) supports improvements to the environmental quality and accessibility of the Green Belt through developer contributions.

Tarmac hereby seeks to promote the site for biodiversity offsetting in accordance with the emerging Environment Bill and planning policies set out above. Promotion of the site for biodiversity enhancement is considered to support the environmental objectives of the emerging Plan and assist in the sustainable development of strategic growth site STR/SS 1. Off-site biodiversity offsetting is the least favoured mechanism to achieve net gains through development. However, given the proximity of the strategic growth site (STR/SS 1) to our client's land, it is considered that the biodiversity offsetting in this location is supported through proposed policy EN 9 (Biodiversity net gain).

The proposed restoration strategy demonstrates the ability of the site to achieve a high-quality scheme that provides a wide range of habitats to support biodiversity gains. The size of the site provides further opportunities to establish a wide variety of environmental improvements on the wider scale through off-site compensatory measures.

One of the two key locations for sustainable growth within the Plan is proposed in close proximity to the site as an extension to Paddock Wood (Policy STR/SS 1). Development of the site is governed by various environmental parameters including requirement for a Paddock Wood 'Wetland Park', compensatory improvements to the Green Belt and a scheme for the management and funding for green spaces and green infrastructure. Furthermore, proposed policy EN 9 requires all major development to provide mitigation, compensation, and enhancement measures for biodiversity on or adjacent to the development site with off-site proposals considered in exceptional circumstances.

In addition to proposed strategic growth at Paddock Wood, there are a number of consented development sites at Mascalls (476 houses), Church Farm (300 houses) and Residential and Secondary Expansion site (350 houses). Development coming forward on these sites, in combination with the strategic growth sites at Paddock Wood and Tudeley, strengthens the need to provide mitigation, compensation, and enhancement measures for biodiversity on or in close proximity to these development sites.

Our client's land is available, well related to the proposed strategic growth site west of Paddock Wood and extends across a large area of designated Green Belt land where improvements to environmental quality are highly supported through the Plan.

Concluding Remarks

We would welcome consideration by the Council of the potential for our client's land north west of Paddock Wood to be used as a site for potential biodiversity offsetting to enhance biodiversity within the Borough, in line with the contents of the emerging Plan and the approach set out in the Environment Bill. The strategic location of our client's landholding in close proximity to the strategic growth site surrounding Paddock Wood strongly supports use of the site for off-site biodiversity compensation.

We would be delighted to discuss a holistic future development strategy for the site which mutually supports the Council's growth aspirations for Paddock Wood, east Capel, and Tudeley, as well as the environmental gains required through emerging legislation and planning policy.

We would also like to highlight the in-consistency of proposed Policy EN 9 against the NPPF in relation to biodiversity net gain and the potential limitations this places on achieving the required levels of development.

We trust that these representations are of benefit to the Council in refining the emerging Local Plan and its associated evidence base. Should any matters require clarification we would be delighted to assist. Likewise, we look forward to further discussions to explore the timely delivery of compensatory environmental uses at the site.

1 National Habitat Network Maps - User Guidance v.2 (Natural England) May 2020

[TWBC: for full representation with appendices, please see supporting documents]

For office use only

New Site Submission? Enter site address

Stonecastle Farm Quarry Plant Site (site available for biodiversity net gain)

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

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If responder hasn't ticked an option on this box, data inputter to tick 'not stated' box.

Not Stated

If you would like to attach a file in support of your comments, please upload it here.

PSLP 1899 & 1905 Heaton Planning for Tarmac Trading Ltd. Representation with Appendices Redacted.pdf

Comment

Consultee	Peter Tate [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] Tonbridge [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Peter Tate [REDACTED]
Comment ID	PSLP_1051
Response Date	02/06/21 21:25
Consultation Point	Policy STR/SS 3 The Strategy for Tudeley Village (View)
Status	Processed
Submission Type	Email
Version	0.3
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Peter Tate
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR/SS 3 The Strategy for Tudeley Village

Paragraph No(s) 5.199 to 5.229

Policies Map (Inset Map No(s)) 31, 32, 33, 34

Question 4

Do you consider that the Local Plan:

Is legally compliant	No
Is sound	No
Complies with the Duty to Cooperate	No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not positively prepared
- . It is not effective
- . It is not justified

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

Legally compliant. Little community involvement, if there was the plan would not go ahead as nobody wants it!

Sustainability: "To meet the needs of the present without compromising the ability of future generations to meet their own needs". This is not true as there will be considerable loss of open country, location dictates car usage which will generate considerable on-going traffic congestion and poorer air quality than currently exists, rail transport overcrowding, inadequate rail car parking at Tonbridge and Paddock Wood, inadequate water treatment facilities and water supply. Development will last for years affecting a large area from lorry movements and congestion, exhaust fumes and noise, This is all apart from the unsustainability of the manufacture of millions of bricks, blocks, roof tiles, thousands of tons of concrete and numerous other building materials.

Sound. Not positively prepared in conjunction with neighbouring authorities. No cross boundary working. Not consistent as it's not sustainable.

No duty of co-operation as little or no consultation with neighbouring authorities.

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan 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 whole site could be re-located elsewhere where there is better transport links e.g. the area around North Farm which is already being developed. It is closer to Tunbridge Wells has easy access to the

A21 has a large choice of shops (and therefore employment) and has local leisure facilities. There is less or no impact on neighbouring authorities therefore less need for cross boundary working.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Question 8

If you have any separate comments you wish to make on the accompanying Sustainability Appraisal, please make them here.

Refer to 5 above.

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Supporting Information File Ref No: SI_99

Comment

Agent	Ryan Johnson [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Turley
Address	[REDACTED] Southampton [REDACTED]
Consultee	[REDACTED]
Company / Organisation	Taylor Wimpey UK Ltd
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Taylor Wimpey UK Ltd [REDACTED]
Comment ID	PSLP_1772
Response Date	04/06/21 09:57
Consultation Point	Pre-Submission Local Plan (View)
Status	Processed
Submission Type	Email
Version	0.7
Files	PSLP_1772-1828 (not inclusive) Turley for Taylor Wimpey SI.pdf
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Taylor Wimpey
Question 2	
Agent's Name and Organisation (if applicable)	Turley
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Pre-Submission Local Plan

[TWBC: this representation has been input against the Pre-Submission Local Plan as a whole, Policies STR 1, STR 7, STR/SS 1, STR/SS 3, STR/CRS 1, AL/CRS 3, PSTR/HO 1, EN 2, EN 9, EN 14 and EN 26– see Comment Numbers PSLP_1772, PSLP_1813, PSLP_1818, PSLP_1819, PSLP_1820, PSLP_1821, PSLP_1823, PSLP_1824, PSLP_1825, PSLP_1826, PSLP_1827, and PSLP_1828. The full representation has been attached as Supporting Information]

Question 4

Do you consider that the Local Plan:

Is legally compliant No

Is sound No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

TUNBRIDGE WELLS PRE-SUBMISSION LOCAL PLAN (REGULATION 19) CONSULTATION LAND WEST OF FRYTHE WAY, CRANBROOK (SHELAA REF: 25)

Thank you for the invitation to comment on the above consultation. We write on behalf of our client, Taylor Wimpey UK Ltd, who control land west of Frythe Way, which abuts the south eastern edge of Cranbrook (SHELAA Site Ref: 25).

We have examined the Pre-submission Local Plan (PSLP) and conclude that as drafted it is neither legally compliant, nor sound. The Council's Sustainability Appraisal (TWBC, 2021) concludes Option 13 (The Pre-Submission Local Plan) to be an 'appropriate strategy'. We are unable to reach the same conclusion, as the SA has not first taken into account 'reasonable' alternative strategies, contrary to paragraph 35 of the NPPF and the corresponding SEA Regulations.

We also conclude that Tunbridge Wells Borough Council's (TWBC) statutory Duty to Cooperate under Section 33A of the 2004 Act has not been discharged. The Council has not in our view demonstrated that there has been active, constructive or on-going engagement with adjoining authorities, including Sevenoaks District Council (SDC), in respect of known unmet housing needs. Nor has an effective strategy been put in place between the authorities to address such needs. The justification drawn from the SA process that TWBC are unable to assist SDC is contested. Distributing such unmet needs solely in line with SA Option 9 (Dispersed Countryside) is not a reasonable alternative in our client's opinion. It serves only to support a pre-determined outcome to select Option 13 (Pre-Submission Local Plan) as the 'appropriate strategy'.

In addition, the site selection process that flows from the SA (TWBC, 2021) and SHELAA (TWBC, 2021) contains notable errors and inconsistencies, which appear to have contributed significantly to the omission of more suitable and sustainable sites in favour of those proposed in the PSLP.

The quantum of growth proposed in the PSLP, and the over reliance placed on two large strategic sites to deliver between 67-69% of newly allocated supply is also questioned. In relation to the first, we contend adjustments are required to the overall housing requirement to both reduce the evident shortfall in affordable homes, and to assist adjoining authorities with known and growing unmet housing needs. We contend this is particularly important given three of the adjoining LPAs have been reported on as failing to discharge their statutory duty to cooperate, with their Local Plan's either withdrawn or delayed as a consequence. In addition, the Secretary of State for Housing, Communities and Local Government has confirmed there are significant unmet and mounting housing needs requiring collaborative action with London within the next five years. All of which highlights how important it is for the emerging TWBC PSLP to be positively prepared.

Turning to the second issues, we outline concerns over the justification for, lead in times and annual yields purported for the two strategic sites. It is our contention that these are unrealistic, and are contrary to leading evidence bases published for sites of this scale. As a consequence, we suggest the quantum of growth envisaged will not come forward as fast or at the rates envisaged, nor will it be delivered within the plan period. We accordingly recommend additional allocations are made to compensate for this shortfall, in sustainable locations that are capable of being delivered in the first five years of the plan period. We outline concerns in relation to TWBC's land supply assumptions in this period to evidence such a need.

We also outline concerns over the quantum of growth directed to certain locations and settlements. We contend these proposals are unlikely to support the climate change objectives set out in Policy ST7 of the PSLP. Our client supports the justification for and benefits of strategic growth at Cranbrook, ranked 2nd in the Settlement Role and Function Study (TWBC, 2021). In this respect, our client's site (Site 25) represents a modest proposal for 70 homes that is well contained by woodland, is partly within the settlement, has good accessibility to the high street and other facilities by foot (far better than some of those chosen for allocation), and no other overriding constraints to development. We set out in detail the factual errors, inconsistencies and missing evidence in our comments on the SA and SHELAA process below, which has thus far led to the omission of this site for allocation.

Our client continues to respectfully purport the justification for and benefits of this site's allocation. This includes the sharing of an emerging vision for the future of this site (See Document A); and confirmation from Kent County Highways there are no overriding highway constraints to the delivery of the site (see Document B). The land required to deliver the proposed development, its accompanying infrastructure and community benefits is in the control of Taylor Wimpey. It is available for development now, can be delivered well within five years and is considered a suitable and logical location to direct some of the future growth needed at Cranbrook. The emerging vision document appended confirms there to be no known overriding constraints to the delivery of these proposals.

Given the nature and detail of our representations, specifically in relation to the plans legal compliance and soundness, we would respectfully request attendance to participate in the examination of the PSLP. In the interim, the following representations are made to assist the Council and Inspector in their examination of the PSLP.

Legal Compliance and Duty to Co-Operate

Sustainability Appraisal (TWBC, February 2021)

Table 12. Updated growth strategy options for the Local Plan considered by this SA.

This table summarises the reasonable alternative options TWBC have tested through the SA process to arrive at, '*an appropriate strategy.....based on proportionate evidence;*' (Paragraph 35, NPPF). Option 11 seeks to assess the implications for accommodating uncapped local housing need and the unmet needs from Sevenoaks District. The latter is acknowledged to be in the order of 1900 homes. However, rather than exploring the most sustainable options to distribute this additional growth, including to the main towns and large villages, TWBC assess a distribution consistent only with Option 9 (Dispersed Countryside). This understandably leads to a more negative consequence, as this leads to growth in less sustainable locations that run contrary to many of the sustainability objectives of the plan. At paragraph 6.2.7 of the SA, TWBC use this conclusion to dismiss this as a reasonable alternative. The same evidence is then used to justify why TWBC are unable to assist meeting acknowledged

unmet needs for housing in the area (see our comments on the Duty to Cooperate Statement below). Our client contends that distributing unmet needs solely in line with Option 9 is not a reasonable alternative. It appears only to support a pre-determined outcome to select Option 13 (Pre-Submission Local Plan) as an 'appropriate strategy'.

We contend the Council ought to have explored distribution options for unmet needs more objectively, including an assessment of the contribution that more sustainable settlements could make to this. For example at Cranbrook, which is ranked second only after Southborough in the Councils 'Settlement Role and Function Study' (TWBC, Feb 2021). The outcome of the SA process therefore cannot be relied upon to conclude Option 13 is an appropriate strategy, as it has not taken '*into account the reasonable alternatives*', contrary to paragraph 35 of NPPF and the corresponding SEA Regulations requiring such alternatives to be 'reasonable'. In its current form therefore the Local Plan is not in our view legally compliant. The SA and Local Plan should be updated to address such matters, with an additional round of consultation held prior to its formal submission.

As we outline in our comments on the Duty to Cooperate Statement (TMBC, 2021), there are additional unmet needs that TWBC arguably ought to have accounted for in the reasonable alternatives, tested through the SA process. For example, in the SHMA the Council commissioned as far back as 2015, GL Hearn advised Sevenoaks and Tunbridge Wells Councils '*to engage with the Greater London Authority and London Boroughs in respect of any unmet needs arising from London.*' (Paragraph 2.72, Sevenoaks & Tunbridge Wells SHMA, GL Hearn, 2015). No mention is made to this in any of the reasonable alternatives tested through the SA process.

As we outline in our comments to Policy STR1, in addition to the unmet needs of adjoining LPAs, there are equally compelling grounds to test higher housing requirements as reasonable alternatives to SA Option 13. Firstly to help address affordable housing needs that are evidently not being met by the proposed PSLP housing requirement; and secondly to build in further contingency into the boroughs housing land supply to ensure a continuous supply of housing is delivered, particularly in the first five years of the plan period. We contend the delivery expectations for the two proposed strategic site allocations, which between them account for between 67-69% of new allocations proposed in the Local Plan, are wholly unrealistic and contrary to the evidence we reference. Additional allocations capable of being delivered within the first five years of the plan period are therefore strongly recommended to ensure the plan is both positively prepared and effective.

We suggest that TWBC revisits the SA process to objectively assess reasonable alternatives to meet such needs, including around more sustainable settlements such as Cranbrook. In this respect, we note at Table 53 of the SA, that SHELAA Ref: 25 is listed as a 'reasonable alternative site' at Cranbrook.

Table 53. List of reasonable alternative sites in Cranbrook and Sissinghurst Parish

If one compares the assessment of Site 25 at SA Appendix J (Page 317) with the assessments of the proposed allocation sites at Table 54 (SA Page 153), it is evident that Site 25 outperforms 4 of the 7 allocations proposed. The commentary provided at Table 54 states that, '*where sites were not allocated but had a better range of scores than the allocated sites, there were frequently reasons outside of the SA remit to consider for example highway problems, access issues or deliverability concerns within the plan period e.g. site 409. (our emphasis)*

Further commentary can be found in Appendix J.'

However, if one examines and compares the individual site assessments in SA Appendix J, the grounds for exclusion of Site 25 in favour of others is even less evident. No mention is made in the summary of Site 25 to any 'highway problems, access issues or deliverability concerns' (our emphasis) that would lead one to conclude that Site 25 is not suitable, or performed worse than those proposed for allocation and listed above. Indeed, as is evident at Figure 14 (Page 152) of the SA, and from site visits, Site 25 is well contained, is partially within the built up area and is well located to reduce the need to travel. Yet, as we elaborate on below, the accompanying SHELAA (TWBC, Jan 2021) has since added references to highway matters to justify the exclusion of this site without citing evidence or grounds to substantiate this.

As we highlight below, there are fundamental flaws and errors in the way TWBC have assessed SHELAA Site 25 as a reasonable alternative against others, particularly those proposed for allocation, through both the SA and SHELAA site selection process. This has led to the unjustified omission of Site 25 in our view. Rather than informing 'an appropriate strategy' for Cranbrook, the site selection process appears instead to have been designed with a pre-determined outcome in mind. This is even

more evident if one examines and compares the published SHELAA for 2019 and 2021, where factual errors, poorly evidenced statements and inconsistent assessments are noted. These are matters we have sought to highlight to TWBC throughout the drafting stages of the Local Plan; and as outlined below, in meetings with TWBC in February 2021.

In February 2021, our client met with Officers to discuss discrepancies and inconsistencies in the SA, SHELAA and site selection process at Cranbrook. Our firm conclusion was that Site 25 had been incorrectly categorised as unsuitable, particularly when assessed consistently with others that the LPA had classified as suitable.

This is particular evident if one compares the assessment of Site 25 at Appendix J of the SA (Feb 2021), with other sites selected as suitable in Table 54 of the SA. Site 25 performs better than 4 of the 7 sites selected. Site 25 represents a modest proposal for 70 homes that is well contained by woodland, is partly within the settlement, has good accessibility to the high street and other facilities by foot (far better than some of those chosen for allocation), and through pre-application engagement Kent County Council Highways have confirmed there to be no overriding highway access or capacity constraints to development (see Documents A and B). This is also supported by a Stage 1 Road Safety Audit undertaken by our client in respect of the proposed access. We therefore expressed surprise over why the Council had concluded Site 25 to be unsuitable. Moreover, why such a suitable and sustainable site had been overlooked in favour of less favourable options.

Officers confirmed in the meeting in February that they were in the process of updating the SHELAA (2019) prior to publication and would correct inconsistencies where necessary. One fundamental error Officers acknowledged needed updating, was the assertion the site did not have deliverable access via Frythe Way.

The comments we provided to the LPA in our email of 25th February (Document C) can be summarised as follows:

SHELAA (2019) – Site 25 Assessment Comments (By Sub-Header)

Potential Yield: The Council's assessment should be for 70 units, rather than the 85 units shown, as confirmed to Officers through site submissions to date.

Issues to consider:

Landscape Sensitivity Study (CR1):

The 'Landscape Sensitivity Assessment of additional settlements in Tunbridge Wells (LUC, 2018)' [LSS] included Site 25 within sub-area CR1 for assessment. This parcel as a whole was considered to comprise moderate – high sensitivity to small development scenarios; but importantly concluded at page 122 that the 'open field adjacent to Frythe Way is relatively well contained by tree cover and so has a more moderate level of sensitivity to development that is modest enough in scale to avoid appearing above tree lines.' (Our emphasis).

It is evident from comparing the LSS parcel assessments (p.119-153) that Parcel CR1, specifically the part comprising Site 25, was concluded to be less sensitive to development than most of the other parcels proposed for allocation. No evidence is provided by TWBC to demonstrate why, despite performing better than others, Site 25 should therefore be concluded to be unsuitable on landscape grounds.

Our client referenced their representations to the Regulation 18 consultation plan, which included our own landscape submission and a vision document for the site (see Documents A and D). These concluded there was a strong case for development, and supported a conclusion of suitability for such a modest well screened and urban influenced site.

Heritage – Cumulative impact on setting of Conservation area in context of other 20th/21st century development – further loss of rural setting:

Unlike many of the proposed allocation sites, which abut or are in close proximity to the Conservation Area, Site 25 is well screened and well beyond the area likely to impact on the setting of the Conservation Area. Also on a point of consistency, the 'cumulative impact' comment raised for Site 25, had not been raised in the SHELAA assessments for sites within the zone of influence of the Conservation Area (such as sites 396 and 430). This did not therefore in our view justify a conclusion that Site 25 was unsuitable.

Highway matters:

In the meeting of 25th February, Officers acknowledged that the properties in Frythe Way formed part of Site 25, and that an appropriate means of access could be achieved in principle. Our client also shared correspondence of a meeting with Kent County Council Highways (see Document B), confirming there were no overriding highway constraints to the sites delivery in principle. The site is close to and has good footpath access to Cranbrook High Street, significantly reducing the need to use the car for some journeys. Our client therefore reasonably expected this to be accounted for in the revisions to the SHELAA, including a revised conclusion of site suitability.

Sustainability Assessment:

The SA concluded the site scored largely neutral, with some benefit to housing, and negatively on land use and landscape impact informed by the loss of a greenfield site in the AONB, which lies adjacent to an historic settlement and route ways. In light of the fact Site 25 scores better in landscape terms than most of the sites proposed for allocation, which are more peripheral in sustainability terms, and within the zone of influence of the Conservation Area, it is difficult to understand why this comment hasn't been added to any of the other sites proposed for allocation. It highlights an inconsistency of approach to assessment first and foremost.

Reason:

It is important to note that the reasons the LPA cite for unsuitability are limited to two grounds. Firstly, landscape concerns, which we address and contend are unjustified and inconsistent with conclusions reached with more landscape sensitive sites in the SA.

Secondly, the Council conclude there is '*concern about the ability to provide an appropriate means of vehicular access to the site, which is likely to require access through adjacent site*' (our emphasis). This was a factual error conceded by Officers, as the site did have an appropriate means of access to Frythe Way.

Accordingly, our client reasonably expected to see the SHELAA (2019) updated with a revised conclusion of the site being suitable. This being a fair and consistent approach to assessment with other sites the LPA had concluded to be suitable.

SHELAA (Jan 2021)

On release of the final SHELAA (Jan 2021) our client was surprised to see the suitability conclusion for Site 25 had not been revised. Instead, Officers had revised and added alternative and additional reasons to support the original conclusion reached.

In the SHELAA (2019) Officers concluded the site did not have an appropriate means of vehicular access, which our clients had shown to be factually incorrect. Rather than omitting this, Officers have instead changed the wording to now add in that this is from '*the wider road network*', referencing impacts from increased traffic movements on junctions from the site into the centre of Cranbrook. No evidence has been presented to substantiate this in the transport assessments accompanying the plan, or elsewhere we can find. Neither does it align with the advice of Kent County Council Highways in their response to such matters (see Document B).

Importantly, this traffic impact comment has not been added to proposed allocation CRS4, which arguably has the potential for greater traffic impacts on the same set of junctions. It is unclear therefore why the Council have retrospectively sought to update their conclusion by adding yet further grounds against suitability, other than to avoid altering the conclusion reached to date on this site. Our client is keen to elaborate on the inconsistent approach the Council have taken to such site assessment and SA matters at the Examination into the subsequently submitted version of this plan.

In conclusion, we contend the SA as drafted is not legally compliant, as it does not allow one to conclude the Local Plan strategy is an appropriate one, having been based on objective assessments of reasonable alternatives. This includes reasonable alternatives to the quantum of growth proposed (including unmet needs from adjoining LPAs) and to those sites proposed around Cranbrook. We would recommend the SA is updated to include 'reasonable' alternatives, with amendments made to the plan following a further round of consultation. In this respect, we note at Table 53 of the SA, our client's site (SHELAA Ref: 25) is listed as a 'reasonable alternative site' at Cranbrook. We would respectfully request this site is reassessed and allocated as a logical, modest and suitable allocation for around 70 homes, located a short walk from the heart of Cranbrook. This will assist in meeting local needs for housing, including affordable housing, and contribute to the contingency we contend is

needed to ensure a continuous supply of land for housing is delivered, particularly in the first five years of the plan period (see comments in relation to Policy STR1).

Duty-to-Cooperate Statement (TWBC, 2021)

Paragraph 60 of NPPF confirms that, *'In addition to the local housing need figure, any needs that cannot be met within neighbouring areas should also be taken into account in establishing the amount of housing to be planned for.'*

'Figure 1: Local housing market area (from SHMA)' of the Housing Needs Assessment Topic Paper (Paragraph 2.36, TWBC, February 2021) is based on the travel to work area data for Tunbridge Wells within the SHMA (GL Hearn, 2015). This illustrates a strong functional and travel to work relationship with London. As a consequence, GL Hearn advised Sevenoaks and Tunbridge Wells Councils as far back as 2015 *'to engage with the Greater London Authority and London Boroughs in respect of any unmet needs arising from London.'* (Paragraph 2.72, Sevenoaks & Tunbridge Wells SHMA, GL Hearn, 2015). Yet, at Section 4 of the Duty to Co-operate Statement (TWBC, 2021) no mention is made of efforts to understand what such unmet needs may be, or the implications this may have for adjoining LPAs and TWBC over the plan period. This context we argue is key to understanding the extent of pressure adjoining authorities are likely to face over the plan period to assist in meeting such needs.

The Secretary of State for Housing, Communities and Local Government is on record saying there is a significant level of unmet housing need across London that needs to be addressed. The Panel examining the London Plan recommended the overall requirement for many boroughs be reduced to a capacity led figure to account for deliverability over the requisite 10 year period. Whilst initially interceding, the SoS has allowed the Mayor to progress the London Plan to adoption as an interim or transitional action. In his letter to the Mayor of London dated 29 January 2021, the SoS stated that following publication of the Local Plan, *'I fully expect you to start working to dramatically increase the capital's housing delivery and to start considering how your next London Plan can bridge the significant gap between the housing it seeks to deliver and the actual acute housing need London faces. I would again ask you to work closely with those authorities that surround London to develop a strategy to help alleviate the housing pressure that is faced both inside and immediately outside the capital.'* (our emphasis)

The revised standard method for calculating housing need, published by the government in December 2020, confirmed the housing requirements for the London Boroughs. Prior to the publication of Tunbridge Wells Local Plan Regulation 19 Consultation therefore, it seems likely there was an awareness of a growing likelihood of such significant unmet needs across this area; something that has been well documented in the SoS Directions on the London Plan over the last 12 months. In the context of NPPF Paragraph 35 requirement to ensure plans are positively prepared, we therefore find it surprising the Council has not sought with its neighbours to better understand the implications for emerging Local Plans. The London Plan requirement has now been confirmed as an interim figure for the next five years only, and will rise significantly thereafter as a consequence. This will occur within the first five years of the TWBC Local Plan period, which emphasises the importance of preparing a positive plan to face into such issues proactively.

TWBC note at paragraph 4.18 Duty to Co-operate Statement (TWBC, 2021) that SDC have made a formal request for assistance, to help meet a shortfall of 1900 homes. As has been well rehearsed in the recent Inspector's Reports into the Local Plans for both Tonbridge & Malling and Sevenoaks Councils, an identified shortfall of various magnitudes has been known about since at least 2018. At Paragraph 4.19 of the Duty to Cooperate Statement (TWBC, 2021), TWBC outline steps they have taken to conclude they are unable to assist SDC. This can be summarised into two broad points. Firstly, that TWBC have tested options through the SA process to accommodate 1900 additional homes and found this to be unsustainable. Secondly, that SDC may be able to meet more of this unmet need themselves.

Turning to the first point. As we set out in our comments to the SA itself, rather than assessing a reasonable alternative option to distribute this additional growth in a sustainable manner, including to the main towns and large villages, TWBC assess a distribution consistent only with SA Option 9 (Dispersed Countryside). This understandably leads to a more negative consequence, as this leads to growth in less sustainable locations that run contrary to many of the sustainability objectives of the plan. At paragraph 6.2.7 of the SA, TWBC use this conclusion to dismiss this option. The same evidence is then used to justify why TWBC are unable to assist meeting acknowledged unmet needs for housing in the area. Our client contends distributing unmet needs solely in line with Option 9 is not a reasonable

alternative. It appears only to support a pre-determined outcome to select Option 13 (Pre-Submission Local Plan) as the 'appropriate strategy'.

We contend the Council ought to have explored distribution options for unmet needs more objectively, including an assessment of the contribution more sustainable settlements could make to this. For example at Cranbrook, which is ranked second only after Southborough in the Councils 'Settlement Role and Function Study' (TWBC, Feb 2021). The outcome of the SA process therefore cannot be relied upon to conclude Option 13 is an appropriate strategy, as it has not taken '*into account the reasonable alternatives*', contrary to paragraph 35 of NPPF and the corresponding SEA Regulations requiring such alternatives to be 'reasonable'. Similarly, therefore, nor can the conclusion deduced from it that TWBC cannot assist SDC be relied upon. In its current form therefore the Local Plan is not in our view legally compliant in SA or Duty to Cooperate terms, as it has failed to test reasonable alternatives, and is not the product of constructive and ongoing engagement with SDC on options to assist meeting some or all of these needs.

Turning to the second point. It is clear that Sevenoaks district, arguably even more than TWBC, faces significant influence and housing need pressures from the London Boroughs. In the context of the scale of unmet needs evident in London, it is highly likely that SDC will be called upon themselves to explore even higher housing requirements to assist. The pressures on this area are not therefore likely to reduce, but are increasing, requiring adjoining authorities to work together to positively prepare emerging plans that face into such matters within the next five years.

The London Borough of Bexley (LBB), abutting the northern edge of Sevenoaks is just one example. Their draft Regulation 18 Local Plan in February 2019 noted they were planning for a target of 446 homes pa for 10 years. This has risen to 685pa in the confirmed London Plan, and will rise to 2404pa within the next five years once the transitional period ends. This is four times what is currently planned, and almost double the annual SHLAA capacity figure (1245pa) confirmed by Bexley in the London SHLAA (GLA, 2017) for the same 10 year period. Notably, many other London boroughs are also seeing significant rises. In light of this evidence, it is clear that Bexley and other London Boroughs will almost certainly need assistance to address such needs with neighbours in overlapping housing market areas. Indeed, it is notable that representatives of this London Borough were present in stated Duty-to-Cooperate meetings between TWBC and SDC (21 April 2019 entry at Appendix B6 of the Duty to Cooperate Statement (TWBC, 2021), yet no strategy or outcome is stated in relation to such matters.

It is also important to examine the context emerging with the adjoining authorities. In March 2020 Sevenoaks DC received the Inspectors Report into their submitted Local Plan. The Inspector concluded the Council had not discharged its statutory duty to cooperate and that the plan was not consequently legally compliant. SDC have been unsuccessful in challenging that decision, so the delivery of much needed homes for households in acute need will be delayed yet further.

In 2020, Wealden District Council also withdrew its emerging Local Plan following the Inspectors concerns the Council had not discharged its statutory duty to cooperate with adjoining authorities over unmet needs amongst other matters.

In March 2021, Tonbridge and Malling BC received a letter from the Planning Inspector also confirming the authority had not discharged its statutory duty to cooperate with adjoining authorities over unmet needs amongst other matters. TMBC requested the Inspectors issue their final report before confirming next steps, but since that request, SDC have received confirmation their own challenge had failed. We therefore wait to hear whether TMBC follow the same path, but either way, the plans housing strategy will be delayed.

As a consequence, three of the adjoining authorities are delayed in their plan preparation and housing delivery strategies; and the SoS has confirmed there are significant unmet and mounting housing needs requiring collaborative action in London within the next five years. All of which highlights how important it is for the emerging TWBC Local Plan to be as positively prepared as possible.

As we outline, the SA process and the nature of the authority's engagement with adjoining authorities is insufficient in our view to satisfy these statutory requirements. The strategic context highlighted above serves to illustrate just how important it is for TWBC to positively prepare their plan to assist adjoining authorities, particularly over the next five years, pending the removal of the transitional arrangements for the London Plan. As we set out, the justification for not assisting SDC with their unmet needs is not based on an assessment of 'reasonable alternatives' through the SA process. In light of this and the above context, we have significant concerns with TWBC claim they have a legally compliant Local Plan.

We would urge the Council to revisit the quantum of growth proposed and tested through the SA process, and put in place strategies to address this and unmet needs through the duty to co-operate. As we outline in our comments to Policy STR1 below, we contend there are strong grounds to suggest further growth is justified to ensure the plan is positively prepared and effective for the plan period envisaged. As a consequence, we would urge the Council to go further in quantifying what needs in the area are, and importantly devise the strategies needed to address these.

This should assist in ensuring the emerging plan does not meet the same fate as the plans recently examined for both Sevenoaks, Wealden and Tonbridge and Malling Councils, all of which about TWBC. The housing requirement should accordingly be adjusted and tested through the SA process to account for this and other factors we outline in respect of Policy STR1 below.

We trust these comments are useful and duly noted. We would welcome the opportunity to elaborate on such matters at the forthcoming Examination into the subsequently submitted version of this Plan.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . Yes, I wish to participate in hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box: Yes, I wish to be notified of future stages of the Local Plan

Supporting Information File Ref No: SI_99

Comment

Agent	Ryan Johnson [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Turley
Address	[REDACTED] Southampton [REDACTED]
Consultee	[REDACTED]
Company / Organisation	Taylor Wimpey UK Ltd
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Taylor Wimpey UK Ltd [REDACTED]
Comment ID	PSLP_1813
Response Date	04/06/21 09:57
Consultation Point	Policy STR 1 The Development Strategy (View)
Status	Processed
Submission Type	Email
Version	0.6
Files	PSLP_1772-1828 (not inclusive) Turley for Taylor Wimpey SI.pdf
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Taylor Wimpey
Question 2	
Agent's Name and Organisation (if applicable)	Turley
Question 3	
To which part of the Local Plan does this representation relate?	Policy

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR 1 The Development Strategy

[TWBC: this representation has been input against the Pre-Submission Local Plan as a whole, Policies STR 1, STR 7, STR/SS 1, STR/SS 3, STR/CRS 1, AL/CRS 3, PSTR/HO 1, EN 2, EN 9, EN 14 and EN 26– see Comment Numbers PSLP_1772, PSLP_1813, PSLP_1818, PSLP_1819, PSLP_1820, PSLP_1821, PSLP_1823, PSLP_1824, PSLP_1825, PSLP_1826, PSLP_1827, and PSLP_1828. The full representation has been attached as Supporting Information]

Question 4

Do you consider that the Local Plan:

Is legally compliant No

Is sound No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

TUNBRIDGE WELLS PRE-SUBMISSION LOCAL PLAN (REGULATION 19) CONSULTATION LAND WEST OF FRYTHE WAY, CRANBROOK (SHELAA REF: 25)

Thank you for the invitation to comment on the above consultation. We write on behalf of our client, Taylor Wimpey UK Ltd, who control land west of Frythe Way, which abuts the south eastern edge of Cranbrook (SHELAA Site Ref: 25).

We have examined the Pre-submission Local Plan (PSLP) and conclude that as drafted it is neither legally compliant, nor sound. The Council's Sustainability Appraisal (TWBC, 2021) concludes Option 13 (The Pre-Submission Local Plan) to be an 'appropriate strategy'. We are unable to reach the same conclusion, as the SA has not first taken into account 'reasonable' alternative strategies, contrary to paragraph 35 of the NPPF and the corresponding SEA Regulations.

We also conclude that Tunbridge Wells Borough Council's (TWBC) statutory Duty to Cooperate under Section 33A of the 2004 Act has not been discharged. The Council has not in our view demonstrated that there has been active, constructive or on-going engagement with adjoining authorities, including Sevenoaks District Council (SDC), in respect of known unmet housing needs. Nor has an effective strategy been put in place between the authorities to address such needs. The justification drawn from the SA process that TWBC are unable to assist SDC is contested. Distributing such unmet needs solely in line with SA Option 9 (Dispersed Countryside) is not a reasonable alternative in our client's

opinion. It serves only to support a pre-determined outcome to select Option 13 (Pre-Submission Local Plan) as the 'appropriate strategy'.

In addition, the site selection process that flows from the SA (TWBC, 2021) and SHELAA (TWBC, 2021) contains notable errors and inconsistencies, which appear to have contributed significantly to the omission of more suitable and sustainable sites in favour of those proposed in the PSLP.

The quantum of growth proposed in the PSLP, and the over reliance placed on two large strategic sites to deliver between 67-69% of newly allocated supply is also questioned. In relation to the first, we contend adjustments are required to the overall housing requirement to both reduce the evident shortfall in affordable homes, and to assist adjoining authorities with known and growing unmet housing needs. We contend this is particularly important given three of the adjoining LPAs have been reported on as failing to discharge their statutory duty to cooperate, with their Local Plan's either withdrawn or delayed as a consequence. In addition, the Secretary of State for Housing, Communities and Local Government has confirmed there are significant unmet and mounting housing needs requiring collaborative action with London within the next five years. All of which highlights how important it is for the emerging TWBC PSLP to be positively prepared.

Turning to the second issues, we outline concerns over the justification for, lead in times and annual yields purported for the two strategic sites. It is our contention that these are unrealistic, and are contrary to leading evidence bases published for sites of this scale. As a consequence, we suggest the quantum of growth envisaged will not come forward as fast or at the rates envisaged, nor will it be delivered within the plan period. We accordingly recommend additional allocations are made to compensate for this shortfall, in sustainable locations that are capable of being delivered in the first five years of the plan period. We outline concerns in relation to TWBC's land supply assumptions in this period to evidence such a need.

We also outline concerns over the quantum of growth directed to certain locations and settlements. We contend these proposals are unlikely to support the climate change objectives set out in Policy ST7 of the PSLP. Our client supports the justification for and benefits of strategic growth at Cranbrook, ranked 2nd in the Settlement Role and Function Study (TWBC, 2021). In this respect, our client's site (Site 25) represents a modest proposal for 70 homes that is well contained by woodland, is partly within the settlement, has good accessibility to the high street and other facilities by foot (far better than some of those chosen for allocation), and no other overriding constraints to development. We set out in detail the factual errors, inconsistencies and missing evidence in our comments on the SA and SHELAA process below, which has thus far led to the omission of this site for allocation.

Our client continues to respectfully purport the justification for and benefits of this site's allocation. This includes the sharing of an emerging vision for the future of this site (See Document A); and confirmation from Kent County Highways there are no overriding highway constraints to the delivery of the site (see Document B). The land required to deliver the proposed development, its accompanying infrastructure and community benefits is in the control of Taylor Wimpey. It is available for development now, can be delivered well within five years and is considered a suitable and logical location to direct some of the future growth needed at Cranbrook. The emerging vision document appended confirms there to be no known overriding constraints to the delivery of these proposals.

Given the nature and detail of our representations, specifically in relation to the plans legal compliance and soundness, we would respectfully request attendance to participate in the examination of the PSLP. In the interim, the following representations are made to assist the Council and Inspector in their examination of the PSLP.

Soundness

STR1 – The Development Strategy

Housing Requirement

National guidance [Paragraph: 010 Reference ID: 2a-010-20201216 (NPPG, 2020)] confirms that:

'The standard method for assessing local housing need provides a minimum starting point in determining the number of homes needed in an area. It does not attempt to predict the impact that future government policies, changing economic circumstances or other factors might have on demographic behaviour. Therefore, there will be circumstances where it is appropriate to consider whether actual housing need is higher than the standard method indicates. (Our emphasis).

The same guidance confirms that such 'factors' could include, 'but are not limited to', various situations.

Unmet Needs from Adjoining Authorities

PPG confirms one such factor is where an authority agrees to assist an adjoining authority with their unmet housing needs. This flows from the NPPF Paragraph 35 requirement to ensure plans are '*Positively Prepared*'.

For brevity we refer to our previous comments in relation to legal compliance and Duty to Cooperate matters. Whilst TWBC acknowledge their neighbours request to assist with the unmet needs of Sevenoaks district (1900 homes), insufficient evidence is provided to justify why TWBC cannot assist in any way.

Table 12 of the SA (TWBC, February 2021) summarises the reasonable alternative options TWBC have tested through the SA process to arrive at, '*an appropriate strategy.....based on proportionate evidence*;' (Paragraph 35, NPPF). Option 11 seeks to assess the implications for accommodating uncapped need and the unmet needs from Sevenoaks District. The latter is acknowledged to be in the order of 1900 homes. However, rather than exploring the most sustainable options to distribute this additional growth, including to the main towns and large villages, TWBC assess a distribution consistent only with Option 9 (Dispersed Countryside). This understandably leads to a more negative consequence, as this leads to growth in less sustainable locations that run contrary to many of the sustainability objectives of the plan.

At paragraph 6.2.7 of the SA, TWBC use this conclusion to dismiss this option. The same evidence is then used to justify why TWBC are unable to assist meeting acknowledged unmet needs for housing in the area. Our client contends distributing unmet needs solely in line with Option 9 is not a reasonable alternative. It appears only to support a pre-determined outcome to select Option 13 (Pre-Submission Local Plan) as the '*appropriate strategy*'.

We contend the Council ought to have explored distribution options for unmet needs more objectively, including an assessment of the contribution more sustainable settlements could make to this. For example at Cranbrook, which is ranked second only after Southborough in the Councils '*Settlement Role and Function Study*' (TWBC, Feb 2021). The outcome of the SA process therefore cannot be relied upon to conclude Option 13 is an appropriate strategy, as it has not taken '*into account the reasonable alternatives*', contrary to paragraph 35 of NPPF and the corresponding SEA Regulations requiring such alternatives to be '*reasonable*'. In its current form therefore the Local Plan is not in our view legally compliant or positively prepared. The SA and Local Plan should be updated to address such matters, with an additional round of consultation held prior to its formal submission.

In addition, TWBC will be aware of the significant unmet needs arising from the London Plan. A strategy for which the Secretary of State for Housing, Communities and Local Government has requested be agreed with adjoining authorities as a matter of urgency, and within the next five year transition period. This merits further consideration in our opinion to accord with paragraph 60 of the NPPF, as no mention is made of such needs in the Duty to Cooperate Statement (TWBC, 2021). At the very least this serves to highlight the importance of testing sufficiently robust reasonable alternative housing requirements.

Further justification for such an approach is evident if one examines the context emerging with the adjoining authorities. In March 2020, Sevenoaks DC received the Inspectors Report into their submitted Local Plan. The Inspector concluded the Council had not discharged its statutory duty to cooperate and that the plan was not consequently Legally Compliant. SDC have been unsuccessful in challenging that decision, so the delivery of much needed homes for households in acute need will be delayed yet further.

In 2020, Wealden District Council also withdrew its emerging Local Plan following the Inspectors concerns the Council had not discharged its statutory duty to cooperate with adjoining authorities over unmet needs amongst other matters.

In March 2021, Tonbridge and Malling BC received a letter from the Planning Inspector also confirming the plan as submitted had not discharged its statutory duty to cooperate with adjoining authorities over unmet needs amongst other matters. TMBC requested the Inspectors issue their final report before confirming next steps, but since that request, SDC have received confirmation their own challenge had failed. We therefore wait to hear whether TMBC follow the same path, but either way, the plans housing strategy will be delayed.

As a consequence, three of the adjoining authorities are delayed in their plan preparation and housing delivery strategies; and the SoS has confirmed there are significant unmet and mounting housing needs requiring collaborative action in London within the next five years. As we elaborate on below,

affordable housing need and affordability ratios continue to rise. The aforementioned delays to adjoining LPA plan production do nothing to assist those unable to gain access to housing, serving to highlight how important it is for the emerging TWBC Local Plan to be 'positively prepared' (Paragraph 35 NPPF). Further evidence should be commissioned to test a 'reasonable alternative' option to contribute to meeting unmet needs, ensuring the plan is positively prepared and effective over the plan period, particularly in the first five years.

Housing Need

Paragraph 4.12 of the 'Review of Local Housing Needs' (Iceni, Dec 2020) recommends, in line with PPG paragraph 2a-007-20190220, that TWBC test the uncapped housing need figure of 741pa through the SA process. As we outline in our comments on adjustments for unmet needs above, TWBC sought to assess this local need figure and the unmet needs of SDC in a single alternative option (Option 11), rather than disaggregate them. TWBC then sought to distribute this need to the rural areas consistent only with Option 9 (Dispersed Countryside). This understandably led to a more negative consequence, as this leads to growth in less sustainable locations that run contrary to many of the sustainability objectives of the plan.

At paragraph 6.2.7 of the SA, TWBC use this conclusion to dismiss both elements. Our client contends distributing such needs solely in line with Option 9 is not a reasonable alternative. It appears only to support a predetermined outcome to select Option 13 (Pre-Submission Local Plan) as the 'appropriate strategy'. Indeed, given the recommendations of Iceni in their report, it would have been reasonable to see the uncapped option tested in its own right, as the local need figure, and another option adding in unmet needs from adjoining LPAs. The TWBC approach does not therefore support a conclusion the plan is 'positively prepared'.

Moving on to adjustments required for *affordable housing need*. Paragraph 3.18 of the 'Housing Needs Assessment Topic Paper' (TWBC, 2021) confirms that some 323 affordable homes per annum are likely to be needed over the plan period. Table 9 of the 'Housing Supply and Trajectory Topic Paper' (TWBC, Feb 2021) confirms total projected housing completions of 13,257 over the plan period. Table 10 of this paper also confirms that crudely applying the Policy H3 thresholds of the TWBC PSLP to this figure, the Council are likely to fall well short of this requirement (224pa). Net additions from sites 6-9 units within the AoNB under this policy are not listed, but seem unlikely by their nature to contribute significantly to addressing this deficit. For avoidance of doubt the Council should therefore confirm the number of units anticipated from this source.

Paragraph 2.18 of the TWBC PSLP confirms, *'that in 2019, entry level house prices were approximately 12 times the (workplace based) earnings of households in the borough, representing around a 38% increase since 2009, from around eight times the earnings.'* (Our emphasis).

In addition, at paragraph 4.17 of the 'Review of affordable housing needs in the context of 'First Homes'' (jg consulting, Feb 2021) the consultant concludes:

'It does seem that there are many households in Tunbridge Wells who are being excluded from the owner-occupied sector. This can be seen by analysis of tenure change, which saw the number of households living in private rented accommodation increasing by 76% from 2001 to 2011 (with the likelihood that there have been further increases since). Over the same period, the number of owners with a mortgage dropped by 7%.' (Our emphasis).

The underlined sections serve to highlight the acute affordability issues in the borough, which seem likely to continue to worsen under a policy approach that seeks to undershoot need by some margin. It is unclear why therefore TWBC have not sought to adjust their housing requirement to help meet more of such needs. For all the above reasons, we feel there are strong grounds to make an upward adjustment to the baselinerequirement to improve the delivery and affordability of homes across the area. As drafted, the housing requirement is neither justified, effective nor positively prepared.

Housing Land Supply, Distribution and Delivery

National guidance [Paragraph: 010 Reference ID: 2a-010-20201216 (NPPG, 2020)] goes on to state, that the housing requirement *'....will need to be assessed prior to, and separate from, considering how much of the overall need can be accommodated (and then translated into a housing requirement figure for the strategic policies in the plan).'*

As outlined in the preceding sections, we are concerned that the housing requirement deduced as the base for the Local Plan has not been positively prepared, or informed by a robust SA process that

aligns with the SEA Regulations. Taking this our as position, we have nevertheless sought to examine the housing land supply and spatial distribution of homes proposed in the PSLP.

As set out in Policy STR1 and Table 9 of the Housing Supply and Trajectory Topic Paper (TWBC, 2021), the Council are seeking to deliver around 67- 69% of total new site allocations at Tudeley Village and Paddock Wood (inc. East Capel). This places a significant onus on two sites to deliver the bulk of the boroughs housing needs for the next 15 years. As a result, one would expect to see a high degree of contingency built into the plans housing supply and trajectory assumptions to ensure a continuous five year supply of land for housing is maintained.

On closer examination, we contend that the lead in times for delivery of both sites, and the expected annual yield from Paddock Wood (inc. East Capel) are overly optimistic and insufficiently justified by evidence. Paragraph 4.6 of the Housing Supply and Trajectory Topic Paper (TWBC, 2021) references an evidence source as '*Start to Finish: How Quickly do Large-Scale Housing Sites Deliver?*' (Lichfields, 2016). This report was updated in 2020, and is now entitled '*Start to Finish What factors affect the build-out rates of large scale housing sites? SECOND EDITION*' (Lichfields, 2020).

Table 9 of the Housing Supply and Trajectory Topic Paper (TWBC, 2021) assumes that the Paddock Wood (inc. East Capel) site will have commenced development within three years of anticipated adoption of the PSLP, and will deliver 300 homes in its first year of production in year four. As the latest referenced Lichfield Report concludes in its summary 'Key Figures', sites over 2000 homes are more likely on average to take 8.4 years from a valid planning application to the first dwelling being completed on site.

Given the PSLP development strategy relies so heavily on the delivery of these two strategic sites (67-69% of total allocations) in one particular geography of the borough (north west), it is essential in our view the Council take a realistic, if not cautious approach to such lead in times. We therefore request TWBC provide further information on the lead-in times for planning applications for this site, as this is not evident from paragraph 5.29 of the Housing Supply and Trajectory Topic Paper (TWBC, 2021). This rate is just short of double the rate evidenced in the latest Lichfields Report (160pa). TWBC have sought to justify the 300pa figure by taking an average of just 14 national case studies over 2000 units listed in Annex AX26 of the older Letwin Review (2018). This is not only an excessively small sample, it includes sites of a scale five times that of Paddock Wood, with a far greater number of outlets and wholly within the London HMA. The more recent Lichfields study we argue is a more comprehensive and up to date study, and is more reasonable as a basis to deduce such national baselines. TWBC have not presented evidence of comparable sites either locally or regionally to support such a significant departure. Given these two sites make up nearly 70% of proposed allocations relied upon for the entire plan period, we suggest this is a significant omission. Both the lead in time and delivery rates assumed therefore appear overly optimistic. These are not justified and are unlikely to be effective in delivering the proposed development strategy.

As a consequence, it seems likely a sizeable proportion of the two strategic sites will need to be delivered beyond the current plan period. Additional allocations should accordingly be made to compensate for this, with an opportunity to balance growth in the eastern parts of the borough in the process. Our clients site (Site 25) is respectfully recommended as a suitable opportunity to contribute to reducing this shortfall, one that is wholly deliverable in the first five years of the plan period.

Further clarification is also sought over the overall capacity of the Paddock Wood option. Paragraph 7.14- 7.16 of the Strategic Sites Topic Paper (TWBC, 2021) suggests '*discussions with the Environment Agency remain ongoing*' with respect to the sites capacity. As a result, the same paragraphs suggest an option for 2840 homes has been tested through the Councils viability assessments. At this level, the Council's viability consultants Dixon Searle raised potential issues with delivering the proposed 40% plan requirement for affordable housing. This needs clarification and assurance. If there is any doubt over this, additional suitable and readily deliverable allocations should be made to compensate for this. In this respect, our clients site (Site 25) at Cranbrook we contend should be allocated to contribute to this. This is suitable and wholly deliverable within the first five years of the plan period.

In respect of Tudeley Village, whilst we have no particular issue with the annual delivery rate, we have the same concerns on lead in time for this site. Particularly as this is a new garden village, as opposed to an urban extension, where significant new infrastructure will be critical to phasing and delivery. This includes, amongst many other items, on and off-line improvements to the A228 around Colts Hill, and the provision of a new highway which bypasses Five Oak Green. We elaborate further on this in our

comments to Policy STR/SS3, with specific reference to the Lichfield report '*Start to Finish What factors affect the build-out rates of large scale housing sites? SECOND EDITION*' (Lichfields, 2020).

It is evident from this, that the lead in time proposed for Tudeley Village in Table 9 of the Housing Supply and Trajectory Topic Paper (TWBC, 2021) is therefore unjustified and likely to lead in an ineffective development strategy.

In addition, very little if any evidence is presented on the implications for absorption rates for two strategic sites of this scale so close together. As Table 9 of the Housing Supply and Trajectory Topic Paper illustrates, both sites are envisaged to be up to full production within the fourth year post anticipated adopted. A significant amount of infrastructure disruption is likely given the scale of the projects and their proximity to each other. Existing local housing market delivery, coupled with two large strategic sites being delivered at the same time will inevitably influence market absorption rates. Further work is advised on this given how critical the delivery path and rates for these two sites are to the Council's Development Strategy.

Given the proportion of supply these two strategic sites contribute to total housing land supply, it is essential delivery rates are realistic and justified by evidence. It is equally important that sufficient contingency is built into the housing land supply to account for slower delivery rates and yields, particularly in the first five years of the plan period.

The Council's latest five year housing land supply statement was published in September 2020, with a base date of 1st April 2020. This confirmed TWBC could only demonstrate a 4.83 years supply. Delivery rates for the three previous years in question were at or about 500pa. Indeed, Figure 1 of the Housing Supply and Trajectory Topic Paper (paragraph 4.12) illustrates completion levels over the last 20 years have never exceeded 575pa. Whilst we agree and accept future completion levels will rise with the allocation of two large strategic sites, which have multiple outlets, these will take time to come on line. We fear that this will take much longer than the Council anticipate, as outlined above. It therefore seems a significant leap of faith to expect such significant step changes in supply in the first phase of the plan period. As is evident at Figure 3 (page 33) of the Housing Supply and Trajectory Topic Paper, TWBC envisage a significant step change rising to 932 pa even before the Local Plan's anticipated adoption. We are not the only ones to question the justification for this.

The Council's own consultants Icenl concluded similarly in December 2020 when commenting on the proposed housing trajectory in their 'Review of Local Housing Needs' (Icenl, Dec 2020).

At paragraph 7.35, the consultant concludes that the:

'particularly high completions envisaged in Year 2 look to be potentially overly optimistic, particularly given the wider economic backdrop which could arise,...'

At paragraph 7.37 of the same report, the consultant comments:

'The particular question which arises is whether the very high delivery rates in Years 1-5 can be achieved given the potential for housing market conditions to weaken in the short-term as unemployment rises as a result of the Covid-19 pandemic and Government support, such as through the Stamp Duty holiday, finishes. It is important to make a distinction here between potentially "deliverable supply" in terms of what could be delivered, which is influenced by planning, and what the market may in fact achieve, which is influenced by wider market conditions.

We share concerns with the delivery rates proposed being overly optimistic, particularly in advance of adoption of the Local Plan and bringing on stream the strategic sites.

Conclusion

In light of the evidence cited above, we contend the housing requirement requires an upward adjustment to account for more of the areas local needs, and to reduce the shortfall in affordable housing provision. This is particularly important when three of the adjoining LPAs have had their emerging plans found to be legally non-compliant, and have been withdrawn or delayed as a consequence.

There is equally evidence to suggest an upward adjustment is required to account for known and mounting unmet housing needs in the relevant functional housing market areas for TWBC. As we outline, the evidence presented in the SA to conclude no contribution could be made is in our view flawed, and based on an unreasonable alternative option destined to fail.

In housing land supply terms, we have shown the Council's housing land supply trajectory to be overly optimistic both in the critical first five years of the plan, and with respect to the lead in and delivery

rates for the two strategic site options that make up 67-69% of total new allocations proposed within the plan period. We contend this is likely to result in the delivery of these sites beyond the plan period, and there is a consequential need to allocate additional sites to compensate for this within the plan period.

We have also asked a question of the capacity of the Paddock Wood strategic site, to deduce if the Environment Agency require reduced net developable areas to address flooding issues. If so, any deficit should be compensated for by new allocations. Our client's site at Cranbrook (Site 25) is put forward as a suitable site to contribute to addressing some of this deficit, a site that is wholly deliverable within the first five years of the plan.

The Council provide a contingency of 8.6% in their land supply assumptions (inc. windfall) over the 15 year plan period. TWBC anticipate the cumulative completion of 13257 homes, versus a current target of 12204 homes (Table 9 of Housing Supply and Trajectory Topic Paper, TWBC, 2021). This buffer obviously reduces if, as we contend, the baseline housing requirement rises and/ or a proportion of the strategic sites delivery extends beyond the plan period. We would urge the Council and / or Inspector to accordingly increase this buffer, through the allocation of additional deliverable sites in sustainable locations, thereby ensuring the Development Strategy is positively prepared, effective and justified. In its current form, we contend the Development Strategy is unable to satisfy any of these tests.

We trust these comments are useful and duly noted. We would welcome the opportunity to elaborate on such matters at the forthcoming Examination into the subsequently submitted version of this Plan.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

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Supporting Information File Ref No: SI_99

Comment

Agent	Ryan Johnson ([REDACTED])
Email Address	[REDACTED]
Company / Organisation	Turley
Address	[REDACTED] Southampton [REDACTED]
Consultee	([REDACTED])
Company / Organisation	Taylor Wimpey UK Ltd
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Taylor Wimpey UK Ltd ([REDACTED])
Comment ID	PSLP_1818
Response Date	04/06/21 09:57
Consultation Point	Policy STR 7 Climate Change (View)
Status	Processed
Submission Type	Email
Version	0.5
Files	PSLP_1772-1828 (not inclusive)_Turley for Taylor Wimpey_SI.pdf
Data inputter to enter their initials here	AT
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Respondent's Name and/or Organisation	Taylor Wimpey
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Question 3	
To which part of the Local Plan does this representation relate?	Policy

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR 7 Climate Change

[TWBC: this representation has been input against the Pre-Submission Local Plan as a whole, Policies STR 1, STR 7, STR/SS 1, STR/SS 3, STR/CRS 1, AL/CRS 3, PSTR/HO 1, EN 2, EN 9, EN 14 and EN 26– see Comment Numbers PSLP_1772, PSLP_1813, PSLP_1818, PSLP_1819, PSLP_1820, PSLP_1821, PSLP_1823, PSLP_1824, PSLP_1825, PSLP_1826, PSLP_1827, and PSLP_1828. The full representation has been attached as Supporting Information]

Question 4

Do you consider that the Local Plan:

Is legally compliant No

Is sound No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

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TUNBRIDGE WELLS PRE-SUBMISSION LOCAL PLAN (REGULATION 19) CONSULTATION LAND WEST OF FRYTHE WAY, CRANBROOK (SHELAA REF: 25)

Thank you for the invitation to comment on the above consultation. We write on behalf of our client, Taylor Wimpey UK Ltd, who control land west of Frythe Way, which abuts the south eastern edge of Cranbrook (SHELAA Site Ref: 25).

We have examined the Pre-submission Local Plan (PSLP) and conclude that as drafted it is neither legally compliant, nor sound. The Council's Sustainability Appraisal (TWBC, 2021) concludes Option 13 (The Pre-Submission Local Plan) to be an 'appropriate strategy'. We are unable to reach the same conclusion, as the SA has not first taken into account 'reasonable' alternative strategies, contrary to paragraph 35 of the NPPF and the corresponding SEA Regulations.

We also conclude that Tunbridge Wells Borough Council's (TWBC) statutory Duty to Cooperate under Section 33A of the 2004 Act has not been discharged. The Council has not in our view demonstrated that there has been active, constructive or on-going engagement with adjoining authorities, including Sevenoaks District Council (SDC), in respect of known unmet housing needs. Nor has an effective strategy been put in place between the authorities to address such needs. The justification drawn from the SA process that TWBC are unable to assist SDC is contested. Distributing such unmet needs solely in line with SA Option 9 (Dispersed Countryside) is not a reasonable alternative in our client's

opinion. It serves only to support a pre-determined outcome to select Option 13 (Pre-Submission Local Plan) as the 'appropriate strategy'.

In addition, the site selection process that flows from the SA (TWBC, 2021) and SHELAA (TWBC, 2021) contains notable errors and inconsistencies, which appear to have contributed significantly to the omission of more suitable and sustainable sites in favour of those proposed in the PSLP.

The quantum of growth proposed in the PSLP, and the over reliance placed on two large strategic sites to deliver between 67-69% of newly allocated supply is also questioned. In relation to the first, we contend adjustments are required to the overall housing requirement to both reduce the evident shortfall in affordable homes, and to assist adjoining authorities with known and growing unmet housing needs. We contend this is particularly important given three of the adjoining LPAs have been reported on as failing to discharge their statutory duty to cooperate, with their Local Plan's either withdrawn or delayed as a consequence. In addition, the Secretary of State for Housing, Communities and Local Government has confirmed there are significant unmet and mounting housing needs requiring collaborative action with London within the next five years. All of which highlights how important it is for the emerging TWBC PSLP to be positively prepared.

Turning to the second issues, we outline concerns over the justification for, lead in times and annual yields purported for the two strategic sites. It is our contention that these are unrealistic, and are contrary to leading evidence bases published for sites of this scale. As a consequence, we suggest the quantum of growth envisaged will not come forward as fast or at the rates envisaged, nor will it be delivered within the plan period. We accordingly recommend additional allocations are made to compensate for this shortfall, in sustainable locations that are capable of being delivered in the first five years of the plan period. We outline concerns in relation to TWBC's land supply assumptions in this period to evidence such a need.

We also outline concerns over the quantum of growth directed to certain locations and settlements. We contend these proposals are unlikely to support the climate change objectives set out in Policy ST7 of the PSLP. Our client supports the justification for and benefits of strategic growth at Cranbrook, ranked 2nd in the Settlement Role and Function Study (TWBC, 2021). In this respect, our client's site (Site 25) represents a modest proposal for 70 homes that is well contained by woodland, is partly within the settlement, has good accessibility to the high street and other facilities by foot (far better than some of those chosen for allocation), and no other overriding constraints to development. We set out in detail the factual errors, inconsistencies and missing evidence in our comments on the SA and SHELAA process below, which has thus far led to the omission of this site for allocation.

Our client continues to respectfully purport the justification for and benefits of this site's allocation. This includes the sharing of an emerging vision for the future of this site (See Document A); and confirmation from Kent County Highways there are no overriding highway constraints to the delivery of the site (see Document B). The land required to deliver the proposed development, its accompanying infrastructure and community benefits is in the control of Taylor Wimpey. It is available for development now, can be delivered well within five years and is considered a suitable and logical location to direct some of the future growth needed at Cranbrook. The emerging vision document appended confirms there to be no known overriding constraints to the delivery of these proposals.

Given the nature and detail of our representations, specifically in relation to the plans legal compliance and soundness, we would respectfully request attendance to participate in the examination of the PSLP. In the interim, the following representations are made to assist the Council and Inspector in their examination of the PSLP.

Soundness

STR 7 – Climate Change

1. Effective Spatial Planning

Tudeley Village

The proposed garden village of Tudeley is of insufficient scale to be self - sustainable, and will as a consequence rely heavily on Paddock Wood, Tonbridge and other locations. The absence of a rail station as part of the proposal is a significant negative for a location such as this, and will inevitably increase the need to travel by car. Reliance in this respect is placed on the delivery of significant strategic road infrastructure / junction improvements to service this alongside the strategic site proposed at Paddock Wood. It is not clear therefore how this serves to reduce the need to travel by car, a key

sustainability and climate change objective under this policy. The strategic site policy STR/SS3 therefore contradicts Policy STR 7, as this is not effective spatial planning in our view. As a consequence we would question the justification for Policy STR/SS3 as an effective policy that aligns with STR 7 and the Council's stated climate change emergency plans.

Alternative distributions without STR/SS3 should be explored again to deduce the contribution more sustainable settlements, such as Cranbrook, could make to redress the deficit and provide a more balanced spatial strategy west to east.

Horsmonden

Table 5 of the Settlement Role and Function Study (TWBC, 2021) confirms this settlement ranks 12th out of 21 settlements assessed to deduce their sustainability and appropriateness to accommodate further growth. This is in recognition of the fact it is a small rural settlement with very few local services and facilities. Yet the level of growth (320 homes) proposed to this rural settlement rivals that proposed at Cranbrook (429 homes), which is ranked second only after Southborough. The level of growth proposed at Horsmonden is therefore out of kilter with the conclusions of the TWBC study. The paucity of local services and facilities is therefore likely to increase the need to travel by car, leading to unsustainable travel patterns that run contrary to Policy STR 7. We would suggest growth at this settlement is reduced to address local needs only, commensurate with local services and facilities.

Any deficit should be directed to more sustainable settlements, such as Cranbrook. Growth at the latter was reduced from the Regulation 18 document to the Regulation 19 publication. Mainly by omitting proposed allocations that TWBC subsequently agreed were more peripheral and contrary to the sustainability objectives of the plan. However, there are sites adjacent to the centre of Cranbrook, such as our clients site (Site 25) that could make a modest contribution (circa 70 units) to meeting such needs, in a more sustainable manner. The growth proposed at present to Horsmonden is not in our view effective or consistent with Policy STR 7.

We trust these comments are useful and duly noted. We would welcome the opportunity to elaborate on such matters at the forthcoming Examination into the subsequently submitted version of this Plan.

Question 7

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Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Taylor Wimpey UK Ltd [REDACTED]
Comment ID	PSLP_1819
Response Date	04/06/21 09:57
Consultation Point	Policy STR/SS 1 The Strategy for Paddock Wood, including land at east Capel (View)
Status	Processed
Submission Type	Email
Version	0.5
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Question 3a

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Question 4

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Is sound

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Soundness

STR/ SS1 – Strategy for Paddock Wood, including land at east Capel

For the avoidance of repetition, we refer to our comments / objections to Policy STR1 in relation to the overly optimistic capacity, lead in time and delivery rates assumed for this site. We contend the application of more realistic rates will likely result in the delivery of these sites beyond the plan period, and a consequential need to allocate additional sites to compensate for this within the plan period. In this respect, we purport the benefits and modest contribution our clients site (Site 25) can make to assist in addressing such deficits.

We trust these comments are useful and duly noted. We would welcome the opportunity to elaborate on such matters at the forthcoming Examination into the subsequently submitted version of this Plan.

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Question 3a

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Policy STR/SS 3 The Strategy for Tudeley Village

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Question 4a

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strategy been put in place between the authorities to address such needs. The justification drawn from the SA process that TWBC are unable to assist SDC is contested. Distributing such unmet needs solely in line with SA Option 9 (Dispersed Countryside) is not a reasonable alternative in our client's opinion. It serves only to support a pre-determined outcome to select Option 13 (Pre-Submission Local Plan) as the 'appropriate strategy'.

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Given the nature and detail of our representations, specifically in relation to the plans legal compliance and soundness, we would respectfully request attendance to participate in the examination of the PSLP. In the interim, the following representations are made to assist the Council and Inspector in their examination of the PSLP.

Soundness

STR/SS3 – Strategy for Tudeley Village

For the avoidance of repetition, see our comments / objections to Policy STR1 and STR 7 in relation to the capacity, lead in time and delivery rates assumed for this site; and conflicts with the plans climate change objectives. We suggest there is a consequential need to allocate additional sites in place of, or in addition to this, to compensate for deficits within the plan period. In this respect, we purport the benefits and modest contribution our clients site (Site 25) can make to assist in addressing such deficits.

We trust these comments are useful and duly noted. We would welcome the opportunity to elaborate on such matters at the forthcoming Examination into the subsequently submitted version of this Plan.

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Question 3	

To which part of the Local Plan does this representation relate?

Policy

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR/CRS 1 The Strategy for Cranbrook and Sissinghurst parish

[TWBC: this representation has been input against the Pre-Submission Local Plan as a whole, Policies STR 1, STR 7, STR/SS 1, STR/SS 3, STR/CRS 1, AL/CRS 3, PSTR/HO 1, EN 2, EN 9, EN 14 and EN 26– see Comment Numbers PSLP_1772, PSLP_1813, PSLP_1818, PSLP_1819, PSLP_1820, PSLP_1821, PSLP_1823, PSLP_1824, PSLP_1825, PSLP_1826, PSLP_1827, and PSLP_1828. The full representation has been attached as Supporting Information]

Question 4

Do you consider that the Local Plan:

Is legally compliant

No

Is sound

No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

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TUNBRIDGE WELLS PRE-SUBMISSION LOCAL PLAN (REGULATION 19) CONSULTATION LAND WEST OF FRYTHE WAY, CRANBROOK (SHELAA REF: 25)

Thank you for the invitation to comment on the above consultation. We write on behalf of our client, Taylor Wimpey UK Ltd, who control land west of Frythe Way, which abuts the south eastern edge of Cranbrook (SHELAA Site Ref: 25).

We have examined the Pre-submission Local Plan (PSLP) and conclude that as drafted it is neither legally compliant, nor sound. The Council's Sustainability Appraisal (TWBC, 2021) concludes Option 13 (The Pre-Submission Local Plan) to be an 'appropriate strategy'. We are unable to reach the same conclusion, as the SA has not first taken into account 'reasonable' alternative strategies, contrary to paragraph 35 of the NPPF and the corresponding SEA Regulations.

We also conclude that Tunbridge Wells Borough Council's (TWBC) statutory Duty to Cooperate under Section 33A of the 2004 Act has not been discharged. The Council has not in our view demonstrated that there has been active, constructive or on-going engagement with adjoining authorities, including Sevenoaks District Council (SDC), in respect of known unmet housing needs. Nor has an effective

strategy been put in place between the authorities to address such needs. The justification drawn from the SA process that TWBC are unable to assist SDC is contested. Distributing such unmet needs solely in line with SA Option 9 (Dispersed Countryside) is not a reasonable alternative in our client's opinion. It serves only to support a pre-determined outcome to select Option 13 (Pre-Submission Local Plan) as the 'appropriate strategy'.

In addition, the site selection process that flows from the SA (TWBC, 2021) and SHELAA (TWBC, 2021) contains notable errors and inconsistencies, which appear to have contributed significantly to the omission of more suitable and sustainable sites in favour of those proposed in the PSLP.

The quantum of growth proposed in the PSLP, and the over reliance placed on two large strategic sites to deliver between 67-69% of newly allocated supply is also questioned. In relation to the first, we contend adjustments are required to the overall housing requirement to both reduce the evident shortfall in affordable homes, and to assist adjoining authorities with known and growing unmet housing needs. We contend this is particularly important given three of the adjoining LPAs have been reported on as failing to discharge their statutory duty to cooperate, with their Local Plan's either withdrawn or delayed as a consequence. In addition, the Secretary of State for Housing, Communities and Local Government has confirmed there are significant unmet and mounting housing needs requiring collaborative action with London within the next five years. All of which highlights how important it is for the emerging TWBC PSLP to be positively prepared.

Turning to the second issues, we outline concerns over the justification for, lead in times and annual yields purported for the two strategic sites. It is our contention that these are unrealistic, and are contrary to leading evidence bases published for sites of this scale. As a consequence, we suggest the quantum of growth envisaged will not come forward as fast or at the rates envisaged, nor will it be delivered within the plan period. We accordingly recommend additional allocations are made to compensate for this shortfall, in sustainable locations that are capable of being delivered in the first five years of the plan period. We outline concerns in relation to TWBC's land supply assumptions in this period to evidence such a need.

We also outline concerns over the quantum of growth directed to certain locations and settlements. We contend these proposals are unlikely to support the climate change objectives set out in Policy ST7 of the PSLP. Our client supports the justification for and benefits of strategic growth at Cranbrook, ranked 2nd in the Settlement Role and Function Study (TWBC, 2021). In this respect, our client's site (Site 25) represents a modest proposal for 70 homes that is well contained by woodland, is partly within the settlement, has good accessibility to the high street and other facilities by foot (far better than some of those chosen for allocation), and no other overriding constraints to development. We set out in detail the factual errors, inconsistencies and missing evidence in our comments on the SA and SHELAA process below, which has thus far led to the omission of this site for allocation.

Our client continues to respectfully purport the justification for and benefits of this site's allocation. This includes the sharing of an emerging vision for the future of this site (See Document A); and confirmation from Kent County Highways there are no overriding highway constraints to the delivery of the site (see Document B). The land required to deliver the proposed development, its accompanying infrastructure and community benefits is in the control of Taylor Wimpey. It is available for development now, can be delivered well within five years and is considered a suitable and logical location to direct some of the future growth needed at Cranbrook. The emerging vision document appended confirms there to be no known overriding constraints to the delivery of these proposals.

Given the nature and detail of our representations, specifically in relation to the plans legal compliance and soundness, we would respectfully request attendance to participate in the examination of the PSLP. In the interim, the following representations are made to assist the Council and Inspector in their examination of the PSLP.

Soundness

STR/CRS1 – The Strategy for Cranbrook and Sissinghurst Parish

The population of Cranbrook is rapidly ageing. Since 2011, the number of residents aged 50 plus has increased by 14% while other cohorts have reduced by 10% [ONS (2019) Population estimates for small areas, Cranbrook - Cranbrook BUASD]. In parallel, average house prices in Cranbrook having risen at a faster rate (39%) than the wider borough (32%) over the five years (2013-2018). The average price paid for housing in Cranbrook in 2018 for example was the highest in at least a decade [Turley analysis of Land Registry price paid data, based on postcodes in built-up area of Cranbrook].

A failure to retain and replenish the younger population could therefore threaten the long-term vitality of the settlement if such trends continue. Cranbrook has an important role and function in the eastern parts of the borough, which is reflected in its ranking (2nd) in Table 5 of the Settlement Role and Function Study (TWBC, 2021). The importance and role this settlement plays for those who live and work in the eastern parts of the borough will arguably grow, given 67-69% of new allocations in the PSLP are proposed to the west of the borough around Paddock Wood/Tudeley.

As we highlight in our comments to Policy STR1, there is an acute shortage of affordable housing and affordability issues across the borough that will not be addressed in the PSLP as drafted. The level of growth directed to Cranbrook has been reduced from that consulted on at Regulation 18 stage, to this Regulation 19 stage. Largely through the omission of proposed allocations that were conceded to be more peripheral and contrary to the sustainability objectives of the plan. However, there are sites, such as our clients (Site 25), that could have made a modest contribution to compensate for this loss. This site is well screened, and in a far more suitable and sustainable location. One that is partly within the existing urban area, and within a short walk of the High Street.

Whilst our client therefore continues to support the need for and benefits of additional growth at Cranbrook (see our comments on Legal Compliance and Policy ST1), they contend the Sustainability Appraisal (2021) and SHELAA (2021) that informed Policy STR/CRS1 contains fundamental site assessment errors and inconsistencies, which appear to have contributed significantly to the omission of SHELAA Site Ref: 25 in favour of less sustainable and peripheral sites around this settlement. The policy has not therefore been informed by reasonable alternatives, but a pre-determined outcome to exclude an otherwise suitable and highly sustainable site. For avoidance of repetition, we refer to our detailed objections on this matter in relation to the PSLP Sustainability Appraisal (2021) above.

This site should be allocated to make a modest contribution to addressing the deficits we suggest are likely at borough level within the plan period, and particularly in the first five years of this period (see our comments in relation to Policy STR 1).

Our clients site (Site 25) comprises a logical, suitable, sustainable and integrated extension to Cranbrook. This comprises a relatively modest development (around 70 homes) that respects the character and context of its location (see Document A); and importantly is readily deliverable within the first five years of the plan period. Our client therefore respectfully requests that TWBC re-assesses the benefits of allocating this modest site in liaison with the examining Inspector.

We trust these comments are useful and duly noted. We would welcome the opportunity to elaborate on such matters at the forthcoming Examination into the subsequently submitted version of this Plan.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . Yes, I wish to participate in hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box: Yes, I wish to be notified of future stages of the Local Plan

Supporting Information File Ref No: SI_99

Comment

Agent	Ryan Johnson [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Turley
Address	[REDACTED] Southampton [REDACTED]
Consultee	[REDACTED]
Company / Organisation	Taylor Wimpey UK Ltd
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Taylor Wimpey UK Ltd [REDACTED]
Comment ID	PSLP_1823
Response Date	04/06/21 09:57
Consultation Point	Policy AL/CRS 3 Turnden Farm, Hartley Road, Cranbrook (View)
Status	Processed
Submission Type	Email
Version	0.7
Files	PSLP_1772-1828 (not inclusive)_Turley for Taylor Wimpey_SI.pdf
Data inputter to enter their initials here	AT
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Question 2	
Agent's Name and Organisation (if applicable)	Turley
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Policy

Question 3a

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Policy AL/CRS 3 Turnden Farm, Hartley Road, Cranbrook

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Is sound

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Question 4a

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TUNBRIDGEWELLS PRE-SUBMISSION LOCAL PLAN (REGULATION 19) CONSULTATION LAND WEST OF FRYTHE WAY, CRANBROOK (SHELAA REF: 25)

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In addition, the site selection process that flows from the SA (TWBC, 2021) and SHELAA (TWBC, 2021) contains notable errors and inconsistencies, which appear to have contributed significantly to the omission of more suitable and sustainable sites in favour of those proposed in the PSLP.

The quantum of growth proposed in the PSLP, and the over reliance placed on two large strategic sites to deliver between 67-69% of newly allocated supply is also questioned. In relation to the first, we contend adjustments are required to the overall housing requirement to both reduce the evident shortfall in affordable homes, and to assist adjoining authorities with known and growing unmet housing needs. We contend this is particularly important given three of the adjoining LPAs have been reported on as failing to discharge their statutory duty to cooperate, with their Local Plan's either withdrawn or delayed as a consequence. In addition, the Secretary of State for Housing, Communities and Local Government has confirmed there are significant unmet and mounting housing needs requiring collaborative action with London within the next five years. All of which highlights how important it is for the emerging TWBC PSLP to be positively prepared.

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Given the nature and detail of our representations, specifically in relation to the plans legal compliance and soundness, we would respectfully request attendance to participate in the examination of the PSLP. In the interim, the following representations are made to assist the Council and Inspector in their examination of the PSLP.

Soundness

AL/CRS3 – Turnden Farm, Hartley Road (SHELAA Reference: Site 430)

The development of Site CRS3 would continue built form substantially south west of Cranbrook and the existing adopted allocation to the immediate north east of the site. The cumulative impact of both these sites would be the substantial sprawl of Cranbrook south westwards away from its core, eroding the sense of separation and separate identities of Cranbrook and Hartley. Development in the eastern part of the site would also be highly visible from the public footpath to the south, which currently experiences open rural views across this area.

We respectfully recommend the benefits of allocating Site 25 be reassessed, as a suitable, logical and sustainable site for around 70 homes, either in addition to CRS3 or in place of part of this (noting some is already now consented for 36 units). We contend that Site CRS3 is not justified for allocation at the expense of Site 25, which scores more favourably in the SA process as a reasonable alternative site. For avoidance of repetition, see our comments in relation to Legal Compliance matters above.

We trust these comments are useful and duly noted. We would welcome the opportunity to elaborate on such matters at the forthcoming Examination into the subsequently submitted version of this Plan.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

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Supporting Information File Ref No: SI_99

Comment

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Company / Organisation	Turley
Address	[REDACTED] Southampton [REDACTED]
Consultee	[REDACTED]
Company / Organisation	Taylor Wimpey UK Ltd
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Taylor Wimpey UK Ltd [REDACTED]
Comment ID	PSLP_1824
Response Date	04/06/21 09:57
Consultation Point	Policy PSTR/HO 1 The Strategy for Horsmonden parish (View)
Status	Processed
Submission Type	Email
Version	0.5
Files	PSLP_1772-1828 (not inclusive)_Turley for Taylor Wimpey_SI.pdf
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Taylor Wimpey
Question 2	
Agent's Name and Organisation (if applicable)	Turley
Question 3	

To which part of the Local Plan does this representation relate?

Policy

Question 3a

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Policy PSTR/HO 1 The Strategy for Horsmonden parish

[TWBC: this representation has been input against the Pre-Submission Local Plan as a whole, Policies STR 1, STR 7, STR/SS 1, STR/SS 3, STR/CRS 1, AL/CRS 3, PSTR/HO 1, EN 2, EN 9, EN 14 and EN 26– see Comment Numbers PSLP_1772, PSLP_1813, PSLP_1818, PSLP_1819, PSLP_1820, PSLP_1821, PSLP_1823, PSLP_1824, PSLP_1825, PSLP_1826, PSLP_1827, and PSLP_1828. The full representation has been attached as Supporting Information]

Question 4

Do you consider that the Local Plan:

Is legally compliant

No

Is sound

No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

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Question 5

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TUNBRIDGEWELLS PRE-SUBMISSION LOCAL PLAN (REGULATION 19) CONSULTATION LAND WEST OF FRYTHE WAY, CRANBROOK (SHELAA REF: 25)

Thank you for the invitation to comment on the above consultation. We write on behalf of our client, Taylor Wimpey UK Ltd, who control land west of Frythe Way, which abuts the south eastern edge of Cranbrook (SHELAA Site Ref: 25).

We have examined the Pre-submission Local Plan (PSLP) and conclude that as drafted it is neither legally compliant, nor sound. The Council's Sustainability Appraisal (TWBC, 2021) concludes Option 13 (The Pre-Submission Local Plan) to be an 'appropriate strategy'. We are unable to reach the same conclusion, as the SA has not first taken into account 'reasonable' alternative strategies, contrary to paragraph 35 of the NPPF and the corresponding SEA Regulations.

We also conclude that Tunbridge Wells Borough Council's (TWBC) statutory Duty to Cooperate under Section 33A of the 2004 Act has not been discharged. The Council has not in our view demonstrated that there has been active, constructive or on-going engagement with adjoining authorities, including Sevenoaks District Council (SDC), in respect of known unmet housing needs. Nor has an effective

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Soundness

PSTR/HO1 – Strategy for Horsmonden Parish

For avoidance of repetition, see our comments on Policy STR7. The quantum of growth proposed at this village is not commensurate with its sustainability rank in Table 5 of the Settlement Role and Function Study (TWBC, 2021). Growth should be reduced to that which is commensurate with the village's sustainability, assisting the Council in fostering more sustainable travel patterns and adherence to Policy STR7. The deficit should be directed to more sustainable settlements, such as Cranbrook.

We trust these comments are useful and duly noted. We would welcome the opportunity to elaborate on such matters at the forthcoming Examination into the subsequently submitted version of this Plan.

Question 7

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Comment ID	PSLP_1825
Response Date	04/06/21 09:57
Consultation Point	Policy EN 2 Sustainable Design Standards (View)
Status	Processed
Submission Type	Email
Version	0.5
Files	PSLP_1772-1828 (not inclusive)_Turley for Taylor Wimpey_SI.pdf
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Question 3	
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Question 3a

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Policy EN 2 Sustainable Design Standards

[TWBC: this representation has been input against the Pre-Submission Local Plan as a whole, Policies STR 1, STR 7, STR/SS 1, STR/SS 3, STR/CRS 1, AL/CRS 3, PSTR/HO 1, EN 2, EN 9, EN 14 and EN 26– see Comment Numbers PSLP_1772, PSLP_1813, PSLP_1818, PSLP_1819, PSLP_1820, PSLP_1821, PSLP_1823, PSLP_1824, PSLP_1825, PSLP_1826, PSLP_1827, and PSLP_1828. The full representation has been attached as Supporting Information]

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In addition, the site selection process that flows from the SA (TWBC, 2021) and SHELAA (TWBC, 2021) contains notable errors and inconsistencies, which appear to have contributed significantly to the omission of more suitable and sustainable sites in favour of those proposed in the PSLP.

The quantum of growth proposed in the PSLP, and the over reliance placed on two large strategic sites to deliver between 67-69% of newly allocated supply is also questioned. In relation to the first, we contend adjustments are required to the overall housing requirement to both reduce the evident shortfall in affordable homes, and to assist adjoining authorities with known and growing unmet housing needs. We contend this is particularly important given three of the adjoining LPAs have been reported on as failing to discharge their statutory duty to cooperate, with their Local Plan's either withdrawn or delayed as a consequence. In addition, the Secretary of State for Housing, Communities and Local Government has confirmed there are significant unmet and mounting housing needs requiring collaborative action with London within the next five years. All of which highlights how important it is for the emerging TWBC PSLP to be positively prepared.

Turning to the second issues, we outline concerns over the justification for, lead in times and annual yields purported for the two strategic sites. It is our contention that these are unrealistic, and are contrary to leading evidence bases published for sites of this scale. As a consequence, we suggest the quantum of growth envisaged will not come forward as fast or at the rates envisaged, nor will it be delivered within the plan period. We accordingly recommend additional allocations are made to compensate for this shortfall, in sustainable locations that are capable of being delivered in the first five years of the plan period. We outline concerns in relation to TWBC's land supply assumptions in this period to evidence such a need.

We also outline concerns over the quantum of growth directed to certain locations and settlements. We contend these proposals are unlikely to support the climate change objectives set out in Policy ST7 of the PSLP. Our client supports the justification for and benefits of strategic growth at Cranbrook, ranked 2nd in the Settlement Role and Function Study (TWBC, 2021). In this respect, our client's site (Site 25) represents a modest proposal for 70 homes that is well contained by woodland, is partly within the settlement, has good accessibility to the high street and other facilities by foot (far better than some of those chosen for allocation), and no other overriding constraints to development. We set out in detail the factual errors, inconsistencies and missing evidence in our comments on the SA and SHELAA process below, which has thus far led to the omission of this site for allocation.

Our client continues to respectfully purport the justification for and benefits of this site's allocation. This includes the sharing of an emerging vision for the future of this site (See Document A); and confirmation from Kent County Highways there are no overriding highway constraints to the delivery of the site (see Document B). The land required to deliver the proposed development, its accompanying infrastructure and community benefits is in the control of Taylor Wimpey. It is available for development now, can be delivered well within five years and is considered a suitable and logical location to direct some of the future growth needed at Cranbrook. The emerging vision document appended confirms there to be no known overriding constraints to the delivery of these proposals.

Given the nature and detail of our representations, specifically in relation to the plans legal compliance and soundness, we would respectfully request attendance to participate in the examination of the PSLP. In the interim, the following representations are made to assist the Council and Inspector in their examination of the PSLP.

Soundness

EN2 – Sustainable Design Standards

As the requirements for residential developments are yet to be finalised in national policy, it is not clear the extent to which this requirement has been accounted for in whole plan viability assessments, or the SA process as a whole. To ensure the policy is effective for the plan period, we would recommend this requirement be removed and references national guidance only. This will ensure the policy does not need amending when the national guidance confirms such requirements.

We trust these comments are useful and duly noted. We would welcome the opportunity to elaborate on such matters at the forthcoming Examination into the subsequently submitted version of this Plan.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

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Supporting Information File Ref No: SI_99

Comment

Agent	Ryan Johnson [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Turley
Address	[REDACTED] Southampton [REDACTED]
Consultee	[REDACTED]
Company / Organisation	Taylor Wimpey UK Ltd
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Taylor Wimpey UK Ltd [REDACTED]
Comment ID	PSLP_1826
Response Date	04/06/21 09:57
Consultation Point	Policy EN 9 Biodiversity Net Gain (View)
Status	Processed
Submission Type	Email
Version	0.7
Files	<u>PSLP_1772-1828 (not inclusive) Turley for Taylor Wimpey SI.pdf</u>
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Taylor Wimpey
Question 2	
Agent's Name and Organisation (if applicable)	Turley
Question 3	
To which part of the Local Plan does this representation relate?	Policy

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy EN 9 Biodiversity Net Gain

[TWBC: this representation has been input against the Pre-Submission Local Plan as a whole, Policies STR 1, STR 7, STR/SS 1, STR/SS 3, STR/CRS 1, AL/CRS 3, PSTR/HO 1, EN 2, EN 9, EN 14 and EN 26– see Comment Numbers PSLP_1772, PSLP_1813, PSLP_1818, PSLP_1819, PSLP_1820, PSLP_1821, PSLP_1823, PSLP_1824, PSLP_1825, PSLP_1826, PSLP_1827, and PSLP_1828. The full representation has been attached as Supporting Information]

Question 4

Do you consider that the Local Plan:

Is legally compliant No

Is sound No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

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TUNBRIDGE WELLS PRE-SUBMISSION LOCAL PLAN (REGULATION 19) CONSULTATION LAND WEST OF FRYTHE WAY, CRANBROOK (SHELAA REF: 25)

Thank you for the invitation to comment on the above consultation. We write on behalf of our client, Taylor Wimpey UK Ltd, who control land west of Frythe Way, which abuts the south eastern edge of Cranbrook (SHELAA Site Ref: 25).

We have examined the Pre-submission Local Plan (PSLP) and conclude that as drafted it is neither legally compliant, nor sound. The Council's Sustainability Appraisal (TWBC, 2021) concludes Option 13 (The Pre-Submission Local Plan) to be an 'appropriate strategy'. We are unable to reach the same conclusion, as the SA has not first taken into account 'reasonable' alternative strategies, contrary to paragraph 35 of the NPPF and the corresponding SEA Regulations.

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Given the nature and detail of our representations, specifically in relation to the plans legal compliance and soundness, we would respectfully request attendance to participate in the examination of the PSLP. In the interim, the following representations are made to assist the Council and Inspector in their examination of the PSLP.

Soundness

EN9 – Biodiversity Net Gain

This policy will need to have regard to the final form of an enacted Environment Bill, when finalised. In this regard, the reference at criteria bto a greater potential requirement deduced through an SPD should be deleted. It is for the policy to set such requirements, and the SPD to provide supplemental guidance on its application, not the other way around. This would neither be justified, effective or consistent with national policy.

We trust these comments are useful and duly noted. We would welcome the opportunity to elaborate on such matters at the forthcoming Examination into the subsequently submitted version of this Plan.

Question 7

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Future Notifications

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Supporting Information File Ref No: SI_99

Comment

Agent	Ryan Johnson [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Turley
Address	[REDACTED] Southampton [REDACTED]
Consultee	[REDACTED]
Company / Organisation	Taylor Wimpey UK Ltd
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Taylor Wimpey UK Ltd [REDACTED]
Comment ID	PSLP_1827
Response Date	04/06/21 09:57
Consultation Point	Policy EN 14 Green, Grey, and Blue Infrastructure (View)
Status	Processed
Submission Type	Email
Version	0.7
Files	PSLP_1772-1828 (not inclusive)_Turley for Taylor Wimpey_SI.pdf
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Taylor Wimpey
Question 2	
Agent's Name and Organisation (if applicable)	Turley
Question 3	

To which part of the Local Plan does this representation relate?

Policy

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy EN 14 Green, Grey, and Blue Infrastructure

[TWBC: this representation has been input against the Pre-Submission Local Plan as a whole, Policies STR 1, STR 7, STR/SS 1, STR/SS 3, STR/CRS 1, AL/CRS 3, PSTR/HO 1, EN 2, EN 9, EN 14 and EN 26– see Comment Numbers PSLP_1772, PSLP_1813, PSLP_1818, PSLP_1819, PSLP_1820, PSLP_1821, PSLP_1823, PSLP_1824, PSLP_1825, PSLP_1826, PSLP_1827, and PSLP_1828. The full representation has been attached as Supporting Information]

Question 4

Do you consider that the Local Plan:

Is legally compliant

No

Is sound

No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

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TUNBRIDGEWELLS PRE-SUBMISSION LOCAL PLAN (REGULATION 19) CONSULTATION LAND WEST OF FRYTHE WAY, CRANBROOK (SHELAA REF: 25)

Thank you for the invitation to comment on the above consultation. We write on behalf of our client, Taylor Wimpey UK Ltd, who control land west of Frythe Way, which abuts the south eastern edge of Cranbrook (SHELAA Site Ref: 25).

We have examined the Pre-submission Local Plan (PSLP) and conclude that as drafted it is neither legally compliant, nor sound. The Council's Sustainability Appraisal (TWBC, 2021) concludes Option 13 (The Pre-Submission Local Plan) to be an 'appropriate strategy'. We are unable to reach the same conclusion, as the SA has not first taken into account 'reasonable' alternative strategies, contrary to paragraph 35 of the NPPF and the corresponding SEA Regulations.

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Given the nature and detail of our representations, specifically in relation to the plans legal compliance and soundness, we would respectfully request attendance to participate in the examination of the PSLP. In the interim, the following representations are made to assist the Council and Inspector in their examination of the PSLP.

Soundness

EN14 – Green, Grey, and Blue Infrastructure

The words 'protect existing' may contradict the effectiveness of Policy EN9 or EN14 which adopt more appropriate, effective and practical approaches to existing features, with overall net gains at their heart. Whilst it may be desirable to retain and where possible enhance existing features as part of a development, some may be better replaced and enhanced in the form of new features on or off-site as part of a comprehensive approach to development. Suggest these words be revised to be consistent with Policy EN9 and others that instil the required flexibility to be effective and endure the plan period.

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Question 7

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Supporting Information File Ref No: SI_99

Comment

Agent	Ryan Johnson [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Turley
Address	[REDACTED] Southampton [REDACTED]
Consultee	[REDACTED]
Company / Organisation	Taylor Wimpey UK Ltd
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Taylor Wimpey UK Ltd [REDACTED]
Comment ID	PSLP_1828
Response Date	04/06/21 09:57
Consultation Point	Policy EN 26 Sustainable Drainage (View)
Status	Processed
Submission Type	Email
Version	0.4
Files	<u>PSLP_1772-1828 (not inclusive)_Turley for Taylor Wimpey_SI.pdf</u>
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Taylor Wimpey
Question 2	
Agent's Name and Organisation (if applicable)	Turley
Question 3	
To which part of the Local Plan does this representation relate?	Policy

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy EN 26 Sustainable Drainage

[TWBC: this representation has been input against the Pre-Submission Local Plan as a whole, Policies STR 1, STR 7, STR/SS 1, STR/SS 3, STR/CRS 1, AL/CRS 3, PSTR/HO 1, EN 2, EN 9, EN 14 and EN 26– see Comment Numbers PSLP_1772, PSLP_1813, PSLP_1818, PSLP_1819, PSLP_1820, PSLP_1821, PSLP_1823, PSLP_1824, PSLP_1825, PSLP_1826, PSLP_1827, and PSLP_1828. The full representation has been attached as Supporting Information]

Question 4

Do you consider that the Local Plan:

Is legally compliant No

Is sound No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

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Soundness

EN26 – Sustainable Drainage

The aim for run off to be reduced below existing greenfield rates may be laudable, but equally may be undeliverable in all situations, particularly on brownfield sites. For the policy to be effective, it may be more appropriate to reframe the policy to seek to deliver runoff rates no worse than existing, and preferably where feasible and viable to do so, net improvements.

We trust these comments are useful and duly noted. We would welcome the opportunity to elaborate on such matters at the forthcoming Examination into the subsequently submitted version of this Plan.

Question 7

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Comment

Consultee	Kevin Taylor [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] Paddock Wood [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Kevin Taylor [REDACTED]
Comment ID	PSLP_1418
Response Date	04/06/21 14:35
Consultation Point	Policy STR/SS 2 The Strategy for Paddock Wood Town Centre (View)
Status	Processed
Submission Type	Email
Version	0.4
Data inputter to enter their initials here	KH
Question 1	
Respondent's Name and/or Organisation	Kevin Taylor
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR/SS 2 The Strategy for Paddock Wood Town Centre

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

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Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

Local Cycling and Walking Infrastructure Plan: Phase 2

For starters I want to put on record that the way this consultation has been put together in a way to obscure from the public the true agenda as so much detail appears to have been deliberately hidden in the sub reports. For example the proposal to close the railway bridge in Paddock Wood to cars.

However rather than being totally negative to the proposals I must say that there are some elements that I am in agreement. Those items include the new walking and bike routes such as the Hawkhurst Branch from Paddock Wood. De-cluttering by the removal of fencing etc.

Closure of the road to cars over the railway bridge in Maidstone Road is not a sensible proposal as it will cause an awful lot of chaos and will not result in the assumed improvements. For starters it will mean lots of motorists will have to take a long diversion to get into town. How can it be environmentally good to increase the mileage of each car of between 2 to 3 miles? Also cars wishing to access Paddock Wood will be forced to go down Badsell Road. Even at the best of times that road has been busy and is likely to be even busier once the new developments at Capel and Mascals are completed. You can only justify closing the railway bridge if there is a via alternative. Please can you suggest one?

Whilst I understand the intention is to persuade people to use their bikes, walk or use buses I suspect that very few persons will be using the bridge for those purposes. For starters the North is predominately industrial/trading. Those coming to Paddock Wood by train will have absolutely no reason to use the bridge unless they drive to the station and most of those live too far away to walk or bicycle. Chances of persons switching to bus is also problematic as the current bus services for Paddock Wood are hardly frequent and there is no service in the evenings. Unless Kent County Council is prepared to provide more frequent subsidised bus services in the area there is unlikely to be a modal shift away from cars.

Another concern to me is the proposal of a town wide speed limit of 20 mph for Paddock Wood. Have you tried driving in Tonbridge? It is not natural doing 20 mph for long periods. I believe these speed limits are of dubious value.

Also I want to point out that the recent experiment to close the lower half of Commercial Road to cars was an absolute nightmare. Like many I was incensed that this introduced with absolutely no consultation with locals. Closing roads to cars in Paddock Wood such as the Railway Bridge and Commercial Road would result in inadequate provision of routes in the town. How would the town cope with roadworks or accidents? With the proposed increase in housing it is likely things will get worse.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

For office use only

If responder hasn't ticked an option on this box, data inputter to tick 'not stated' box. Not Stated

Comment

Consultee	Mark Taylor [REDACTED]
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	Mark Taylor [REDACTED]
Comment ID	PSLP_253
Response Date	21/05/21 14:16
Consultation Point	Policy AL/RTW 14 Land at Tunbridge Wells Garden Centre (View)
Status	Processed
Submission Type	Web
Version	0.4
Question 1	
Respondent's Name and/or Organisation	Mark Taylor
Question 3	
To which part of the Local Plan does this representation relate?	Paragraph(s)
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
"5.91, 5.92, 5.93, 5.94"	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes
Is sound	No
Complies with the Duty to Cooperate	Yes
Question 4a	

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound . It is not justified because:

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

[TWBC: non-working link has been removed with permission of responder].

5.91 Existing vehicular access to the site is directly from the A26 Eridge Road to the south east corner of the site, close to the bend in the Eridge Road. The Spa Valley Railway Line is located south of the site, including a bridge that crosses the Eridge Road just south of the site access. The existing access from the site onto the Eridge Road is already dangerous with a steep slope onto a busy bend with restricted visibility. The proposed development will add considerably to the traffic using this access road and so will represent a much greater risk of accident.

There is no pedestrian footpath on the garden centre side of the Eridge Road and so the pedestrians from the houses on the development going into town will need to cross a busy road on a dangerous bend.

Therefore:

1) Traffic Safety and Hazard: Vehicle access point on A26 Eridge Road. Road Traffic Safety compromised due to additional vehicle movement volumes; with a traffic hazard as there is restricted line of sight (ref. also 5.94) Note: Existing access considered to be on apex of bend, not as defined above as 'close to the bend'. 2) Pedestrian Safety and hazard: No available pavement on the Common side of the A26 pedestrians will be crossing the A26 at a dangerous busy point

5.92 The site was released from the Green Belt, and the Development Strategy Topic Paper and Green Belt studies set out the exceptional circumstances and compensatory improvements to the remaining Green Belt to justify the changes to the boundary in this location. What to date have been the compensatory improvements to the remaining Green Belt?

The 2019 Plan describes the site as being part of a Biodiversity Opportunity Area where any development should demonstrate net gains for nature and biodiversity. Reference was also made to the DEFRA "MAGIC" website which described the area as suitable as woodpasture and parkland. Both these descriptions have been removed from the current plan.

5.93 It lies adjacent to the Royal Tunbridge Wells Conservation Area and to Tunbridge Wells Common, which is a designated Local Wildlife Site. Part of the site is also covered by the Environment Agency's Flood Zone 3.

River Grom flooding Report 2017 (Currently Correct /Relevant unless structural changes have been made) – Ref pages 7-9 Extracts: (page 7 – 2.3 para 4)To the south and east of The Pantiles, much of the area has separate surface water and foul water drainage. The surface water sewers generally discharge to watercourses which ultimately flow into the River Grom. (Page 9 – 2.4.1 para 3).... There is a Combined Sewer Overflow (CSO) from the public combined sewer in the culverted section of the River Grom that allows the combined sewer in the Pantiles area of Tunbridge Wells to discharge into it if its capacity is exceeded.

The development is in a river valley. Under present conditions High Rocks Lane regularly floods as the point where it meets Hungershall Park (and where it is presumed the proposed “emergency exit” will be for the development). As a result the road is always in a poor condition with potholes that reappear quickly after frequent repairs. The road at this point is a blind bend with no footpath so pedestrians and cyclists often veer across the roadway to avoid the potholes and create a real danger of accidents to oncoming vehicles. This situation will only get worse once a large area of the valley floor is concreted over as a result of the development.

It was recently noticed by local residents that the site currently suffers from a sewage problem. A large manhole cover had been dislodged and was surrounded by household waste which had obviously been forced out. It is hoped that this would be resolved as part of the development, especially as the River Grom is in close proximity and there is a seasonal flooding issue in that area, as referred to above in the 2017 flooding report.

5.94 Development would need to be sensitively designed to respect the location in proximity to the Common, the conservation area, and the topography of the site. However, it constitutes a sustainable site on the edge of the town centre and could accommodate a mix of uses, to include the retention/expansion of the existing garden centre business and the introduction of some residential development within the site. However, Kent County Council, as the local highways authority, considers that the scale of development on the site may be limited due to the current access constraints. 108 Tunbridge Wells Borough Local Plan Regulation 19 Consultation Pre-Submission Local Plan Map 14 Site Layout Plan

Policy AL/RTW 14 Land at Tunbridge Wells Garden Centre This site, as defined on the Royal Tunbridge Wells Policies Map, is allocated for the expansion of the existing Use Class E (a) commercial use (garden centre) with an element of residential of approximately 25-30 residential dwellings, of which 30 percent shall be affordable housing. Development on the site shall accord with the following requirements:

1. Means of access, including secondary and emergency means of access, to be informed by a transport statement; it is likely that the scale of any development may be limited by the quality of access arrangements that can be achieved within the confines of the site. An emergency access is likely to be required to the north;

Planning consents often require provision of social/affordable housing under Section 106 Agreements, but invariably the developer comes back to the local authority later and pleads that it renders the scheme unviable. The 30% (eg) then falls away to 10% or less. The infrastructure requirements on this site will render development especially expensive. The contribution this site could make to meeting housing need is negligible.

Previous planning for access - Refused (89/02011/FUL | New vehicular access. New gate and 1.8m high chain link boundary fence | Wyevale Garden Centre Eridge Road Royal Tunbridge Wells Kent TN4 8HP (midkent.gov.uk)) Ref. No: 89/02011/FUL | Received: Tue 07 Nov 1989 | Validated: Thu 14 Jun 1990 | Status: Decided Council Letter 1990 - Extracts detailing the Refusal reasons: 1 a) The proposed access would be likely to create unacceptable additional hazard to traffic. 2 a) The sight lines are inadequate and would create unacceptable additional hazards to traffic 3 a) The proposal would be undesirable in an area which is predominately rural in character, and would be detrimental both to the appearance and to the rural amenities of the locality. 4 a) The proposal would be likely to be unacceptably detrimental to residential amenities of adjacent dwellings

The only change since 1990 is higher volumes of traffic on High Rocks Lane and Hungershall Park.

No known local precedents have been set for a requirement of a secondary and/or an emergency access. Example: The existing adjacent large estate has no secondary or emergency access.

Access: The suggested ‘North’ secondary and emergency access point will:

- . Destroy a Bio Diverse habitat, impacting the natural rural dynamic .
- . By default the access point becomes a tacit ‘extra access’ immediately opening onto High Rocks Lane with hazardous restricted/limited line of sight which is onto a speed de-restricted area and is a width constricted lane, plus opposite another lane entrance point; as highlighted in the council’s planning permission access refusal 1990.
- . There is a high probability for this access to become a local shortcut

Proposing a Secondary and Emergency access appears to be a leverage argument to open up the site with another access point thereby ignoring the hazards identified, refer to previous valid refusal rational.

There is a high probability for dangerous additional 'on road parking' at the lower end of Hungershall Park/ corner of High Rocks lane/ Cabbage Stalk Lane. The proposed new developments at Spratsbrook Farm and the old Plant & Tools Hire site by The West Station which is to have access directly on to Eridge Road, will both increase traffic flows along this busy stretch and force drivers to find alternative routes.

Newts and a variety of amphibian wildlife have been seen in the site North aspect / River Grom area of this location.

In traffic management terms an emergency exit would require either traffic light control, or a roundabout (taking up additional land) further eroding the natural character of the area. 2. The provision of pedestrian and cycle access to the north and improved pedestrian and cycle access into the town;

If the access point is allowed to the north, then the suggested access is onto a hazardous speed de-restricted and width restricted lane. This was one of the reasons the previous planning for access was refused.

This would also create a safety hazard for pedestrians as there is no pavement from the suggested access secondary/emergency point towards Cabbage Stalk Lane.

3. Adequate servicing and parking to serve the expanded commercial use on the site;

4. Provision of a green route through the site from east to west connecting to existing Public Rights of Way on Tunbridge Wells Common and Cabbage Stalk Lane; Site East West access – Cabbage Stalk Lane will cause additional volume of use. This poses the following problems: 1) Compromise to safety and hazard as now a designated cycle path. Several near misses have already occurred with current multi-use volumes; as the majority of cyclists appear to disregard this lane as being a shared facility with pedestrians, pedestrians and dog walkers, plus vehicular access traffic.

2) Cyclists coming out of the new development will generally turn right into Cabbage Stalk Lane, adding to the volumes of cyclists using that lane. Furthermore, this will surely add to the number of cyclists on the Common who increasingly seem to be ignoring the "no cycling" rule there.

3) For those who might turn left into High Rocks Lane, this would add to the number of cyclists on this narrow lane with blind corners and numerous potholes - adding yet further risk to themselves, pedestrians and cars.

4) This is likely to further increase the volume of cyclists coming down the hill in Hungershall Park and towards the proposed development. Residents are increasingly concerned about the number of cyclists coming around the corner at very high speed and oblivious to the blind entrance several drives. There have been near misses recently and including one cyclist who recently came off his bike near the entrance to the drive at no. 12 Hungershall.

5. Development shall be located on the areas identified for mixed use on the site layout plan; Tunbridge Wells Borough Local Plan 109 Pre-Submission Local Plan Regulation 19 Consultation

6. Green infrastructure shall be provided on the areas shown indicatively in green on the site layout plan, and these shall be retained and enhanced. This shall include suitable buffering and enhancements to the River Grom corridor and to the setting of the adjacent Tunbridge Wells and Rusthall Common;

The plan shows a green space buffer running alongside Cabbage Stalk Lane. The current woodland buffer is substantial and therefore the developer is likely to bulldoze and excavate as much as is feasible subject to ground stability and the preservation of valuable and species trees etc. The trees provide cover and privacy for wildlife and seclusion for walkers and local residents but are not in themselves wonderful specimens but are nevertheless very important to the semi rural nature of the area. The retention of as much tree cover as possible is very important.

The River Grom flows along the Southern boundary of the plot alongside the railway line. The woodland and the river provide a habitat for deer and other wild animals. It would be desirable if the western end of the plot be preserved for wildlife, not be built upon and not used for vehicular access. 7. Regard will be given to existing hedgerows and mature trees on-site, with the layout and design of the

development protecting those of most amenity value, as informed by an arboricultural survey and a landscape and visual impact assessment;

The development will inevitably destroy and erode an established valuable bio-diverse habitat in a unique rural area.

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan 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 Local Plan is sound with removal of development of Wyevale site

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?	<input type="checkbox"/> No, I do not wish to participate in examination hearing session(s)
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Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:	<input type="checkbox"/> Yes, I wish to be notified of future stages of the Local Plan
--	--

Supporting Information File Ref No: SI_18

Comment

Consultee	Norman Taylor [REDACTED]
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	Norman Taylor [REDACTED]
Comment ID	PSLP_261
Response Date	21/05/21 18:51
Consultation Point	Policy STR/CA 1 The Strategy for Capel parish (View)
Status	Processed
Submission Type	Web
Version	0.3
Files	Tudeley Village objections Norman Taylor.docx

Question 1

Respondent's Name and/or Organisation Norman F Taylor for myself

Question 3

To which part of the Local Plan does this representation relate? Paragraph(s)

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR/CA 1 paragraph 2: 'Provide a new garden settlement..'

Question 4

Do you consider that the Local Plan:

Is legally compliant No

Is sound No

Complies with the Duty to Cooperate No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

<input type="checkbox"/>	It is not justified
<input type="checkbox"/>	It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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The proposal for a new garden settlement in Capel Parish is not legally compliant because it involves building on land designated as green belt. It is not sound because this location is not capable of supporting such a settlement: it does not have adequate transport links nor a satisfactory prospect of creating them. It would cause unjustified damage to an area of high landscape value. The proposal has already attracted overwhelming opposition at the previous stage of consultation, so a duty to cooperate with those with most at stake has not been fulfilled.

Question 6

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An alternative site or sites should be proposed in order to provide compliance with the minimum housebuilding requirements that TMBC must fulfil. Proposals set out by a potential developer for the site at Castle Hill, on the edge of the built area of Tunbridge Wells has much more to recommend it: good road transport links, pedestrian and cycle access to High Brooms Station, less landscape impact, with the prospect of preserving the area of the iron age hillfort as an attractive park.

[TWBC: text of attached supporting document has been copied below for ease of reference, with reference made to the attachment to view images and maps].

Objections to the TWBC Pre-Submission Local Plan

Landscape grounds

The middle Medway valley is an exceptionally beautiful landscape. It has a smooth, shallow curving cross section, no doubt much enhanced by the hand of man in creating arable fields, orchards and pasture, with few patches of woodland on the lowest slopes. I can think of no parallel among lowland rivers. Because it is shallow, the view is easily obscured by trees or built features. To the north, there are no close vantage points for this reason, although there are some excellent far ones, from the steeper slopes above Hadlow, such as the Southern tip of Mereworth and Hurst Woods. On the south side, there is one viewpoint that stands out above all others and that is at the very middle of the upper edge of the planned development, at TQ 626449, the junction of B2017 and the unclassified road

towards Bank Farm and Tudeley Hale. As you drive on this B road eastwards from Tonbridge parallel with the river, at the first spur crossed, which runs down from Somerhill Schools, the view is completely obscured by woodland. The road descends, reaching a right-angle right near All Saints Tudeley church. The road then rises and, as it passes over the top of the next spur, the land opens out on the left to a glorious view. Taking a footpath uphill opposite, one can get an even wider view. The lack of large blocks of woodland means that the whole sweep from left to right can be seen, especially in winter. As a recent arrival living in Tonbridge, I found it thrilling to suddenly come upon this. Because the slopes are shallow, it shows poorly in a photograph and needs to be experienced to be fully appreciated.

I cannot find any comparable spot to see the valley in this way, yet it does not seem to be famous as a viewpoint. Whether much noticed or not, to lose this vista to a mass of houses would be a tragedy that could not be compensated: it is irreplaceable. The High Weald Area of Outstanding Natural Beauty runs from the south and inexplicably stops at the line of this B road. The projected development area is immediately to the north and currently fulfils most AONB criteria, being a high quality partly man-made landscape with a striking landform, with absence of much visible housing and – the road excepted – tranquility. Standing at this spot in spring, the skylarks provide an uplifting accompaniment.

see supporting document for image: Looking northwest from viewpoint on road. The distance to Tudeley Church (centre) is less than half the width of the projected settlement. The development would obliterate everything except perhaps views between building gaps of the distant greensand ridge and North Downs. (15.04.21 0730)

see supporting document for map: Height map to show the 2 ridges that the B2017 passes over, viewpoint on road arrowed

see supporting document for image: Looking north-northwest from the higher viewpoint. The near buildings are on the B2017. (15.05.21 1801)

see supporting document for map: Contour map (5m intervals) to show that the site occupies a large portion of the relatively open valley side, an area that can be seen from the viewpoint marked and from the footpath that leads up the hill to the south (shown broken green, woodland shown green). The contour line at the position of the church shows that it is located on a slight promontory.

The Church

All Saints' Tudeley is a unique church in an exceptional setting. I first saw it at a distance, having been walking a footpath and was immediately drawn towards this unusual-looking building. In my ignorance, I couldn't have guessed what would be next. First, a lane leading off the B road, rising towards the church straight ahead. Through the gate and into a hedged oasis surrounded by fields, with large yew trees hinting at its ancient origins. Walking the beaten grass path to the east end, the choice of the original builders becomes clear: the church sits at the highest point and the land falls away gently to the river valley beyond. While only slightly above its surroundings it commands its own special knoll. I found the door unlocked and was able to stand alone in the small nave, but the windows! Glorious swirls of colour by – it was obvious before starting to read anything – Marc Chagall. Later, on a late spring evening, I attended a chamber concert there. The experience of the music, the images and the constant changes of colour as the sun sank was unforgettable. After, we stepped outside into a dark, star – spangled night.

The story, which can be readily found online, is that Chagall was commissioned to make a window as a memorial to mark the tragic death of Sarah D'Avigdor Goldsmid. When he came to see it installed, he declared 'It's magnificent! I will do them all!'. He had a lifelong need to express his deeply held belief in the religious spirit, irrespective of the varied rituals and traditions that man attaches to it. That combination of a building that has kept that flame alive since the 7th century and its interaction with the surrounding landscape must have struck a powerful chord in Chagall. When the work was finished in 1982 he was too infirm, at 98, to witness it but before he died he knew that his vision was complete. The psalm that was his inspiration includes the words 'you made him ruler over the works of your hands; you put everything under his feet; all flocks and herds, and the beasts of the field, the birds of the air, and the fish of the sea, all that swim the paths of the seas'. Dr Jonathan Sacks, in describing these windows wrote '(they) can but serve to enhance the spirituality of the beautiful surroundings in which they are placed, advance the fervour with which the Almighty is worshipped, and increase the devotion of those coming under the inspiration of Chagall's divinely-inspired talent.' It would be an irony indeed if man's dominion were next expressed in the way that this development's proposers intend.

I very strongly feel that the land surrounding this church should be left just as it is: open and rural, with no room for compromise. No 'design solution' could mitigate the harm caused by building here. What stands there today is a complete synthesis of centuries of use and care and interaction with its landscape and one exceptional artist's response to it and to a family's tragedy. He saw it as one spiritual whole and so it should remain, for ourselves and for generations to come. In Simon Jenkin's 'England's thousand best churches' (1999), he ends his introduction to Kent with 'But the story ends with a blaze: Marc Chagall's glorious windows at Tudeley'.

More prosaically, the complex of buildings that includes the church is a jewel, with Church Farm House and the barns and oast having been sensitively converted for living in, together with a pond and orchard. They make a harmonious whole that deserves to remain intact and inviolate within an open landscape. On a visit, there were signs that badgers had been rooting in the turf beside the gravel road. May they continue to do so and not be displaced by ribbons of tarmac endowed with favourite housebuilders' names such as 'Badgers Close'!

see supporting document for image: Passing the church porch, looking east. The start of the footpath that runs east to Bank Farm can be seen as a gap in the perimeter hedge. (15.04.21 0630)

see supporting document for image: View from east end of church, looking northwest towards the river valley. The line of trees in the middle distance coincides with the western edge of the site. (15.04.21 0648)

see supporting document for image: The church from the line of the footpath that runs east – obliterated by ploughing at this time. May mine be the only kind of long shadow that is cast on this scene! (15.04.21 0657)

see supporting document for image: The complex of farm buildings and Tudeley Church from the southwest. This also illustrates the siting of the church at the highest point. (15.04.21 0742)

Summary and general thoughts

This 'village' is planned to have a built area of 94.7 hectares and a total area of 170 hectares. This is comparable to that of the largest city in Roman Britain, Corinium (Cirencester), at 97.2 hectares, while a lesser city such as Silchester is 43.3 hectares. It would have a train line bisecting it that the new residents could gaze at but, we are reliably informed, never use. The rationale, if that is not too kind a word, appears to not be based on balancing competing factors such as housing need, communication links, or considerations of landscape or heritage value but rather on the convenience of the site being in one ownership, being outside the High Weald AONB and being just within the borough promoting this plan. I urge the inspector to make a site visit to personally experience the characteristics of this place that I describe. They cannot be adequately conveyed in what can be written nor in photographs.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? Yes, I wish to participate in hearing session(s)

Question 7a

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

I would like the opportunity to further articulate my reasons for deleting the proposal for development in Capel Parish that are stated in the attached file [TWBC: text of supporting document has been

copied to Question 7 for ease of reference, with reference made to the attachment to view images and maps].

If you would like to attach a file in support of your comments, please upload it here. [Tudeley Village objections Norman Taylor.docx](#)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box: Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Raymond Taylor ([REDACTED])
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	Raymond Taylor ([REDACTED])
Comment ID	PSLP_2270
Response Date	04/06/21 09:36
Consultation Point	Policy TP 1 Transport Assessments/Statements, Travel Plans, and Mitigation (View)
Status	Processed
Submission Type	Email
Version	0.3
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Ray Taylor
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy TP 1 Transport Assessments/Statements, Travel Plans, and Mitigation	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Don't know
Is sound	No
Complies with the Duty to Cooperate	No

If you consider that the Local Plan is not sound, please answer this question.

Question 5

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

I consider the Tunbridge Wells Borough Council (TWBC) Local Plan proposal to be **unsound** for the following reasons.

- Section 3.9 of the Tunbridge Wells Borough Council Infrastructure Delivery Plan (March 2021) states :-

I am a resident of Hadlow which lies on the A26 between Tonbridge and the M20. I have concerns regarding the potential increase in traffic through Hadlow as a result of Local Plan proposals by both TWBC and TMBC.

Many residents of local villages and other savvy drivers use Victoria Road and Hartlake Road to access South Tonbridge and the A21 to avoid the congestion and delays into Tonbridge along the A26. TWBC's proposal to close Hartlake Road will clearly force that traffic back onto the A26. That additional traffic will not have been captured in the SWECO surveys at junction 86, and will exacerbate the already over capacity scenarios.

Furthermore, SWECO mitigation schemes relating to the A228 to satisfy the huge housing allocations proposed at Paddock Wood and Tudeley have entirely failed to recognise the congestion that already occurs on the A228 Malling Road at Kent Street.

I consider the Highways Infrastructure assessments and proposals in the Tunbridge Wells Borough Council Local Plan to be **unsound**.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Rhian Taylor ([REDACTED])
Email Address	[REDACTED]
Address	[REDACTED] Tunbridge Wells TN4 [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Rhian Taylor ([REDACTED])
Comment ID	PSLP_1953
Response Date	04/06/21 10:17
Consultation Point	Policy AL/RTW 16 Land to the west of Eridge Road at Spratsbrook Farm (View)
Status	Processed
Submission Type	Email
Version	0.4
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Rhian Taylor
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy AL/RTW 16 Land to the west of Eridge Road at Spratsbrook Farm

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

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Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

To whom it may concern,

Re site 137/policyal/rtw 16 – Land to the west of Eridge Road at Spratsfield Farm.

I'm a resident of xxx Friezland Road, Tunbridge Wells TN4 xxx

[TWBC: full address redacted for data protection purposes]

I fully support the representation submitted by residents against Ramslye Development on the 2nd June and the points raised in that document.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

For office use only

If responder hasn't ticked an option on this box, data inputter to tick 'not stated' box. Not Stated

Comment

Consultee	Richard Taylor [REDACTED]
Email Address	[REDACTED]
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Richard Taylor [REDACTED]
Comment ID	PSLP_1435
Response Date	03/06/21 17:42
Consultation Point	Policy STR/SS 2 The Strategy for Paddock Wood Town Centre (View)
Status	Processed
Submission Type	Email
Version	0.3
Data inputter to enter their initials here	KH
Question 1	
Respondent's Name and/or Organisation	Richard Taylor
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR/SS 2 The Strategy for Paddock Wood Town Centre

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

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I feel like your current plan in regards to closing Hartlake Road disrespects the residents of Tonbridge, Golden Green, East Peckham and Tudeley.

The proposal to shut Hartlake Road will have a massive effect on the already busy Hadlow Road in Tonbridge and the A228 between Five Oak Green and East Peckham.

The proposed plans include building on a flood plain and you haven't even considered additional infrastructure to support the thousand or so homes you want to build.

All this plan is going to achieve is money in the pockets of the councils and the people proposing the ideas. Including the builders.

The area doesn't need more houses, it needs less landlords. It needs more home owners and less tenants. This is why the area is in such a mess. More landlords exploiting those with less money who can't afford their own homes, which leads to less homes available for sale.

I've been saying it for years but no one listens.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

For office use only

If responder hasn't ticked an option on this box, data inputter to tick 'not stated' box. Not Stated

Comment

Consultee	Monique ten Grotenhuis ([REDACTED])
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	Monique ten Grotenhuis ([REDACTED])
Comment ID	PSLP_1363
Response Date	04/06/21 16:44
Consultation Point	Policy STR/PW 1 The Strategy for Paddock Wood (View)
Status	Processed
Submission Type	Web
Version	0.3
Question 1	
Respondent's Name and/or Organisation	Monique ten Grotenhuis
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Pre-Submission Local Plan - PADDOCK WOOD PAGES 138 TO 172.	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	No
Is sound	No
Complies with the Duty to Cooperate	No
Question 4a	

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound ☐ . ☐ It is not justified because:

Question 5

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I have yet to see anything in the plans that can adequately deal with the strain on the infrastructure of Paddock Wood, whether this is traffic, parking, transport links, or flooding & drainage. Nothing in this takes into account that large scale overdevelopment of any one area will do nothing but blight the area & take away from it any individuality. The lush farmland of orchards & crops will be lost forever and the affects on our environment will have nothing but a detrimental effect.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? ☐ . ☐ No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box: ☐ Yes, I wish to be notified of future stages of the Local Plan ☐

Comment

Consultee	David Tennant [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] Tonbridge [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	David Tennant [REDACTED]
Comment ID	PSLP_999
Response Date	02/06/21 22:36
Consultation Point	Policy STR/SS 3 The Strategy for Tudeley Village (View)
Status	Processed
Submission Type	Web
Version	0.4
Question 1	
Respondent's Name and/or Organisation	David Tennant
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
STR/SS3 (Tudeley Village)	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Don't know
Is sound	No
Complies with the Duty to Cooperate	Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not effective
- . It is not justified
- . It is not consistent with national policy

Question 5

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Dear Sir,

I am a resident of the Borough of Tunbridge Wells and I live on the boundary between TWBC and TMBC. The boundary between the two boroughs follows the stream which run through our garden. We pay council tax to Tunbridge Wells.

My personal details are:

Name: David Hugh Tennent

Response category: I am responding as an individual

Email address: xxx [TWBC: full personal contact details redacted]

Postal address: xxxxx Postern Lane, Tonbridge, Kent

Post Code: TN11 xxx

Telephone number: landline xxx. Mobile xxx

I have been fortunate enough to benefit from the beautiful Kent countryside afforded by the green belt, which we very much hope will be protected and enhanced, as required by the National Planning policy.

The Postern is a grade II* listed building, dating from 1753.

I have been a schoolmaster at Tonbridge School, teaching biology and geography, for 37 years (with a keen interest in ecology) and we have lived at The Postern for 28 years. We know the locality well and feel very privileged to live here.

I am writing to object to "The Strategy for Tudeley Village" (Policy STR/SS3).

- . Creating a garden settlement at Tudeley of 2,800 houses will cause harm to residents of the Parish of Capel **and** to residents of Tonbridge. There will be a significant increase in traffic in to Tonbridge from the B2017, exacerbating the extreme traffic congestion that exists on this road every morning (and many afternoons).
- . People living in Tudeley will use Tonbridge Station for commuting and it is Tonbridge town services which will need more parking. Its roads are already extremely full at peak times.
- . The increased numbers of passengers on already packed commuter trains from Tonbridge Station will be unsustainable. Parking in and around Tonbridge Station will be even more difficult and more passengers will have to stand on the trains during rush hour.
- . Most people living in the new garden settlements will drive privately owned cars, despite initiatives to encourage bus and bicycle use. The costs of infrastructure on the Tonbridge & Malling side

of the boundary will have to be carried by Tonbridge & Malling residents, whilst Tunbridge Wells will receive council tax from the residents in the new houses.

- . The cost to Tonbridge-based businesses due to traffic issues may drive businesses from the area.
- . There will be an increase in pressure on Tonbridge health services, amenities and car parking as residents from the new garden settlement at Tudeley will use Tonbridge as their local town, rather than Tunbridge Wells, because Tonbridge is much closer. GP practices are already extremely busy and getting appointments can be difficult.
- . Large parts of the developments will occur on the Medway floodplain with flood risk assessments based on old data that may not allow for the impact of climate change. Flood mitigation measures may help, but flood risk will increase. Covering farmed fields with houses and roads will make the Medway flood more often and accelerate run-off, increasing flood risk not only in Tudeley but in Golden Green, East Peckham, Tonbridge and Yalding. These are all areas which have suffered from flooding in the past.
- . There will be an increase in air, light and noise pollution that will spread across the boundary to Tonbridge & Malling and views from Tonbridge to the Low and High Weald will be impaired, damaging the setting of historic assets like All Saint's Church in Tudeley and the Hadlow Tower. The church at Tudeley may well end up being surrounded by houses, which will cause great harm to this world renowned heritage site, with its magnificent set of Marc Chagall windows. We had some Australians staying with us recently and the chance to see the windows was one of the most important reason for them visiting the area.
- . The garden settlement at Tudeley can never be one settlement as it is divided by a railway line. Putting in crossings at frequent points across the railway may be possible, but it won't tie the two halves of the settlement together enough to make it one settlement, so it will never satisfy garden settlement principles.
- . Creating so much housing in Capel Parish will require the destruction of woodland, hedgerows, meadows, and farmland that is Green Belt land which should be protected. It will spoil the landscape and kill wildlife that is very special to the area, including rare species. This area should remain rural with agricultural land that can be used to provide food.
- . Planning guidelines state that housing need calculated by the government can be reduced if it requires development of Green Belt land unless "exceptional circumstances" exist. TWBC is already providing more housing than they need in the draft Local Plan. And do we need to build houses on this scale? Recent ONS figures show that population growth in the borough is slowing.
- . TWBC is using Capel to dump their housing needs on green fields and meadows, polluting a rural area rather than spreading development across the borough on brownfield sites or placing the garden settlement in the middle of the borough, to make it accessible north and south. The developments in Tudeley is unsustainable and place huge pressure on Tonbridge.

Thank you for reading this submission. We feel very strongly that the Green Belt should be preserved for all the reasons outlined above.

Yours sincerely

David Tennant

xxx, Postern Lane, Tonbridge, TN11xxx

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Diana Tennant [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] Tonbridge [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Diana Tennant [REDACTED]
Comment ID	PSLP_1664
Response Date	04/06/21 14:41
Consultation Point	Policy STR/SS 1 The Strategy for Paddock Wood, including land at east Capel (View)
Status	Processed
Submission Type	Email
Version	0.4
Data inputter to enter their initials here	KH
Question 1	
Respondent's Name and/or Organisation	Diana Tennant
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy STR/SS 1 The Strategy for Paddock Wood, including land at east Capel	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Don't know

Is sound

No

Complies with the Duty to Cooperate

Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not effective
- . It is not justified
- . It is not consistent with national policy

Question 5

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I have lived in Postern Lane for 28 years and we have been fortunate to benefit from the Green Belt around this area, which we very much hope will be protected as required by The National Planning Policy. In 2016 the Inspector said that there was no need to allocate any land in the Green Belt to planning as there are a number of Brown Field and alternative sites available.

The main reason for the Green Belt is to prevent urban sprawl. This plan would effectively join Tonbridge to Paddock Wood via Tudeley and East Capel.

2% of the TWBC population live in Capel Parish, with this plan, 51% of the local housing plan is forced on Capel Parish. It is on the edge of TWBC, who will receive the Council Tax and Tonbridge and Malling will have all the traffic, the residents using the station, and schools.

Building so many houses in Capel and Tudeley will cause a significant increase in traffic, as most houses would have 2 cars. There is already extreme traffic congestion on the B2017 every morning and afternoon with people going to the local schools and the station and it is often difficult to get out of the Lane on to the B2017. The many extra cars would also be detrimental to air quality.

The increased number of people using the train from Tonbridge will be unsustainable as the commuter trains are already packed. There was a suggestion that Network Rail will put in another station near Capel, but apparently they will not approve or fund a station or the disruptive work required for bridges and tunnels.

The beautiful landscape across the Medway Valley will be altered forever and for at least 15 years, it will be a construction sight, visible for miles around. A rural Parish will change to an urban one and the existing community will be overwhelmed.

Development at East Capel is entirely on a flood plain. Tudeley has a high flood risk and the water would then go to nearby towns.

Hundreds of acres of good quality agricultural land would be lost forever.

Question 6

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Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan 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.

There are various brown field and alternative sites which would be suitable for houses, rather than building on the Green Belt.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . No, I do not wish to participate in examination hearing session(s)

Question 8

If you have any separate comments you wish to make on the accompanying Sustainability Appraisal, please make them here.

A large part of the developments will be on the Medway Floodplain and covering good agricultural land with houses will make the Medway more liable to flood and increase the flood risk in Golden Green, East Peckham, Tonbridge and Yalding.

There will be a huge increase in air, light and noise pollution to the Low and High Weald. Many people visit All Saints Church at Tudeley with the beautiful Marc Chagall windows and this Church would be surrounded by houses instead of the lovely Kent countryside.

Future Notifications

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Comment

Consultee	Diana Tennant [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] Tonbridge [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Diana Tennant [REDACTED]
Comment ID	PSLP_1666
Response Date	04/06/21 14:41
Consultation Point	Policy STR/SS 3 The Strategy for Tudeley Village (View)
Status	Processed
Submission Type	Email
Version	0.3
Data inputter to enter their initials here	KH
Question 1	
Respondent's Name and/or Organisation	Diana Tennant
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy STR/SS 3 The Strategy for Tudeley Village	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Don't know

Is sound

No

Complies with the Duty to Cooperate

Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not effective
- . It is not justified
- . It is not consistent with national policy

Question 5

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Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . No, I do not wish to participate in examination hearing session(s)

Question 8

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Future Notifications

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Supporting Information File Ref No: SI_125

Comment

Agent	Abraham Laker [REDACTED]
Email Address	[REDACTED]
Company / Organisation	MRPP
Address	[REDACTED] London [REDACTED]
Consultee	[REDACTED]
Company / Organisation	Tesco Stores Ltd
Address	Cirrus Building Shire Park WELWYN GARDEN CITY AL7 1AB
Event Name	Pre-Submission Local Plan
Comment by	Tesco Stores Ltd [REDACTED]
Comment ID	PSLP_1921
Response Date	04/06/21 12:25
Consultation Point	Policy STR 1 The Development Strategy (View)
Status	Processed
Submission Type	Email
Version	0.5
Files	<u>PSLP_1921-1930 (not inclusive) MRPP for Tesco SI.pdf</u>
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Tesco Stores
Question 2	
Agent's Name and Organisation (if applicable)	MRPP
Question 3	

To which part of the Local Plan does this representation relate?

Policy

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR 1 The Development Strategy

Map 27, Map 67

[TWBC: this representation has been input against Policies STR 1, STR 6, AL/PE 6, EN 15, PSTR/PE 1, STR/SS 1 and STR/SS 2 – see Comment Numbers PSLP_1921, PSLP_1923, PSLP_1924, PSLP_1926, PSLP_1927, PSLP_1928 and PSLP_1930. Full copy of representation attached as supporting information]

Question 4

Do you consider that the Local Plan:

Is legally compliant

Don't know

Is sound

Don't know

Complies with the Duty to Cooperate

Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

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REPRESENTATIONS ON BEHALF OF TESCO STORES LIMITED TOWN AND COUNTRY PLANNING (LOCAL PLANNING) REGULATIONS 2012 TUNBRIDGE WELLS (REGULATION 19) LOCAL PLAN CONSULTATION

As you know, we act on behalf of Tesco Stores Ltd, in respect of their various interests in Tunbridge Wells Borough and respond on their behalf to the Regulation 19 Tunbridge Wells Local Plan consultation, under the following headings.

Background

MRPP has extensive knowledge of both Tesco's activities in the Borough and the present (and historic) formalisation of planning policy in the Borough. We welcome the opportunity to engage with the emerging Local Plan and do so positively both in terms of representing our client's interests, and in terms of helping the Council to formulate effective policies which support development for the benefit of the Borough's businesses and residents.

Tesco Stores Ltd engaged with various components of the adopted Local Plan, both in terms of the development needs identified in the existing Core Strategy (primarily in relation to retail capacity) and the treatment of its various interests in the Borough in the subsequent Site Allocations DPD. We have, on their behalf, thoroughly reviewed the Reg 19 Local Plan and have sought to respond only to those policies and issues which directly or indirectly affect their property interests. We trust that this targeted approach assists officers, who will find our comments generally supportive, subject to several clarifications regarding evidence and the justification for designations, allocations and policies.

For ease, we set out our representations in a single letter and have, for each relevant policy or supporting text, used the Council's recommended responses (i.e. objection, support, support with conditions, or general observation). We have also set out some basic background to our client's presence in the Borough.

Tesco in Royal Tunbridge Wells

Tesco has been represented in Royal Tunbridge Wells since 1969 when its store at 29 Grosvenor Road first opened. Tesco has continued to serve the community, uninterrupted, since then and has subsequently enhanced its presence to now include:

- Supermarket Format – Woodsgate Corner (Pembury)
- Metro Format – Grosvenor Road, Tunbridge Wells
- Rye Road, Hawkhurst
- Express Format - St. Johns Road (Tunbridge Wells), London Road (Southborough) and Commercial Road (Paddock Wood)
- One Stop Format – Badsell Road (Five Oak Green), Forest Road (Hawkenbury)

It is well documented that Tesco, having secured planning permission for a substantial replacement superstore at Pembury, took the difficult decision not to implement this, arising from significant changes in the convenience shopping sector and other local factors. However, several of its stores, including Pembury, have undergone improvements as part of the firm's 'refresh' programme, with a greater focus on customers, merchandising and the quality of the retail environment.

Responses to Policies

Policy STR1 - The Development Strategy (support with conditions)

Tesco broadly supports the Council's development strategy, particularly the intention to make provision for all development needs inside the Borough boundary (i.e., without the assistance of neighbouring authorities). Tesco also supports the proposed growth of Paddock Wood (see later) but questions, in terms of the scale of new development to be directed there, and to Capel/Tudeley, whether the full potential of existing settlements to accommodate growth has been explored, and in so doing, enhancing their sustainability. Indeed, there appears to be an imbalance between the scale of development directed to certain settlements relative to their scale and sustainability. Such distribution must be fully justified and, if maintained as currently proposed, accompanied by proposals for commensurate improvements in local infrastructure, and services.

Question 7

***Please note** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.*

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? Yes, I wish to participate in hearing session(s)

Question 7a

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We reserve the right to attend any hearing sessions on the topic matters we have commented on accompanying written representations should the Inspector need to raise any questions during the Local Plan Examination.

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Supporting Information File Ref No: SI_125

Comment

Agent	Abraham Laker [REDACTED]
Email Address	[REDACTED]
Company / Organisation	MRPP
Address	21 Buckingham Street London WC2N 6EF
Consultee	[REDACTED]
Company / Organisation	Tesco Stores Ltd
Address	Cirrus Building Shire Park WELWYN GARDEN CITY AL7 1AB
Event Name	Pre-Submission Local Plan
Comment by	Tesco Stores Ltd [REDACTED]
Comment ID	PSLP_1923
Response Date	04/06/21 12:25
Consultation Point	Policy STR 6 Transport and Parking (View)
Status	Processed
Submission Type	Email
Version	0.4
Files	<u>PSLP_1921-1930 (not inclusive)_MRPP for Tesco SI.pdf</u>
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Tesco Stores
Question 2	
Agent's Name and Organisation (if applicable)	MRPP
Question 3	

To which part of the Local Plan does this representation relate?

Policy

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR 6 Transport and Parking

Map 27, Map 67

[TWBC: this representation has been input against Policies STR 1, STR 6, AL/PE 6, EN 15, PSTR/PE 1, STR/SS 1 and STR/SS 2 – see Comment Numbers PSLP_1921, PSLP_1923, PSLP_1924, PSLP_1926, PSLP_1927, PSLP_1928 and PSLP_1930. Full copy of representation attached as supporting information]

Question 4

Do you consider that the Local Plan:

Is legally compliant

Don't know

Is sound

Don't know

Complies with the Duty to Cooperate

Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

REPRESENTATIONS ON BEHALF OF TESCO STORES LIMITED TOWN AND COUNTRY PLANNING (LOCAL PLANNING) REGULATIONS 2012 TUNBRIDGE WELLS (REGULATION 19) LOCAL PLAN CONSULTATION

As you know, we act on behalf of Tesco Stores Ltd, in respect of their various interests in Tunbridge Wells Borough and respond on their behalf to the Regulation 19 Tunbridge Wells Local Plan consultation, under the following headings.

Background

MRPP has extensive knowledge of both Tesco's activities in the Borough and the present (and historic) formalisation of planning policy in the Borough. We welcome the opportunity to engage with the emerging Local Plan and do so positively both in terms of representing our client's interests, and in terms of helping the Council to formulate effective policies which support development for the benefit of the Borough's businesses and residents.

Tesco Stores Ltd engaged with various components of the adopted Local Plan, both in terms of the development needs identified in the existing Core Strategy (primarily in relation to retail capacity) and the treatment of its various interests in the Borough in the subsequent Site Allocations DPD. We have, on their behalf, thoroughly reviewed the Reg 19 Local Plan and have sought to respond only to those policies and issues which directly or indirectly affect their property interests. We trust that this targeted approach assists officers, who will find our comments generally supportive, subject to several clarifications regarding evidence and the justification for designations, allocations and policies.

For ease, we set out our representations in a single letter and have, for each relevant policy or supporting text, used the Council's recommended responses (i.e. objection, support, support with conditions, or general observation). We have also set out some basic background to our client's presence in the Borough.

Tesco in Royal Tunbridge Wells

Tesco has been represented in Royal Tunbridge Wells since 1969 when its store at 29 Grosvenor Road first opened. Tesco has continued to serve the community, uninterrupted, since then and has subsequently enhanced its presence to now include:

- Supermarket Format – Woodgate Corner (Pembury)
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- Express Format - St. Johns Road (Tunbridge Wells), London Road (Southborough) and Commercial Road (Paddock Wood)
- One Stop Format – Badsell Road (Five Oak Green), Forest Road (Hawkenbury)

It is well documented that Tesco, having secured planning permission for a substantial replacement superstore at Pembury, took the difficult decision not to implement this, arising from significant changes in the convenience shopping sector and other local factors. However, several of its stores, including Pembury, have undergone improvements as part of the firm's 'refresh' programme, with a greater focus on customers, merchandising and the quality of the retail environment.

Responses to Policies

Policy STR6 - Transport and Parking (support)

The entirety of this policy is supported (in terms of encouraging sustainable behaviour), and it is welcomed that the Council have considered the rural character of the Borough by promoting the development of the strategic sites (Paddock Wood and east Capel and Tudeley Village), that are surrounded by rural settings by requiring integrated active travel, together with improvements to inter-settlement travel. It is satisfying that the Council will work alongside Kent County Council, Highways England, Network Rail and other train operating companies to maximise the provision of public transport infrastructure which will reduce travel demand through the securing of such infrastructure, which will meet the day-to-day needs of residents and businesses.

The proposed local highway improvements to mitigate and address the impacts on the highway network are welcomed and the measures together with the A228/A264 including junction capacity improvement at Woodgate Corner and a roundabout at the Pembury Road/Halls Hole Road/Blackhurst Lane. These improvements will directly benefit the existing Tesco Superstore in Pembury and the proposed allocated site AL/PE 6.

We also observe that despite the policy heading including 'parking', the policy does not contain explicit objectives for parking in the Borough (albeit we note the provisions of Policy TP3). In this regard, we would point out that where opportunities for reduced parking provision exist, care should be taken not to rely on a formulaic approach, but to take account of the actual operational characteristics of the existing and/or proposed development.

Question 7

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Question 7a

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Future Notifications

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Supporting Information File Ref No: SI_125

Comment

Agent	Abraham Laker [REDACTED]
Email Address	[REDACTED]
Company / Organisation	MRPP
Address	21 Buckingham Street London WC2N 6EF
Consultee	[REDACTED]
Company / Organisation	Tesco Stores Ltd
Address	Cirrus Building Shire Park WELWYN GARDEN CITY AL7 1AB
Event Name	Pre-Submission Local Plan
Comment by	Tesco Stores Ltd [REDACTED]
Comment ID	PSLP_1928
Response Date	04/06/21 12:25
Consultation Point	Policy STR/SS 1 The Strategy for Paddock Wood, including land at east Capel (View)
Status	Processed
Submission Type	Email
Version	0.4
Files	PSLP_1921-1930 (not inclusive) MRPP for Tesco SI.pdf
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Tesco Stores
Question 2	
Agent's Name and Organisation (if applicable)	MRPP
Question 3	

To which part of the Local Plan does this representation relate?

Policy

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR/SS 1 The Strategy for Paddock Wood, including land at east Capel
Map 27, Map 67

[TWBC: this representation has been input against Policies STR 1, STR 6, AL/PE 6, EN 15, PSTR/PE 1, STR/SS 1 and STR/SS 2 – see Comment Numbers PSLP_1921, PSLP_1923, PSLP_1924, PSLP_1926, PSLP_1927, PSLP_1928 and PSLP_1930. Full copy of representation attached as supporting information]

Question 4

Do you consider that the Local Plan:

Is legally compliant

Don't know

Is sound

Don't know

Complies with the Duty to Cooperate

Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

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REPRESENTATIONS ON BEHALF OF TESCO STORES LIMITED TOWN AND COUNTRY PLANNING (LOCAL PLANNING) REGULATIONS 2012 TUNBRIDGE WELLS (REGULATION 19) LOCAL PLAN CONSULTATION

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Tesco Stores Ltd engaged with various components of the adopted Local Plan, both in terms of the development needs identified in the existing Core Strategy (primarily in relation to retail capacity) and the treatment of its various interests in the Borough in the subsequent Site Allocations DPD. We have, on their behalf, thoroughly reviewed the Reg 19 Local Plan and have sought to respond only to those policies and issues which directly or indirectly affect their property interests. We trust that this targeted approach assists officers, who will find our comments generally supportive, subject to several clarifications regarding evidence and the justification for designations, allocations and policies.

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- Metro Format – Grosvenor Road, Tunbridge Wells
- Rye Road, Hawkhurst
- Express Format - St. Johns Road (Tunbridge Wells), London Road (Southborough) and Commercial Road (Paddock Wood)
- One Stop Format – Badsell Road (Five Oak Green), Forest Road (Hawkenbury)

It is well documented that Tesco, having secured planning permission for a substantial replacement superstore at Pembury, took the difficult decision not to implement this, arising from significant changes in the convenience shopping sector and other local factors. However, several of its stores, including Pembury, have undergone improvements as part of the firm's 'refresh' programme, with a greater focus on customers, merchandising and the quality of the retail environment.

Responses to Policies

Policy STR/SS1 - Strategy for Paddock Wood, including land at east Capel (support)

Tesco broadly supports the strategic approach for the expansion of Paddock Wood and east Capel and acknowledges the improvements to three neighbourhood centres providing approximately 2,000sqm of commercial floorspace (Class E) in total. It is agreed that this would be appropriate given the substantial planned growth in population here, secure more sustainable attitude and provide qualitative benefits (i.e., choice and competition).

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? Yes, I wish to participate in hearing session(s)

Question 7a

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Future Notifications

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Yes, I wish to be notified of future stages of the Local Plan

Supporting Information File Ref No: SI_125

Comment

Agent	Abraham Laker [REDACTED]
Email Address	[REDACTED]
Company / Organisation	MRPP
Address	21 Buckingham Street London WC2N 6EF
Consultee	[REDACTED]
Company / Organisation	Tesco Stores Ltd
Address	Cirrus Building Shire Park WELWYN GARDEN CITY AL7 1AB
Event Name	Pre-Submission Local Plan
Comment by	Tesco Stores Ltd [REDACTED]
Comment ID	PSLP_1930
Response Date	04/06/21 12:25
Consultation Point	Policy STR/SS 2 The Strategy for Paddock Wood Town Centre (View)
Status	Processed
Submission Type	Email
Version	0.4
Files	<u>PSLP_1921-1930 (not inclusive)_MRPP for Tesco_SI.pdf</u>
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Tesco Stores
Question 2	
Agent's Name and Organisation (if applicable)	MRPP
Question 3	

To which part of the Local Plan does this representation relate?

Policy

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR 6 Transport and Parking

Map 27, Map 67

[TWBC: this representation has been input against Policies STR 1, STR 6, AL/PE 6, EN 15, PSTR/PE 1, STR/SS 1 and STR/SS 2 – see Comment Numbers PSLP_1921, PSLP_1923, PSLP_1924, PSLP_1926, PSLP_1927, PSLP_1928 and PSLP_1930. Full copy of representation attached as supporting information]

Question 4

Do you consider that the Local Plan:

Is legally compliant

Don't know

Is sound

Don't know

Complies with the Duty to Cooperate

Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

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REPRESENTATIONS ON BEHALF OF TESCO STORES LIMITED TOWN AND COUNTRY PLANNING (LOCAL PLANNING) REGULATIONS 2012 TUNBRIDGE WELLS (REGULATION 19) LOCAL PLAN CONSULTATION

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For ease, we set out our representations in a single letter and have, for each relevant policy or supporting text, used the Council's recommended responses (i.e. objection, support, support with conditions, or general observation). We have also set out some basic background to our client's presence in the Borough.

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- Express Format - St. Johns Road (Tunbridge Wells), London Road (Southborough) and Commercial Road (Paddock Wood)
- One Stop Format – Badsell Road (Five Oak Green), Forest Road (Hawkenbury)

It is well documented that Tesco, having secured planning permission for a substantial replacement superstore at Pembury, took the difficult decision not to implement this, arising from significant changes in the convenience shopping sector and other local factors. However, several of its stores, including Pembury, have undergone improvements as part of the firm's 'refresh' programme, with a greater focus on customers, merchandising and the quality of the retail environment.

Responses to Policies

Policy STR/SS2 - Strategy for Paddock Wood Town Centre (support/object with conditions)

Tesco notes and supports the shift in the Council's approach here, from a relatively small, allocated area in the present Local Plan (i.e., Site Allocations DPD), to a much broader policy approach towards the town centre generally.

However, the previous objections remain to the town centre allocations here, primarily on the basis that the Council's focus on commercial and community facilities, and enhanced public realm (whilst laudable), is unrealistic given complex ownership, site constraints (e.g., flooding) and a lack of viability. Indeed, the Council's own Viability Consultant previously advised the Council that the current allocation was fundamentally unviable, even taking account of a modest number of dwellings.

The previous objection sought assurances from the Council that it would: (a) use its own resources to coordinate with landowners in respect of the intended Masterplan; (b) use its compulsory purchase powers to help assemble the site; (c) support high density residential development over ground floor commercial uses to improve viability; and (d) seek s106 obligations from urban extension schemes elsewhere in Paddock Wood to fund public realm improvements in the town centre. It is acknowledged that the foregoing has been included within the policy criteria and these additional points of clarity are welcomed.

The Council's aspiration for a Master planned approach remains, with a separate Paddock Wood Town Centre, Framework Masterplan SPD to set out the strategic vision of the town centre. However, the production of the town centre masterplan is subject to feeding into the production of the four wider masterplans for the surrounding parcels of land surrounding Paddock Wood for development extension, as identified in Map 27. We uphold our previous objection in which we stated that the latter are long-term, phased proposals which could take many years to come forward and therefore harm the town centre in the meantime and is not an acceptable sustainable planning outcome.

Thus, whilst Tesco still maintains support for the broad redeveloping parts of the town centre, the policy text must reflect relevant constraints and issues as they stand today, and not complicate them further through onerous criteria. This could be addressed by:

1. Removing the need for a town centre masterplan (and certainly the contingency on the wider masterplanning of Paddock Wood);
2. Using Policy STR/PW1 to better define the Council's aspirations

and by also confirming (as the present policy does) that individual sites within the allocated area may come forward now on the basis they do not prejudice the delivery of the intended uses across the wider areas;3. Facilitate and encourage development by making a clear statement about its own position as freeholder of the existing town centre car park;4. Confirming within the policy text that the Council will, if necessary, use its various planning and compulsory purchase powers;5. Setting out the detail of a mechanism for cross-subsidy from growth surrounding Paddock Wood (with necessary changes to those policies and allocations); and6. Reinforcing that higher density residential development will, subject to meeting relevant design criteria, be supported to enhance viability.

Notwithstanding these suggested changes, our sense is that expanding the area covered by the allocation is ultimately problematic and less certain, and should be replaced with a series of smaller, more targeted allocation policies, where, arising from engagement with relevant interests (primarily landowners, but also occupiers, residents, business, and the Town Council) clearly defined allocation policies can be drafted.

Following the previous written representations submitted by MRPP on behalf of Tesco Stores Ltd during the two Regulation 18 consultation stages of the emerging Local Plan, we welcome Tunbridge Wells Borough Council acknowledging part of the previous comments and discussions points raised and implementing them within the various policies identified in this Regulation 19 representation.

We trust our comments are of assistance and we look forward to continuing to liaise with officers and other interest groups in respect of the emerging Local Plan. We reserve the right to attend any hearing sessions on the topic matters we have commented on above should the Inspector need to raise any questions during the Local Plan Examination.

Question 7

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Question 7a

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Supporting Information File Ref No: SI_125

Comment

Agent	Abraham Laker [REDACTED]
Email Address	[REDACTED]
Company / Organisation	MRPP
Address	21 Buckingham Street London WC2N 6EF
Consultee	[REDACTED]
Company / Organisation	Tesco Stores Ltd
Address	Cirrus Building Shire Park WELWYN GARDEN CITY AL7 1AB
Event Name	Pre-Submission Local Plan
Comment by	Tesco Stores Ltd [REDACTED]
Comment ID	PSLP_1927
Response Date	04/06/21 12:25
Consultation Point	Policy PSTR/PE 1 The Strategy for Pembury parish (View)
Status	Processed
Submission Type	Email
Version	0.4
Files	PSLP_1921-1930 (not inclusive)_MRPP for Tesco SI.pdf
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Tesco Stores
Question 2	
Agent's Name and Organisation (if applicable)	MRPP
Question 3	

To which part of the Local Plan does this representation relate?

Policy

Question 3a

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Policy PSTR/PE 1 The Strategy for Pembury parish

Map 27, Map 67

[TWBC: this representation has been input against Policies STR 1, STR 6, AL/PE 6, EN 15, PSTR/PE 1, STR/SS 1 and STR/SS 2 – see Comment Numbers PSLP_1921, PSLP_1923, PSLP_1924, PSLP_1926, PSLP_1927, PSLP_1928 and PSLP_1930. Full copy of representation attached as supporting information]

Question 4

Do you consider that the Local Plan:

Is legally compliant

Don't know

Is sound

Don't know

Complies with the Duty to Cooperate

Don't know

Question 4a

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Do you consider that the Local Plan is not sound because:

Question 5

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Responses to Policies

Policy PSTR/PE1 - The Strategy for Pembury Parish (support)

Tesco widely supports the strategy for Pembury Parish, particularly the allocation AL/PE 6, for the Woodsgate Corner, Pembury (See our response to AL/PE 6) and the proposed highway improvement and mitigation measures, which include the improvement to the crossroads at Woodgate Corner. These improvements will benefit visitors to the Tesco superstore in Pembury as well as the future development on the adjacent allocated site AL/PE6.

Question 7

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Question 7a

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If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

We reserve the right to attend any hearing sessions on the topic matters we have commented on accompanying written representations should the Inspector need to raise any questions during the Local Plan Examination.

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Supporting Information File Ref No: SI_125

Comment

Agent	Abraham Laker [REDACTED]
Email Address	[REDACTED]
Company / Organisation	MRPP
Address	21 Buckingham Street London WC2N 6EF
Consultee	[REDACTED]
Company / Organisation	Tesco Stores Ltd
Address	Cirrus Building Shire Park WELWYN GARDEN CITY AL7 1AB
Event Name	Pre-Submission Local Plan
Comment by	Tesco Stores Ltd [REDACTED]
Comment ID	PSLP_1924
Response Date	04/06/21 12:25
Consultation Point	Policy AL/PE 6 (View)
Status	Processed
Submission Type	Email
Version	0.4
Files	<u>PSLP_1921-1930 (not inclusive)_MRPP for Tesco_SI.pdf</u>
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Tesco Stores
Question 2	
Agent's Name and Organisation (if applicable)	MRPP
Question 3	

To which part of the Local Plan does this representation relate?

Policy

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy AL/PE 6

Map 27, Map 67

[TWBC: this representation has been input against Policies STR 1, STR 6, AL/PE 6, EN 15, PSTR/PE 1, STR/SS 1 and STR/SS 2 – see Comment Numbers PSLP_1921, PSLP_1923, PSLP_1924, PSLP_1926, PSLP_1927, PSLP_1928 and PSLP_1930. Full copy of representation attached as supporting information]

Question 4

Do you consider that the Local Plan:

Is legally compliant

Don't know

Is sound

Don't know

Complies with the Duty to Cooperate

Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

REPRESENTATIONS ON BEHALF OF TESCO STORES LIMITED TOWN AND COUNTRY PLANNING (LOCAL PLANNING) REGULATIONS 2012 TUNBRIDGE WELLS (REGULATION 19) LOCAL PLAN CONSULTATION

As you know, we act on behalf of Tesco Stores Ltd, in respect of their various interests in Tunbridge Wells Borough and respond on their behalf to the Regulation 19 Tunbridge Wells Local Plan consultation, under the following headings.

Background

MRPP has extensive knowledge of both Tesco's activities in the Borough and the present (and historic) formalisation of planning policy in the Borough. We welcome the opportunity to engage with the emerging Local Plan and do so positively both in terms of representing our client's interests, and in terms of helping the Council to formulate effective policies which support development for the benefit of the Borough's businesses and residents.

Tesco Stores Ltd engaged with various components of the adopted Local Plan, both in terms of the development needs identified in the existing Core Strategy (primarily in relation to retail capacity) and the treatment of its various interests in the Borough in the subsequent Site Allocations DPD. We have, on their behalf, thoroughly reviewed the Reg 19 Local Plan and have sought to respond only to those policies and issues which directly or indirectly affect their property interests. We trust that this targeted approach assists officers, who will find our comments generally supportive, subject to several clarifications regarding evidence and the justification for designations, allocations and policies.

For ease, we set out our representations in a single letter and have, for each relevant policy or supporting text, used the Council's recommended responses (i.e. objection, support, support with conditions, or general observation). We have also set out some basic background to our client's presence in the Borough.

Tesco in Royal Tunbridge Wells

Tesco has been represented in Royal Tunbridge Wells since 1969 when its store at 29 Grosvenor Road first opened. Tesco has continued to serve the community, uninterrupted, since then and has subsequently enhanced its presence to now include:

- Supermarket Format – Woodsgate Corner (Pembury) • Metro Format – Grosvenor Road, Tunbridge Wells Rye Road, Hawkhurst • Express Format - St. Johns Road (Tunbridge Wells), London Road (Southborough) and Commercial Road (Paddock Wood) • One Stop Format – Badsell Road (Five Oak Green), Forest Road (Hawkenbury)

It is well documented that Tesco, having secured planning permission for a substantial replacement superstore at Pembury, took the difficult decision not to implement this, arising from significant changes in the convenience shopping sector and other local factors. However, several of its stores, including Pembury, have undergone improvements as part of the firm's 'refresh' programme, with a greater focus on customers, merchandising and the quality of the retail environment.

Responses to Policies

Policy AL/PE6 – Woodsgate Corner (support with conditions)

As you may be aware, Hendy Group previously promoted the redevelopment of the site for a Motor Village proposal on surplus land at Pembury. Tesco firmly supported this proposal and wrote to the Council on 15/07/2019 confirming its position.

Following the second Regulation 18 Consultation process in 2019, Hendy Ford submitted a formal planning application ref:19/00884/FULL, for the Motor Village proposal, which was recommended by officers for a grant of planning permission subject to planning conditions and entering into a legal agreement. The application was presented at Planning Committee on 28/10/2020. A motion was proposed by Councillors to approve the application, on the basis that members were satisfied that all relevant planning considerations had been covered within the committee report. This motion was not carried, and a separate motion was proposed by other Councillors to refuse the application, which was upheld resulting in the application being refused planning permission.

The primary reasons for the application's refusal, centred around failing to demonstrate the three overarching objectives of sustainable development within the NPPF, along with failing to demonstrate exceptional circumstances that the development is in the public interest and failing to comply with the AONB test within the paragraph 172 of the NPPF 2019. Subsequently, Hendy Group have now abandoned their intentions to pursue any future development upon this site.

The site is currently being allocated within the emerging local plan under Policy AL/PE6 for extra care accommodation (Class C3)/ residential care home (Class C2). In respect of Policy AL/PE6, Tesco supports the policy criteria subject to the following comments:

- Paragraph 5.731 of Policy AL/PE6 states that Use Class C2 does not count as fully equivalent dwellings for housing supply purposes. The capacity range is identified as 62-80 units net. Therefore, should a Class C2 scheme come forward on the site, the allocation needs to allow for the potential for general needs housing (Class C3) to come forward as well, otherwise the site is not delivering the housing supply anticipated within the Plan period. Flexibility to provide general needs housing (Class C3) as part of a care led (Class C2/C3) scheme is also required, to make efficient use of land should the optional quantum of care accommodation in this location not fully optimise the development potential of the site. This approach is supported by paragraph 117 of the NPPF 2019 to promote the effective use of land in meeting the needs for homes and other uses.

- In this respect Tesco, propose the following amendments (highlighted in bold) to Policy AL/PE6 to allow for the provision of general needs housing (Class C3) in order to contribute towards the housing supply, that has been identified to be delivered from this site during the Plan period:

“...This site, as defined on the Pembury Policies Map, is allocated for provision of specialist housing for older people and others with care needs. The allocation provides for up to 80 units of extra care accommodation (Use Class C3) or up to 120 units of residential care home/nursing care (Use Class C2). **A proportion of general needs housing (Class C3) will also be acceptable to make efficient use of land and contribute to the Council’s housing supply identified from this site during the Plan period...**”.

- The ‘open space and landscape buffer’ shown on the southern edge of the site on Map 67 should be reconsidered to allow the development footprint to be expanded to fully maximise the development potential of the site for housing and C2/C3 care. The developable area should be expanded to reflect the site boundary approved under planning permission 09/01265/FULMJ which established the principle of development within the buffer zone (see attached plan).

- It is welcomed that the allocation AL/PE 6 is included and retained within the new LBD boundary as referenced within the Limits to Built Development Topic Paper for Pre-Submission Local Plan February 2021.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . Yes, I wish to participate in hearing session(s)

Question 7a

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Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box: Yes, I wish to be notified of future stages of the Local Plan

Supporting Information File Ref No: SI_125

Comment

Agent	Abraham Laker [REDACTED]
Email Address	[REDACTED]
Company / Organisation	MRPP
Address	21 Buckingham Street London WC2N 6EF
Consultee	[REDACTED]
Company / Organisation	Tesco Stores Ltd
Address	Cirrus Building Shire Park WELWYN GARDEN CITY AL7 1AB
Event Name	Pre-Submission Local Plan
Comment by	Tesco Stores Ltd [REDACTED]
Comment ID	PSLP_1926
Response Date	04/06/21 12:25
Consultation Point	Policy EN 15 Local Green Space (View)
Status	Processed
Submission Type	Email
Version	0.4
Files	<u>PSLP_1921-1930 (not inclusive) MRPP for Tesco SI.pdf</u>
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Tesco Stores
Question 2	
Agent's Name and Organisation (if applicable)	MRPP
Question 3	

To which part of the Local Plan does this representation relate?

Policy

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy EN 15 Local Green Space

Map 27, Map 67

[TWBC: this representation has been input against Policies STR 1, STR 6, AL/PE 6, EN 15, PSTR/PE 1, STR/SS 1 and STR/SS 2 – see Comment Numbers PSLP_1921, PSLP_1923, PSLP_1924, PSLP_1926, PSLP_1927, PSLP_1928 and PSLP_1930. Full copy of representation attached as supporting information]

Question 4

Do you consider that the Local Plan:

Is legally compliant

Don't know

Is sound

Don't know

Complies with the Duty to Cooperate

Don't know

Question 4a

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Do you consider that the Local Plan is not sound because:

Question 5

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- One Stop Format – Badsell Road (Five Oak Green), Forest Road (Hawkenbury)

It is well documented that Tesco, having secured planning permission for a substantial replacement superstore at Pembury, took the difficult decision not to implement this, arising from significant changes in the convenience shopping sector and other local factors. However, several of its stores, including Pembury, have undergone improvements as part of the firm's 'refresh' programme, with a greater focus on customers, merchandising and the quality of the retail environment.

Responses to Policies

Policy EN15 Local Green Space (support)

Tesco support the Council, reconsidering allocating the 'Green space adjacent to Tesco Superstore, Pembury' as Local Green Space under Policy EN15 as identified in the Local Green Space Assessment (draft Publication February 2021).

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? Yes, I wish to participate in hearing session(s)

Question 7a

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Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Mr M Coggles [REDACTED]
Company / Organisation	The Access Group
Address	[REDACTED] ROYAL TUNBRIDGE WELLS [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	The Access Group (Mr M Coggles - [REDACTED])
Comment ID	PSLP_34
Response Date	13/04/21 14:36
Consultation Point	Pre-Submission Local Plan (View)
Status	Processed
Submission Type	Letter
Version	0.4
Data inputter to enter their initials here	KJ
Question 1	
Respondent's Name and/or Organisation	Michael Coggles, Royal Tunbridge Wells & Area Access Group

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Comments on whole Plan

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

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TUNBRIDGE WELLS BOROUGH LOCAL DEVELOPMENT PLAN:

My members have asked me to respond to this consultation as follows, stressing areas that directly affect disabled and elderly people.

Further to my letter dated 16th March 2021 to Stephen Baughen the recent statement made to the House by the Secretary of State for Communities & Local Government, that his department are:-

"Seeking a rethink on housing quotas in the south east to avoid it being concreted over and to rebalance the population and industry to the north to support the growth of the Northern Powerhouse".

The following remain our major concerns regarding the legitimacy of the Pre-Submission of the Local Development Plan:-There is a lack of clarity regarding the legal duties and enforcement to bring about inclusion and meet the complex independent access needs of all disabled people now a legal duty. In endeavouring to meet the needs of all groups you have failed to meet the complex and costly needs of disabled people within this document, breaching the legal duty imposed within the Equality Act 2010, which my members and a wider Campaigning for the Rights of all People with Disabilities group of disabled people resident within the Tunbridge Wells area see as a discriminatory fudge:-

1. There is no prominent statement setting out that all developments etc within the LDP must be "totally independently accessible to all". The requirement was imposed on the council at the original Planning Inspector's inquiry and made clear that:-

"Developers must have due regard for Articles 9, 19 & 28 of the UN Convention on the Rights of People with Disabilities, the legally binding UK Disability Strategy 2012 & Action Plan with particular reference to Part 6 to ensure that all newbuild and refurbished buildings, dwellings and workplaces are independently accessible to all."

1.1 The implications of the above statement will alter radically the design and unit size of all new-build dwellings, reducing dramatically the number of units on development sites as well as increasing cost.

1.2 This has been a legal duty imposed on all Local Planning Authorities since the introduction of the Equality Standards in Local Government Targets 2000, the forerunner of the Public Sector Equality Duty, which required "adoption and full compliance" with the said UN Convention and both the Borough and County Disability Policies introduced in 2001 as part of that legal duty.

1.2.1 The Cabinet Office reaffirmed in 2016, 2018 & 2020 that:-

"The articles of the said Convention are non negotiable and must be complied with by 2025, or sooner if resources permit. It is not normal for government to incorporate into UK Law international treaties, Tony Blair then Prime Minister, used the legal device of the Equality Standards in Local Government Targets 2000, the forerunner of the Public Sector Equality Duty to impose the legal requirement, at the lowest level of compliance, "to adopt and fully comply with the said UN Convention" bringing the UN Convention and all its articles into UK Law, together with the requirement for formal ratification by parliament in 2009, to produce regular reports and a UK Disability Strategy by 2012. Many flagship policies are predicated on the long held assumption by successive administrations of compliance, including Welfare to Work and the Personal Independence Payment Regulations."

1.3 Hence the acceptance by the UK Supreme Court in two separate cases of the "disability paper trail", that the UN Convention and the legally binding UK Disability Strategy 2012 were "stand alone not part of the Equality Act 2010 but additional to it". The Equality Act 2010 imposes a legal duty to:-

"Ensure that all disabled people are treated more favourably than other groups to enable and empower them to participate fully in society"

The failure to comply to the letter will have serious implications in the form of sanctions and litigation by all resident disabled people within the borough area against both county and borough for failures

which will doubtless impact upon all councillors and officers past and present directly tasked post 2001 with meeting the said legal duties unless radical changes are made within the EIA document.

2. 2. By 2025 all footways and townscapes must be "totally independently accessible to all", the townscapes must meet the complex requirements for those with visual impairment, having the appropriate tactile delineators and on all footways a wayfinding line, as the minimum requirement for their safety, as well as being independently accessible to all wheelchairs. All signage must be accessible to all, for example pictograms for those with learning or mental health impairments. All crossing points using traffic signals, including temporary ones, must have knurled nobs fitted to enable blind people to detect when it is safe to cross.

3. All cycle tracks must be totally segregated from the pedestrians to accord with the KCC "Vision Zero Road Safety Policy" on Safer Streets, Article 9 UN Convention and the Cycle Tracks Act 1984.

4. By 2025 all buildings and workplaces built or refurbished since 2009, must be totally independently accessible, failure to achieve this will fall on the local planning authorities and those responsible at the time for approving such plans.

Both TWBC & KCC disability equality policies since 2001 are based upon the above and should, if read in conjunction with all the legal duties, (well hidden) be complied with.

5. Whilst I am aware of the need to house people, I am also aware of the growing concerns made to the Secretary of State by the High Weald AONB team about development encroachment. Also the growing concerns of local people regarding the numbers of houses being constructed within Paddock Wood on the Medway water table, Capel, Matfield & Brenchley and the proposed expansion of Tudeley Village, which will affect already overburdened GP, NHS primary & acute services, schools and other local and rail and transport services. The later raised at the recent Local Transport Forum Virtual Meeting.

5.1 The other serious concern for all local planning authorities is that since we have left the EU we can no longer depend upon fresh food and other products coming to us from the EU countries and the UK must once again become an independent food producer, which means that we cannot afford to use up farmland which could and should be used to grow crops or for animal husbandry. The pandemic has indicated the need to retain green field sites within urban areas for recreational and health purposes as well as retaining corridors for wild life.

6. POPULATION CONTROL:

This is an emotive issue, but must be addressed. On a island like the UK which has a finite amount of land available to meet all our needs, it is crucial that we have a clear policy on land use and it is no good saying "this is an issue for the policymakers", it starts at the grass roots, with local people. There is a need locally to ensure that there is a population balance, the 2011 census is out of date, indicators of an imbalance are dear to see with the growing numbers of retirement flats and homes being built or planned within the borough and its wider area, which will, as already stated, affect and impact dramatically the ability of GP, NHS primary and acute services to deal with an aging population. The pandemic has already proved this to be the case. (Eastbourne and the Coastal South East - Report 1985) and later government reports made clear that this must be resisted at all costs to ensure a "balanced population". That unpleasant duty falls within the remit of planning policy and the LDP.

There is a need for an immediate rethink in the light of the Jenrick statement and the current LDP needs to enshrine the duties imposed by the abovementioned legal duties and requirements in full. The Access Group will be happy to provide further detail on the exact legal wording to ensure total compliance is met and enforced.

7. The UK government is committed to maximise the economic and environmental opportunities of zero carbon emission vehicles which will mean a radical redesigning of our townscapes by 2030. To this end the RNIB & Age UK survey on the "public realm" which requires all existing unsegregated shared facilities to be segregated, in the light of cycles, powered cycles, e-scooters, e- skateboards and electric pods, which are inherently silent and cannot be heard by blind, deaf/blind and many elderly people. The suggestion that these groups should be accompanied at all times is now illegal as it is discriminatory, all groups of disabled people have a legal right to independent access and it is the duty of the authority responsible, irrespective of the cost, to provide that safe independent access.

7.1 Until that difficult issue of this group of silent vehicles has been addressed by the Department for Transport (DfT), they remain illegal and their use restricted.

7.2 PLANNING EFFECTS OF ELECTRIC & HYBRID VEHICLES:

Regulations introduced from July 2021, will mean that all newly registered electric and hybrid electric cars, vans, HGV's and buses must have an Acoustic Vehicle Alerting System (AVAS), the regulations ensure that such vehicles produce a specific level of noise, however, the regulations do not cover the other electric vehicles mentioned; it is my understanding that such e-vehicles if permitted, they can only be used on totally segregated tracks. If on-footway cycle tracks, they must have a trapezoidal delineator (see Off's Guidance on Tactile Paving Surfaces) which is very costly; there is a cheaper version of the design which can be seen in Port Madoc, Wales, as the minimum requirement to segregate these electric vehicles from the pedestrian and meet the requirements of KCC's "Safer Mobility Strategy" and new Road Safety Policy.

7.3 The requirement will be enforced on all authorities, so I suggest that in future when planning authorities consider a new development application, one of the legally enforceable conditions they can impose is that all footways must comply with that design, thus saving the council and county council additional costs at a later date.

The document in its current form fails to meet these legal duties and needs to be reworded.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

Supporting Information File Ref No: SI_2

Comment

Agent	Paul Webster [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Maple Planning & Development Ltd
Address	[REDACTED] Tunbridge Wells TN2 [REDACTED]
Consultee	The Exall Family [REDACTED]
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	The Exall Family [REDACTED]
Comment ID	PSLP_81
Response Date	04/05/21 12:34
Consultation Point	Policy STR/SS 1 The Strategy for Paddock Wood, including land at east Capel (View)
Status	Processed
Submission Type	Email
Version	0.4
Files	PSLP_81_Paul Webster Maple Planning for the Exall Family_SI.pdf
Data inputter to enter their initials here	KJ
Question 1	
Respondent's Name and/or Organisation	The Exall family
Question 2	
Agent's Name and Organisation (if applicable)	Paul Webster, Maple Planning
Question 3	
To which part of the Local Plan does this representation relate?	Policy

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR/SS 1: The Strategy for Paddock Wood, including land at east Capel

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

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Policy STR/SS1 – Paddock Wood (Western Parcel).

On behalf of my clients, the Exall family, I write to detail their representations in respect of the above referred matter.

The Exall family own the extent of land as detailed on the attached plan. It represents a proportion of the Western Parcel of the wider Paddock Wood allocation as set out at Policy STR/SS1.

The wider policy designation promotes a comprehensive mixed use development for Paddock Wood, encompassing approximately 3,490 – 3,590 dwellings, employment provision, new primary schools, a new health centre, and sports, recreation and play facilities.

The Western Parcel is located to the north-west of the town, immediately to the west of Eastlands Estate (which is where, amongst other commercial occupiers, Baxall Construction are based), to the west of the houses on Maidstone Road and Nursery Road, and to the north of the commercial units on Eldon Way.

The Exall family are supportive of both the wider aspirations for the growth of Paddock Wood, and the identification/allocation of their land as part of that allocation.

However, alongside Policy STR/SS1, it is important to have regard to Map 28, which details a conceptual 'structure plan' for the wider allocation. That structure plan, although presumably only indicative at this stage, shows my clients land as part of a 'Strategic Landscape Corridor'.

Having regard to the characteristics of the site, though, I would question if this is the most logical approach to land use planning.

My clients land is previously developed – being largely covered in hardstanding and historically used for commercial purposes (being the former Paddock Wood brickworks).

By reference to the sustainability agenda, surely the use of previously developed land to accommodate new development is sequentially preferable to the use of greenfield components of the allocated land?

Or, to put it more simply, it makes more sense to build on previously developed land, rather than to return said previously developed land to a greenfield status whilst using adjacent greenfield land to accommodate new development.

As such I would respectfully suggest, on behalf of my clients, that Map 28 is in need of review, with a more sustainable focus on the allocation targeting new built form to areas of existing previously developed land located within the wider site allocation, before (sequentially) extending that focus to the greenfield components.

I hope that the foregoing sufficiently details my clients position, but should you require any additional information then please do not hesitate to contact me.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

For office use only

If responder hasn't ticked an option on this box, data inputter to tick 'not stated' box. Not Stated

If you would like to attach a file in support of your comments, please upload it here. [PSLP_81_Paul Webster Maple Planning for the Exall Family SI.pdf](#)

Supporting Information File Ref No: SI_36a-g

Comment

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Event Name	Pre-Submission Local Plan
Comment by	The Grove (Hawkhurst) Management Co Ltd [REDACTED] [REDACTED]
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Question 1	
Respondent's Name and/or Organisation	The Grove (Hawkhurst) Management Co Ltd

Question 2

Agent's Name and Organisation (if applicable) Kingsley Smith Solicitors LLP

Question 3

To which part of the Local Plan does this representation relate? Policy

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy AL/HA 5 Land to the north of Birchfield Grove

Paras 5.389-5.392

Map 47

Question 4

Do you consider that the Local Plan:

Is legally compliant Don't know

Is sound No

Complies with the Duty to Cooperate No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not positively prepared
- . It is not justified
- . It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

[TWBC: additional supporting information is attached to this representation].

Dear Sirs

Publication of Pre-Submission Local Plan - Representation

Land to the north of Birchfield Grove

Paras 5.389 -5.392

Policy AL/HA 5

Map 47

We are instructed by the members of The Grove (Hawkhurst) Management Company Limited who represent the resident occupiers of Birchfield Grove, who object to Policy AL/HA 5 that seeks to allocate land to the North of Birchfield Grove ['Site'] for the reasons set out below. In so doing, the council is urged to instead allocate land for a medical centre at The King George V playing fields at the Moor.

Preface

A previous scheme for 120 homes was dismissed on appeal in April 2014^[1]. Whilst permission was later granted for the homes that form Birchfield Grove, the council distinguished that land from the land to its north, and it is clear a defensible boundary to the North (given the school site to the immediate West) was created. Regrettably in September 2019 the Site (and more land – then called Site 413) was included in the draft Local Plan for a medical centre and 100 houses, but significant objections led to its withdrawal. For reference a copy of the residents' objections submitted as part of the consultation on the Local Plan is attached.

On 4 January 2021 Site 413 was removed from the Pre-Submission Local Plan (PSLP). There were many written objections to the Site's inclusion in the Plan, in particular AONB concerns, and second KCC Highways' objection to any significant increase in traffic along Rye Road. Instead TWBC suggested that the medical centre should be co-located with a new Community Centre at another site in Hawkhurst (The King George V (KGV) playing fields at the Moor ['KGV']). In this context, we note that TWBC have already worked with Cranbrook and Sissinghurst Parish Council to develop a joint facility in Cranbrook on exactly the same lines. Our client maintains that co-location at KGV is the appropriate solution for Hawkhurst.

Between the Site's removal from the PSLP and the Extraordinary TWBC Council meeting on 3 February 2021 to approve the PSLP, what appears to have happened is that the owner of Site 413 offered for free 0.79 hectare for a medical centre, representatives from the two existing medical surgeries approached Stephen Baughen (Head of Planning at TWBC Planning) to reverse the decision made in January and alter the Local Plan to include a medical centre at the Site.

We understand that the two surgeries will be amalgamating later this year i.e. before the emerging local plan could be adopted in any event. The proposed medical centre is intended to provide premises for the combined practice, and quite possibly other medical services. A meeting on 4/2/21 between the doctors' surveyor and, amongst others, TWBC Planning Dept and representatives of the Parish Council led our client to understand that it is likely to be a two-storey building with parking for over 50 cars. The Site area has capacity to accommodate that level of development, likely to exceed 1,000 sqm floor space, and it is reasonable to assume that would be achieved, when formulating these submissions.

Principal objections

AONB

The very significant weight to be given to the protection of AONB has not materially changed since the inspector's decision of April 2014. The Site is no different seven years later, part treed greenfield open farmland and the description of the special interest arising is very important to consider. We remind the council of those findings.

The inspector's findings equally apply now to the Site as follows (with policy references updated, bold for emphasis):

“Great weight should be given to conserving landscape and scenic beauty in AONBs which have the highest status of protection in relation to landscape and scenic beauty. Paragraph [172] of the Framework states that planning permission should be refused for major developments in these designated areas except in exceptional circumstances and where it can be demonstrated they are in the public interest. Consideration of such application should include an assessment of the need for the development including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy; the cost of and scope for developing elsewhere outside the designated area, or meeting the need for it in some other way; and any detrimental effect on the environment the landscape and recreational opportunities, and the extent to which that could be moderated”

The proposal will constitute major development. There is no exceptional circumstance to justify encroachment into this beautiful landscape when there is scope for meeting the need for it in some

other way i.e. at KGV where the impacts would be significantly less and not cause harm to local resident amenities. The inspector made these further findings that do not apply to KGV:

Around 70% of borough is designated AONB. The scenic beauty of the AONB is derived from undulating and rolling countryside, dispersed settlements, historic farmsteads, ancient tracks and routeways, ancient woodlands, heaths and shaws, with a heritage of woodland industries and iron workings, and small irregularly shaped and productive fields[2].

The Site is quite unlike KGV. KGV is already built upon and distinguishable from the wider landscape. The Inspector went on (bold for emphasis) when refusing permission in 2014 for Site 413:

Hawkhurst is located in a broad high plateau on the main ridge line between the Rother Valley and Hexeden Channel. It is conspicuous along the ridgeline. It dates from before the 13th century. The historic settlement pattern is characterised by the layout of the traditional village centre and clusters of white painted dark framed weather boarded dwellings nestled around a small green. The settlement is considerably larger and there are examples of modern developments in the locality.

The site is part of a network of peaceful managed farmed landscape of pasture and open arable fields on the gentle open slopes rolling down from the plateau. The undulating topography of the site plays an important role on the landscape character. Given the rising and falling nature of the landscape the development will be visible from various public vantage points. The undeveloped quality of the site makes a significant contribution to the landscape character. The development would be seen as an urban extension to Hawkhurst and it would be out of keeping with the character of the settlement pattern due to the location and built form of the site.

Additionally the location and siting would represent a significant encroachment into the countryside. Despite the hedgerow as part of a mitigation scheme the access would be seen as an alien feature on the landscape and it would be out of keeping with the undeveloped character of this part of the countryside.

In this location the development would be seen as an unacceptable visual protuberance on landscape. This is because of the extent and scale of the development. I find that would have a materially detrimental visual effect upon the natural scenic and beauty of this part of the AONB, and it would undermine the open and mainly undeveloped appearance of the site thereby harming features which are integral to the character of Hawkhurst.

The undulating topography of the site reinforces the historic rural setting of Hawkhurst and I have strong reservations about the effect of the development upon the appearance of Hawkhurst

I find development would have a significant and demonstrable visual effect upon the landscape character of the AONB. The development fundamentally conflicts with advice contained within paragraphs [172 and 173] of the Framework which seek to restrict this kind of development in designated areas such as the AONB. Accordingly the development fails to comply with the main aims and objectives of the development plan.

The scale and location of the development would have a significant and demonstrable visual effect on the wider landscape.

The undulating topography of the site reinforces the historic rural setting of Hawkhurst.

Harmful visual effects upon the AONB would fail to comply with local and national planning policies given the potential effect upon the character and appearance of Hawkhurst. I consider it would be of greater weight that the grant of planning permission for this scheme would materially harm the visual landscape and landscape character of the AONB because of the site's location and would fail to represent a high standard of urban design given the scale of the development.

The exceptional case?

NPPF 172 requires that great weight should be given to conserving and enhancing landscape and scenic beauty in the AONB and the scale and extent of development should be limited, and planning permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest.

Whether a proposal is 'major development' in the context of NPPF 172 is a matter for the decision maker (having regard to footnote 55). In this instance, the proposed development is major development

in the AONB having regard to its nature, scale and setting and the significant adverse impacts of the development as set out below.

The site is part of a network of peaceful managed farmed landscape of pasture and open arable fields on the gentle open slopes rolling down from the plateau. The undulating topography of the site plays an important role on the landscape character. Given the rising and falling nature of the landscape the development will be visible from various public vantage points. The undeveloped quality of the site makes a significant contribution to the landscape character. The development would be seen as an urban extension to Hawkhurst and it would be out of keeping with the character of the settlement pattern due to the location and built form of the site. Additionally, the location and siting would represent a significant encroachment into the countryside, seen as an alien feature on the landscape and it would be out of keeping with the undeveloped character of this part of the countryside, an unacceptable visual protuberance on landscape. The nature of the development will erode this relatively tranquil rural environment, a generator of traffic set within a rural landscape, the scale of the use would be substantial, involving large numbers of people and large built form intrusive in this rural setting, when the Site is devoid of any building. Considering setting, the proposal would take place within a part of the landscape that is integral to the setting and charm of the village and it would erode its rural landscape setting. Its scale and height would be prominent in this location, a major and permanent disruptive change to landform, harmful to the character and appearance of the AONB.

The level and intensity of the proposed use of the site would also impact on the tranquillity of the area, which is a recognised key component characteristic of AONB designation. Moreover, artificial light associated with the development, together with noise and activity would impact on bio-diversity and contradict the “dark skies” policy adopted for Birchfield Grove. The ecological value of the Site, and ancient woodland priority would mean allocation would be contrary to policy. Whilst there would be some economic and social benefits, the high-quality environment of the High Weald AONB within and around Hawkhurst is of considerable importance and this carries great weight. Overall, the development would result in significant erosion of the landscape character of the AONB with significant adverse impact on the character and appearance of the area and would not conserve or enhance the landscape and intrinsic scenic beauty of the AONB and the purposes for which the area has been designated. The proposal does not present exceptional circumstances necessary to justify major development within the AONB or outweigh the environmental harm identified particularly as alternatives(s) exist with significantly less harmful impacts.

Beauty

The Framework is currently being reviewed again and it is clear that NPPF until 2019 from its inception, and PPG prior to that, gave significant weight to protection of the countryside for its own sake (see for example paragraph 170b NPPF 2019). The Ministry consulted upon, and is set to introduce, a far higher policy test, thanks to the January 2020 Building Better, Building Beautiful Commission “*Living with Beauty*” report. This tells us to “*ask for beauty*” and “*refuse ugliness*”. Our client asks that now. It not merely chimes with the findings of the 2014 Inspector, nor is Beauty being merely reinstated from the previous NPPF position - it will be fundamental to sustainable development as defined before the Plan is adopted.

Other serious adverse impacts

Building a medical centre at the Site runs contrary to current and future policy, it is on the above mentioned ridge upon which the 2014 Inspector gave great weight in terms of protection. The proposed medical centre would dominate that ridge and would be a prominent and discordant feature when viewed from country lanes and footpaths to the north on the other side of the valley (see attachments labelled photos 01 and 02 from the North). From redacted minutes of a meeting between Rydon and TWBC Planning in January 2019, there is confirmation that this is regarded as the most ‘sensitive’ part of site – see documents labelled FOI 1 to 4, in particular FOI 2. It should also be noted that the Birchfield Grove development is surrounded by an Ecological Mitigation Area (approximately 2-3m wide – see attachment labelled Ecological Strip). Not only will this strip of land be breached to allow access to the Site but in addition any protection for wildlife, fauna and flora that the strip was meant to offer will be undermined by building a medical centre next to it.

Given that Site 413 was excluded from the January draft of the PSLP because of AONB concerns, what has changed to allow such a large structure to be built on the same site? Nothing material has changed since the 2014 Inspector made his findings.

The Site is a good ten minutes' walk from the Hawkhurst Crossroads and for patients living to the north, south and west of this, car would be the preferred mode of transport. The Hawkhurst Crossroads is already very busy. KCC Highways has made the point that the Crossroads it is 'at capacity', and has recently objected to another proposed housing development (71 homes), also to the south of the Crossroads, "owing to worsening congestion at the Hawkhurst crossroads junction" which they also note, quoting an August 2020 TA is "already operating over capacity" – see attachment labelled FULL KCC Highways (letter dated 25 February 2021 in Application TW/20/02788/FULL, KCC Highways and Transportation). To reinforce the point, this application has now been refused by TWBC's Planning Committee on the grounds of the impact on both the High Weald AONB and road congestion. (Decision made on 12 May 2021).

The intensification of use of the access road (Birchfield Grove) has already been objected to by Kent County Council highways (see TW/14/00547/OUT 1/5/2014). The borough council gave reserved matter approval to the current layout apparently unaware (from fair reading the officer assessment report) of the implications of leaving an aligned road near the northern boundary, which was not part of the presentation layout made by the developer to borough council members when they granted planning permission. Residents and their solicitors were similarly unaware when purchasing their properties in Birchfield Grove. Unlike the private road element that closes off Birchfield Grove at its northern end, the Site's proposed access was not segregated compared to the remainder, to leave open an access to more development. To the contrary, the landscaping proposed to borough council members was a defensible barrier to further development to the North i.e. including the Site (see Application 16/07797, Approval of Reserved Matters 2/10/17, Agent Response to Parish Council comments).

The escalation of use, were the Site allocated and then developed as drafted, would have profound implications for our client residents in terms of harm to their amenities. It is obvious from the significant escalation in traffic movement, this will lead to noise, fumes, vibration and disturbance to what is otherwise currently a quiet cul-de-sac that does not facilitate access beyond. Indeed, all residents, and even more so, those abutting or overlooking the Site would be adversely impacted. Here again the 2014 inspector raised significant concern in respect of harm by way of less than high quality design, but in 2014 the Framework provisions were less effective than now.

The position is currently set out in the 2019 Framework under section 12, commencing at paragraph 124. Put short, it has since then been a **"fundamental"** requirement that **development makes better the places in which people live their lives**, to be acceptable to communities. It will fail that fundamental test and it is explicit the Framework requires such development to be regarded as unsustainable. The test is no different when considering allocation of land in a new local plan since planning permission would still be required.

The air quality in Hawkhurst is one of the worst in Kent due to the Crossroads. Bringing both surgeries to the Site is likely to add to the poor air quality as patients to the south of Hawkhurst who previously attended the surgery located in the south of the village (Wish Valley) will now have to drive up Highgate Hill and turn right at the Crossroads. Perhaps more significantly, on their return journeys all visitors to the medical centre would turn right into Rye Road (see below for access and sightline problems) before distributing three ways at the Crossroads.

The junction from Birchfield Grove to Rye Road – this junction has poor sightlines and would struggle to handle the increased volume of traffic. In this context, a planning application to build six bungalows on the other side of the Rye Road (virtually opposite Birchfield Grove) was turned down recently mainly because of concerns around access to the Rye Road – see (see web link)

Accordingly, the Site must not be allocated, but protected from development. There is no plausible planning case otherwise simply because a landowner offers land for free. So where else should a medical centre be allocated? The answer is not difficult.

Alternative site availability.

This is a key point given the above Framework requirements. KGV was suggested by TWBC in the January draft of the PSLP before the offer of free land at Site emerged. Our client believes KGV has considerable advantages over the Site – notably, it is already developed (there is a Sports Pavilion; parking; tennis courts; playing fields and a playground) so would not damage or undermine the AONB. In addition, it believes this site can meet the doctors' requirements for the new medical centre, including parking. The idea in the January PSLP was that the medical centre would be co-located with a proposed new Community Centre. This would potentially generate a number of synergies. Finally, it believes

access would not be an issue given that KGV already accommodates the traffic associated with its existing facilities. It is also worth noting that there are two other potential sites at the local Community Hospital which lies on the outskirts of the village and at the proposed development at the Golf Club which includes provision for a new medical centre too.

Future housing north of the Site if the allocation were adopted

Although the current proposal is limited to a new medical centre and parking, it seems highly unlikely that the owner of Site would offer it without any prospective benefit, notwithstanding the gift of the land for the medical centre. It is also virtually certain that Rydon, who own the 'Access Option' from Birchfield Grove to the Site and beyond, would not allow access for the development of the medical centre unless it opened up the prospect of building houses beyond the Site at some point in the future. The landowner's track record for that is established. The offer of the land cannot be given any weight in terms of planning merit.

The doctors' professional adviser was understood to have been asked about 'ringfencing' the medical centre so that no further access could be made to the remainder of the land (site 413) through the medical centre/Site but at a meeting with representatives of Hawkhurst Parish Council and TWBC planning turned that down. This fuels concern that the medical centre is a 'trojan horse' for significant future housing on site 413.

Conclusions

The 2014 Inspectorate decision made findings with which the allocation of this Site is in fundamental conflict. For the planning system to be reputable, consistency is crucial. The Neighbourhood Plan policy position does not support allocation of this Site. LP2 maintains the AONB protection and AM3 gives generalised support to a replacement facility, but does not identify this Site.

Accordingly, in terms of Framework dimensions, there is no **economic benefit compared with KGV**, and in terms of **environment**, the position firmly tips against the Site, plus as a less harmful alternative site exists, that will equally meet the **social dimension**. It does not meet the Framework 3 tests, so it would be **"Unsound"** to leave the Site shown as a proposed allocation. This is very clear in 'place' and 'plan' making terms. The council should instead identify KGV as the viable site for the medical centre.

Yours faithfully,

Kingsley Smith

Kingsley Smith Solicitors LLP

Copy of the residents' objections submitted as part of the consultation on the Local Plan published July 2020

Representations to TWBC re Fowler's Park, Hawkhurst (Policy AL/HA 4)

TWBC has included a site in Hawkhurst (Fowler's Park) ("the Site") in its Regulation 18 Consultation draft new Local Plan ("the Draft Plan"), which is being consulted upon in a first round of publication between 20 September and 1 November 2019. The detailed proposals for the Site is set out in Policy AL/HA 4 of the Draft Plan. Briefly, the Site is allocated for residential use (C3) of approximately 100 dwellings, a medical centre or community facility (together with sufficient parking space), and safeguarded land for future school expansion.

We are instructed by residents of Birchfield Grove, Hawkhurst, the road from which any new development at the Site is to gain access. The representations contained in this letter have been approved by **[a number of other residents by whom we are not expressly instructed but from whom we have received confirmation, via our clients, that it also reflects their concerns with regard to the development of the Site]**

Our clients have several serious concerns regarding the suitability of the Site for the development which is being proposed in the Draft Plan. As set out in the draft policy, the Site in undeveloped "greenfield" land, it is within the Area of Outstanding Natural Beauty, is rural, comprises an area of Ancient Woodland and contains several Tree Preservation Orders and Veteran Trees. There is some development abutting the Site to the south and west, generally consisting of residential gardens and playing fields.

The issues which will be addressed in this representation are:

- 1 Transport / highways issues
- 2 Consistency of decision-making with plan-making
- 3 The earlier decision by the Secretary of State (13/00014) of 14 April 2014
- 4 AONB Protection
- 5 ClientEarth letter, September 2019
- 6 Sustainability / future-proofing
- 7 Housing Supply
- 8 The Relief Road

Transport / highways issues

The Site will be accessed through the new development (which our clients occupy) at Birchfield Grove. Birchfield Grove was only constructed very recently, between November 2018 and April 2019, our clients taking occupation of their property in March 2019, only some six months ago. The properties in Birchfield Grove were still being sold up to September this year. At no point during the transfer of their property (or, we understand, any of the others on the development) was the possibility of development on the Site mentioned. Whilst it is fully appreciated that this is not a material planning consideration, it goes to the consistency and transparency of cumulative local government decisions and how the failure to hold those principles affects not only the sustainability of the area but also individuals' lives and futures.

The Site will cater for, the Draft Plan indicates, about 100 new dwellings. With the average car ownership for a 3-bedroomed house being 2, that number increasing exponentially with the size of the home, this equates to an average (qualified guestimate) of 200 additional cars going through what was expected to be a quiet cul-de-sac by many of the purchasers. Birchfield Grove will be the only point of access for the Site as the consideration of any access from Whites Lane has been restricted by paragraph 2 of the draft policy.

Hawkhurst suffers terribly from congestion, rippling back from the busy crossroads in the centre of the village. It is noted that a relief road is proposed in the Draft Plan in the Development Strategy ST1 for the whole borough (paragraph 4) but the details of this are in no way sufficiently advanced (or if they are, they are not yet publicised) to enable any adequate consultation on development which it may 'relieve', taking place.

As far as the logistics of the Site itself, on leaving Birchfield Grove, the sightlines both to left and right are poor. The width of the mouth of the road joining Rye Road is too narrow to allow a vehicle to exit safely onto Rye Road if another vehicle is turning in at the same time. Whilst this is manageable in the context of 26 dwellings (that permitted and constructed at Birchfield Grove), the situation would likely become highly dangerous with the number of vehicles associated with the 100 extra houses proposed for the Site, public parking for 15 vehicles and a medical centre with its own parking. It should be noted that in relation to the application reference 19/01299 to build six bungalows opposite Birchfield Grove, KCC Highways and Transportation commented (26 July 2019) that:

"Rye Road is a busy distribution route where the last recorded speeds in connection with the development opposite [that is, Birchfield Grove], were in excess of 40 mph."

In this context it should be noted that despite the 30mph zone being extended beyond the Birchfield Grove development several months ago, almost all vehicles exiting the village eastward accelerate to or beyond 40mph even before arriving at the Birchfield Grove junction.

It is noted that the draft policy AL/HA4, paragraph 11 states that *"Confirmation from the highway authorities that there is no objection to the impact of the development at the crossroads at Highgate"* is a requirement for any development of the Site.

The added volume of westbound traffic from Birchfield Grove would add significantly to pressure on the crossroads already under considerable strain.

Although Birchfield Grove is quite short at approximately 130 metres long, it has been constructed with appropriate minimal width and with four curves along its length to give the development a rural character. If Birchfield Grove had been planned as part of a larger development of 126 dwellings, public parking for 15 vehicles and a medical centre with its own (somewhat transient) parking facilities for staff and visitors, which is what it will become if the proposal for the Site goes ahead, such a curved road of minimal width would never have been contemplated. Birchfield Grove is of a width appropriate only to its current size and visitors' parking is limited to space for only two vehicles. If the proposals

for the Site as outlined in the Draft Plan go ahead, Birchfield Grove will become highly congested with through traffic to and from the proposed development.

Consistency of decision-making with plan-making

In the decision made by TWBC with regard to the development of Birchfield Grove, the applicant's agent agreed to remove any reference to access being maintained to the Site in response to representations made by Hawkhurst Parish Council that there was no future development proposed on the Site. An email from the applicant's agent to the local authority dated 30 March 2017 containing its agreement was published on TWBC's planning portal against application no.16/07797 on 29 September 2017 **[enclosed]**. It can therefore be presumed by the reasonable observer that it was considered by the applicant and the local authority that there was no element of access to the Site which should properly fall to be considered in the decision-making process for the development of Birchfield Grove. Our clients feel that, if the local authority (as a body) were aware of access being required for any potential future development (either in principle or properly formulated) at the Site at the time that it made the decision in the Birchfield Grove site, that information should have been a material planning consideration and should have been referred to in the material submitted for, and the subsequent decision of, Birchfield Grove. The local planning authority is put to proof regarding the timing of its knowledge of the Site coming forward for development either by way of application or as part of the Call for Sites for the Draft Plan and the decision taken in the Birchfield Grove application (decision notice issued: 29 September 2017).

The earlier decision by the Secretary of State (13/00014) of 14 April 2014

Furthermore, a Planning Inspector, in the appeal against the decision of the Council to refuse application no.13/00014 (an application for the development of a larger site at the same location) dismissed an appeal against the refusal of 120 dwellings at the Site for the following reasons:

- (i) The development would have a materially harmful visual effect on the AONB
- (ii) It would fail to represent the high standard of urban/rural design required by policy

The AONB reason over-ride all of the other issues raised by the appellant in terms of housing numbers (the Council could not satisfy its 5yr HLS at that time), its generally sustainable location, the lack of material harm to the biodiverse ecology of the Site, identified and quantified economic, environmental and social benefits to the development, highways issues, drainage problems and the provision of affordable housing, all of which the Inspector felt could be addressed through the planning agreement but none of which would overcome the inherent and long-standing damage that would be caused to the AONB by the development of 120 houses on the Site.

AONB Protection

Paragraph 11 of the National Planning Policy Framework (the NPPF) states that:

"Plans and decisions should apply a presumption in favour of sustainable development.

*For **plan-making** this means that:*

- (a) plans should positively seek opportunities to meet the development needs of their area, and be sufficiently flexible to adapt to rapid change;*
- (b) strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas, **unless**:*
 - (i) the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area; or*
 - (ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole."*

One of the policies specifically mentioned in the NPPF that "protect areas or assets of particular importance" described in paragraph 11(b)(i) is that regarding Areas of Outstanding Natural Beauty.

Paragraph 170 of the NPPF, in particular, states that, *"planning policies and decisions should contribute to and enhance the natural and local environment by:*

- (a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);*

(b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;

(c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate;

(d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;

(e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and

(f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.”

More specifically, paragraph 172 states that, “Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks. Where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality and the Broads. The scale and extent of development within these designated areas should be limited. Planning permission should be refused for major developments other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. Consideration of such applications should include an assessment of:

(a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;

(b) the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and

(c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.”

Where there are sufficiently robust policies in place to counter-balance the presumption in favour of sustainable development, reasons for refusal may be sustained. In the Inspector’s consideration of all of the policy factors, nothing outweighed the importance of the AONB, not even a lack of housing supply for the local authority.

The importance of the AONB cannot be under-estimated. Once it is gone, it is gone forever; there is no return. The Inspector described the Site as being “*part of a network of peaceful, managed, farmed landscape of pasture and open arable fields on the gentle open slopes rolling down from the plateau. The undulating topography of the site plays an important role on the landscape character*” and “*the undeveloped quality of the site makes a significant contribution to the landscape character*”. [Enclosure: Decision Letter: paras 49 & 50]

In plan-making (i.e. the allocation of sites for development), a similar approach should be taken, as outlined by the NPPF.

The Draft Plan considers the AONB at Policy EN 21, which clearly states, at the first paragraph that:

“All development within, or affecting the setting of, the High Weald AONB shall seek to serve and enhance its landscape and scenic beauty, having particular regard to the impacts on its character components, as set out in the High Weald AONB Management Plan.”

The preceding explanatory paragraphs to the draft policy are also set out below:

“6.224 *The High Weald AONB covers approximately 70% of the borough and has the highest status of protection nationally in relation to landscape and scenic beauty, equal to that of National Parks. The Local Planning Authority has a statutory duty to conserve and enhance the natural beauty of the High Weald AONB. The High Weald AONB Management Plan 2019-2024 provides the following statement of significance:*

‘Time depth and objective analysis has defined the High Weald AONB as characterised by dispersed settlement, particularly historic farmsteads, ancient tracks and routeways, an abundance of ancient woodland, wooded heaths and shaws with a heritage of woodland industries and iron working and small, irregularly shaped and productive fields. These are all draped over a deeply incised and ridged landform of clays and sandstones with numerous gill streams, and are closely related to socio-economic characteristics that have roots extending deep into history. The essential character of the High Weald was established by the 14th century and has survived major historical events and social and technological changes. It is considered to be one of the best surviving coherent medieval landscapes in northern Europe. This fundamental and largely immutable character is the essence of the natural beauty of the AONB’.

6.225 *The High Weald AONB Management Plan is structured around the five key components of this character:*

- . *geology, landform, water systems, and climate;*
- . *settlements;*
- . *routeways;*
- . *woodland; and*
- . *field and heath.*

6.226 *The Local Planning Authority will have particular regard to these components in determining development proposals affecting the High Weald AONB and, where relevant, areas of the High Weald National Landscape Character Area that adjoin the designated area.”*

The draft policy, in paragraph 2, then attempts to preclude from itself those sites which are allocated in the draft NLP but which are within the boundaries of the AONB:

“Development in the AONB on sites not allocated in the Local Plan will need to be of a limited scale appropriate in terms of its nature and location, and demonstrate a positive contribution to the objectives of the AONB Management Plan...”

This statement goes entirely against the rationale behind national policy (the NPPF), the statutory duty imposed upon the LPA contained in section 85 of the Countryside and Rights of Way Act 2000 (“the CROW Act 2000”) and also the Draft Plan’s own preceding explanatory paragraphs.

Whilst it is appreciated that the LPA has discretion when drafting Plans to determine the weight to apply to matters which are given materiality by the NPPF and the PPG, protection for the Area of Outstanding Natural Beauty is required **in law** by the application of section 85 of the CROW Act 2000. This states at sub-paragraph (1) that:

“In exercising or performing any functions in relation to, or so as to affect, land in an area of outstanding natural beauty, a relevant authority shall have regard to the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty.”

It is submitted that by attempting to remove the statutory protection from those sites which are allocated in the Draft Plan, the LPA is acting contrary to section 85 of the CROW Act 2000.

ClientEarth letter, September 2019

In response to the letter written by ClientEarth to the LPA putting it on notice of the potential it faces to violate its legal environmental obligations, the Draft Plan must ensure the introduction of “proper” climate change plans, including evidence-based carbon reduction targets which are central to those new plans. ClientEarth describes the need to include carbon targets in local planning policies as a “core objective against which all other policies and decisions will be tested”.

It must therefore be questioned whether the use of the Site for 100 new houses satisfies the LPA’s legal obligation to achieve a net zero carbon footprint for the UK. The LPA must be absolutely sure it can comply, via the imposition of appropriate planning conditions and, more importantly, the strong and targeted enforcement of any breaches of those conditions, with its statutory duty to uphold the law as set out in section 19(1)(A) of the Planning and Compulsory Purchase Act 2004, in that:

“development plan documents must (taken as a whole) include policies designed to secure that the development and use of land in the local planning authority’s area contribute to the mitigation of, and adaptation to, climate change”

Sustainability / future-proofing

The government has recently announced the target requirement for the country to achieve zero net carbon emissions by the year 2050.

Should these site-specific objections not be successful and the Site be allocated as proposed by the LPA in the Draft Plan, any developer must be strictly required to ensure that the development of the Site achieves this high degree of sustainability and that neither the village, the county nor the region suffers any detriment to its air quality or available amenity land to provide services for future generations of its inhabitants.

Housing Supply

As mentioned above, the Inspector's decision from 2014 highlighted the importance of the AONB, even over a lack of housing supply.

Our clients are fully aware of the need for the LPA to meet the figures set out annually by central government in the Housing Delivery Test, or undertake the consequential actions required where there has been a failure to do so. If the LPA can identify its housing supply, either including this Site or not, at the time of considering the Draft Plan, or at a later date prior to the Examination of the draft policies contained in the Draft Plan then there will be less pressure to allocate sites which are considered unsustainable or have additional designated national protection.

It can be seen that much relies on the timing of the coming forward of sites for inclusion in the Draft Plan and also the number of houses being built in the years leading up to a Plan's examination and adoption.

Our clients are strongly of the view that in order to satisfy its housing targets, the LPA (a) does not need to include this Site in its allocation; or (b) should consider alternative sites outside Hawkhurst before it over-runs the village with development that it cannot sustain either in the medium- or long-term.

The Relief Road

The provision of a relief road in Hawkhurst from Cranbook Road to Rye Road/High Street (as mentioned above, referred to in the Development Strategy policy STR1) is only required as a result of the enormous scale of development now proposed in the village and does not appear in the Transport section of the Draft Plan (paragraphs 6.506-6.540; policies TP1-6).

Our clients are extremely concerned that it will not relieve the traffic concerns in relation to this particular Site as it is at the opposite end of the village. Its effect will be negligible.

Furthermore, it would appear that a proper assessment of the relief road and its effects has not been conducted, or at least not officially reported upon and analysed in order for it to be published as part of the Draft Plan.

Until such analysis is available on the real prospects of the relief road benefitting the village, or its surrounding area, and complying with all sustainability principles, the allocation of development sites which it is suggested would be better served by the existence of the relief road, is open to challenge.

Conclusion

The obvious remedy to facilitate the ability of the LPA to achieve its given target of net zero carbon emissions, to comply with all of its statutory obligations to conserve and enhance the AONB, and to protect any future detriment to the amenity of the residents of Hawkhurst, is to remove this Site (as well as others in Hawkhurst) from the Draft Plan.

9 October 2019

Thomson Snell & Passmore LLP

[1] 2198919

[2] The High Weald AONB Management Plan 2009

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan 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 siting of a large medical centre in a prominent position in the AONB in land to the north of Birchfield Grove is so inappropriate by reason of (i) damage to the AONB when there is an alternative site that offers no damage to the AONB, (ii) unacceptable additional pressure of traffic flows on Rye Road and at the Hawkhurst crossroads and (iii) excessive and unacceptable pressure from traffic on Birchfield Grove, that the only possible modification to the Local Plan to make it sound is to remove it from the plan and reposition the medical centre at King George V Playing Fields.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

No, I do not wish to be notified of future stages of the Local Plan

Supporting Information File Ref No: SI_61

Comment

Agent	Susanna Sanlon [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Evolution Town Planning
Address	Opus House Elm Farm Park Bury St Edmunds IP31 3SH
Consultee	[REDACTED]
Company / Organisation	The Number One Community Trust
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	The Number One Community Trust [REDACTED]
Comment ID	PSLP_1032
Response Date	02/06/21 21:41
Consultation Point	Policy AL/RTW 15 Land at Showfields Road and Rowan Tree Road (View)
Status	Processed
Submission Type	Email
Version	0.7
Files	PSLP_1032_Evolution Planning for Number One Community Trust_SI_Representation.pdf
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Number One Community Trust
Question 2	
Agent's Name and Organisation (if applicable)	Evolution Town Planning
Question 3	

To which part of the Local Plan does this representation relate?

Policy

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy AL/RTW 15 Land at Showfields Road and Rowan Tree Road

Paragraph No(s) 5.95-5.98

Policies Map (Inset Map No) 15

Question 4

Do you consider that the Local Plan:

Is sound

No

Complies with the Duty to Cooperate

No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not positively prepared
- . It is not effective
- . It is not justified
- . It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

Whilst the trustees have welcomed the opportunity to discuss the proposals for redevelopment with Town and Country and the other stakeholders, the Trustees remain concerned at the current proposed wording of Policy AL/RTW 15, which allocates land and facilities within the ownership of the Number One Community Trust for development, without sufficient safeguards to truly enhance and protect the community facilities.

Since the Trust's previous objections have not been adequately incorporated into any amendments to this policy, as a land owner, we consider there to have been a failure to comply with the **Duty to Cooperate**. Moreover, we consider that the policy is rendered **unsound**, because it has not overcome fundamental concerns of a landowning stakeholder. We therefore consider that the policy is not **positively prepared**, is not **effective** and is not **justified**.

The Trust therefore **objects** to the current wording of this policy. The reasons for the objection are set out below.

Potential for loss in flexibility, amplification and freedoms of uses

Policy AL/RTW15 includes as a central and key proposal that the land is allocated for the redevelopment of the whole area, to include *'residential development providing approximately **155 additional dwellings and health and community uses***'.

Given the relatively small area being allocated, this is a substantial increase in residential uses, and this is in addition to the dwellings already present in the area. Given that this part of Tunbridge wells is already an area which is predominantly flats and maisonettes, some of which are in private ownership, an **additional 155** new homes will lead to a very high residential density in this area, which is far in excess of all neighbouring residential densities. It is clear that this intensification of uses can only be achieved if the redevelopment of community uses includes residential living space above it, and if the existing residential units are redeveloped to be smaller and more cramped. We have concerns about this and the impacts of this on residential amenity and the freedoms our community trust currently benefits from.

It has been confirmed to us in consultation meetings that such a development would seek to intensify residential use, so as to make the proposal viable. Whilst there are residences above part of the Trust's Centre, those elements of the Trust's landholding which have the potential for greatest noise (the hall and large D2 space occupied by a library, toddler group and church) have the benefit of being completely free from residential uses above. This is a situation which the Trust wish to maintain for community uses within its freehold ownership.

These spaces have high ceilings, a flexible format operate without any noise or hours of operational restrictions. Both spaces are used flexibly by the community and have the potential to accommodate a range of noisy uses, free from conflict with noise sensitive uses. Whilst the proposed developers have suggested mitigation measures and potentially putting office uses between the community uses and residential uses, we remain concerned that this will still represent an infringement upon the trust's current freedoms and we remain concerned that the LPA will be under pressure to condition the use of the Community Facilities. The Trustees would strongly oppose such restrictions, since the community centre (and the hall especially) currently enjoy freedom from noise sensitive uses and any restrictions on their operations. This freedom has been crucial to the Trust's success over the last 30 years. **We therefore continue to resist the provision of replacement community facilities with any uses located above them.**

Potential for loss in quality and flexibility in spaces

Policy AL/RTW15 states 'Development on the site shall accord with the following requirements: (1.) *'A comprehensive redevelopment of the site to include the re-provision and enhancement of the existing residential dwellings alongside enhanced and improved community facilities, to include a new medical centre. The community and health facilities to be provided in accordance with an agreed timetable, relative to the phasing of the residential element of the development'*.

As currently worded, the Trustees of the Number One Community Trust cannot support this policy, since it does not adequately protect the flexibility of the facilities or make clear what 'improved' community facilities will mean.

We have concern that this policy, as drafted, does not adequately protect the Trust from what it would consider to be an erosion of its facilities. Whilst the policy states that any development would be required to provide 'enhanced community facilities', these would need to be quantified and qualified for the Trustees to consider offering support to this policy. The Trustees comments on the previous version of the Local Plan have not been taken into consideration, and this represents a failure of the duty to cooperate, given that the Number One Community Trust are freehold owners on this site.

The Trust currently owns/leases/uses the following facilities, and has reviewed the quantitatively and qualitative benefits of its existing provision:

[TWBC: for table, please see full representation attached as a supporting document]

The Trust would need to be satisfied that every element of both qualitative and quantitative provision would be protected and significantly enhanced in order to support this policy. The policy has not been revised since the previous submission, which demonstrates that the Trust's concerns have not been considered. The policy continues to need to be much more specific with regard to what enhancements will look like, without encroaching on or eroding the Trust's existing facilities and freedoms.

Naturally, as landowners, the Trust will also want to ensure continued ownership of their facilities.

Residential Ownership

In addition to the community facilities which the Trust owns, the Trust also owns a number of flats in the residential offer at the site. These let very well, and are an attractive offer on the housing market. The Trustees would be unwilling to lose any ownership of their flats, and would need to be satisfied that any replacement provision was an enhancement on their existing flats. It is important to the Trust that they own the income-earning flats within the complex, and as such, they would be unwilling to accept a purchase of their flats to enable development, without such guarantees.

The trustees are concerned that redeveloping existing housing, whilst seeking to deliver at least 155 additional houses, is likely to lead to replacement dwellings being cramped and at a much higher density than other surrounding areas. Since this area is already the highest density area of the three 'social housing estates' in Tunbridge Wells, it is considered inappropriate to seek to increase the density of this area so substantially. The trust is concerned that any proposed replacement dwellings would be at too high a density to be considered an adequate replacement for the existing dwellings.

Disruption during construction / loss of street frontage location

Finally, we object to this policy on the grounds that we are not convinced that a redevelopment could be accommodated without the Trust losing either access to their facilities for significant lengths of time, or being permanently located in a non-street frontage location: both would be entirely unacceptable to the Trustees.

The success of this Trust's Centre, compared with any other community centre run by a charitable trust within Tunbridge Wells, is based on its visibility on the street and the continued availability of its facilities to the community, without disruption.

Temporarily sending occupiers and groups to other locations may mean that they never return. Likewise, inadequately housing occupiers in portacabins may mean that the Trust (and the community) loses valuable groups and community assets. Similarly, providing a permanent replacement building, whilst the existing buildings are remaining in use would lead to the community buildings relinquishing their street frontage, which will undermine their long-term viability. We do not see how any temporary relocation could enable us to keep employing all the local staff that we offer work to. As such neither development option is supported by the Trustees. We therefore have strong reservations that such a major redevelopment could be accommodated without potentially fatal implications for this valuable community resource and as such, we oppose the redevelopment and the allocation of the trusts buildings in policy AL/RTW15. As trustees we have agreed that a better way forward for us as a significant land owner in this site would be to begin improving and investing in the properties we own.

We object to this policy on the basis that:

- . The trust's previous comments have been ignored, and therefore there has been a **failure to cooperate** with a major stake holder and land owner.
- . It is **not sound**, since 155 new residential uses cannot be delivered without serious infringement on the freedoms and flexibility of use the community centre currently enjoys.
- . As such, this policy is **not positively prepared, ineffective and unjustified**.

See attached report for a full explanation of these reasons.

[TWBC: for full representation please see supporting documents]

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan 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.

Policy AL/RTW 15 Land at Showfields Road and Rowan Tree Road The Showfields Estate

This site, as defined on the Royal Tunbridge Wells Policies Map, is allocated for residential development providing approximately **no more than 155 additional dwellings (spread throughout the estate and not centred upon one small area) and health uses and quantitatively and qualifiedly enhanced community uses**. As this development would comprise the redevelopment of an estate, affordable housing provision should be in accordance with Policy H 4: Estate Regeneration. Development on the site shall accord with the following requirements:

1. A comprehensive redevelopment of the site to include the re-provision and enhancement of the existing residential dwellings alongside enhanced and improved **quantitatively and qualifiedly enhanced** community facilities, to include a new medical centre. The community and health facilities to be provided in accordance with an agreed timetable, relative to the phasing of the residential element of the development. **In order for community uses to be genuinely quantitatively and qualifiedly enhanced, the community provision must comply with the following:**

a) Freehold ownership for the Number One Community Trust must be assured.

b) The community uses must include a genuine like for like replacement (or increased) floorspace for each of the following uses – multi-use library space, café, pre-school, lobby and offices, hall, community garden and playground area. Where these are indoor facilities they must continue to benefit from the same ceiling heights, unrestricted use and hours of operation, and those uses which do not currently have any uses above them must be replaced without any other uses above them.

c) The Number One Community Centre must retain its prime street front location and integrated position with the play space and the village green.

d) During the redevelopment, there must be no disruption to the ongoing activities which run at the Number One Community Centre.

e) If the residential density of the area increases as a result of the proposals, enhancements to the Number One Community Centre will be sought through S106 measures in order to provide for the new households.

2. The design and layout to take the form of a Low Traffic Neighbourhood, ensuring pedestrian and cycle permeability through the site, both to retain existing routes and to provide new routes, including pedestrian and cycle linkages with the surrounding area;

3. Any proposals should take account of the designated Village Green status of the open space within the site and **must not encroach upon it in any way**;

4. Provision of on-site amenity/natural green space and children's and youth play space;

5. Contributions are to be provided to mitigate the impact of the development in accordance with Policy STR/RTW 1.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? ☐ Yes, I wish to participate in hearing session(s)

Question 7a

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

The Number One Community Trust is a stake holder and land owner, and our views need to be considered and incorporated, as without the agreement of the Trust this policy is undeliverable.

If you would like to attach a file in support of your comments, please upload it here. [PSLP 1032 Evolution Planning for Number One Community Trust SI Represenation.pdf](#)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box: Yes, I wish to be notified of future stages of the Local Plan

Supporting Information File Ref No: SI_133

Comment

Consultee	Mr David Hanes ([REDACTED])
Email Address	[REDACTED]
Company / Organisation	The Pembury Society
Address	[REDACTED] [REDACTED] Tunbridge Wells TN2 [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	The Pembury Society (Mr David Hanes - [REDACTED])
Comment ID	PSLP_1998
Response Date	03/06/21 22:38
Consultation Point	Section 3: Vision and Objectives (View)
Status	Processed
Submission Type	Email
Version	0.5
Files	PSLP_1997-2001_The Pembury Society_SI(not inclusive).pdf
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	The Pembury Society
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Section 3: Vision and Objectives

[TWBC: this representation has been input against Policies PSTR/PE 1, Section 3 - Vision & Objectives, STR 5 and STR 6 – see Comment Numbers PSLP_1997, PSLP_1998, PSLP_2000 and PSLP_2001. Full response attached as Supporting Information]

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

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Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

Considering the wider context, of the Borough and Tunbridge Wells in particular, we make the further observations, with reference to the Local Plan headings and numbering:

Section 3

Visions and Objectives

- a. Despite some points made in the Local Plan 3.1 to 3.5 we dispute that there is any Vision about “what sort of place we want the borough to be in the future”, ie what it should look like, the facilities available, recreational and creative aspects. Where is the Vision relating to the visual features, enhancement of beauty and the artistic and, in terms of heritage, anything in the documents about enhancing the “Spa” aspect of Royal Tunbridge Wells by the provision of water features? (Note: Tunbridge Wells is twinned with Wiesbaden in Germany, another spa town.)
- b. The Local Plan appears to be defined by development, building sites and commensurate infrastructure, but there is more to quality of life than this. We note the degree of attention and finance over recent years to road changes and hard features in the centre of Tunbridge Wells – hardly a tourist attraction.
- c. Little reference is made in the Local Plan to actions necessary to be taken to enhance the historic and cultural side of Tunbridge Wells. (Note – cessation of “The Day at the Wells”)
 - 1 For example, the failure to move forward with the derelict site of the old cinema, the failure of a plan to enhance the Assembly Hall which would not be ruinous or fail to capture the support of the people of TW.
 - 2 Lack of inspiration to market the town in its Spa context through the use of water features, and soft visual features, together with road congestion, all leading to declining tourism.
 - 3 We note “The Water in the Wells Working Group” report c2012 sets out to promote the installation of high quality water features at key locations in and around the town to:
 - 1 Create landmarks and meeting points,
 - 2 Provide modern play places,
 - 3 Refresh the environment,
 - 4 Emphasis the unique TW spa brand, and
 - 5 Raise the profile of TW and thus visitors/tourism.

Nothing in the Local Plan picks up these ideas or follows this thinking. The contrast between Tunbridge Wells and Wiesbaden is noted in the report as “could not be more stark”.

SUMMARY

- 1 The Local Plan concentrates on achieving and ticking a box regarding Government objectives in order to meet a calculated housing need, while we note that such number mechanisms are already being seen as flawed. Should Government pursue the strategy of levelling between north and south, ‘Northern Powerhouse’, it is possible that the housing needs in the south-east may need to be re-assessed downwards.

- 2 The Local Plan majors on development and development sites in order to achieve numbers and has little to do with the aspirations of the people of the Borough.
- 3 While the Local Plan does seek to detail all the relative aspects to be considered in relation to development sites, Neighbourhood Development Plans urgently need to be developed with relative local support, ensuring that each community has such housing as is beneficial and sustainable, in the context of each community's needs, available employment, enhanced infrastructure and supporting services.
- 4 While it promotes the use of "active travel", the impact of essential travel as opposed to leisure use is, in our view, highly suspect and vehicle use is likely to increase. This necessitates a much deeper look at long term highway strategy, which should be part of this Local Plan.
- 5 The enhancement of Tunbridge Wells for tourism, leisure, artistic and cultural amenities, as well as shopping experience, will only come about with renewed vision, and a major scheme to remove road congestion such as a ring road.
- 6 Finally, we would like transparency on the financial aspects of the proposed site developments, and the vision that arises from the use of the extra rateable value, which on the basis of say 12,200 dwellings (alone), amounts to £18,300,000 pa by the end of the Local Plan period, 2038, at current values.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

Supporting Information File Ref No: SI_133

Comment

Consultee	Mr David Hanes ([REDACTED])
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Address	[REDACTED] [REDACTED] Tunbridge Wells TN2 [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	The Pembury Society (Mr David Hanes [REDACTED])
Comment ID	PSLP_2000
Response Date	03/06/21 22:38
Consultation Point	Policy STR 5 Infrastructure and Connectivity (View)
Status	Processed
Submission Type	Email
Version	0.5
Files	PSLP_1997-2001_The Pembury Society_SI(not inclusive).pdf
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	The Pembury Society
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR 5 Infrastructure and Connectivity

[TWBC: this representation has been input against Policies PSTR/PE 1, Section 3 - Vision & Objectives, STR 5 and STR 6 – see Comment Numbers PSLP_1997, PSLP_1998, PSLP_2000 and PSLP_2001. Full response attached as Supporting Information]

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

Strategic Objectives

- a. There are 11 points raised, yet the majority are found relating to development,
 - 1 Transport is limited to a policy of giving priority to active travel and public transport,
 - 2 There is but reference to “ensuring the borough is vibrant, culturally rich, and economically buoyant”, and
 - 3 “conserving and enhancing the valued historic, built and natural environments, including Green Belt”, however
- b. The majority of the Plan relates to “sustainable development”, sites and their uses, and there is nothing specific or being envisioned about the matters raised in “Vision and Objectives” above.

Infrastructure and Connectivity

- a. 4.91 states “It is expected that future infrastructure to mitigate the impact of development....funded by....”, “to ensure that the development is acceptable in planning terms”.
- b. However, there is little infrastructure proposed that mitigates the likely increase in traffic movements by the up to 15000 cars that will be generated by the proposed developments in the vicinity of Pembury, Capel and Paddock Wood.
- c. Indeed there is little being proposed to alleviate the existing and declared congestions on the roads surrounding Tunbridge Wells. It may meet the “planning terms” but is distinctly unlikely to meet the aspirations of those who reside in the borough, who are already frustrated by the congestion and use of “rat runs” for their necessary travel needs.
- d. The only mitigation involving additional or new roads is the Colts Hill bypass. While the dualling of the A21 from Kippings Cross to Lamberhurst is noted it is unlikely to be aspirational for many years if the Tonbridge Kipping Cross section is anything to go by.

SUMMARY

- 1 The Local Plan concentrates on achieving and ticking a box regarding Government objectives in order to meet a calculated housing need, while we note that such number mechanisms are already being seen as flawed. Should Government pursue the strategy of levelling between north and south, ‘Northern Powerhouse’, it is possible that the housing needs in the south-east may need to be re-assessed downwards.
- 2 The Local Plan majors on development and development sites in order to achieve numbers and has little to do with the aspirations of the people of the Borough.
- 3 While the Local Plan does seek to detail all the relative aspects to be considered in relation to development sites, Neighbourhood Development Plans urgently need to be developed with relative local support, ensuring that each community has such housing as is beneficial and sustainable, in the context of each community's needs, available employment, enhanced infrastructure and supporting services.

- 4 While it promotes the use of “active travel”, the impact of essential travel as opposed to leisure use is, in our view, highly suspect and vehicle use is likely to increase. This necessitates a much deeper look at long term highway strategy, which should be part of this Local Plan.
- 5 The enhancement of Tunbridge Wells for tourism, leisure, artistic and cultural amenities, as well as shopping experience, will only come about with renewed vision, and a major scheme to remove road congestion such as a ring road.
- 6 Finally, we would like transparency on the financial aspects of the proposed site developments, and the vision that arises from the use of the extra rateable value, which on the basis of say 12,200 dwellings (alone), amounts to £18,300,000 pa by the end of the Local Plan period, 2038, at current values.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

Supporting Information File Ref No: SI_133

Comment

Consultee	Mr David Hanes ([REDACTED])
Email Address	[REDACTED]
Company / Organisation	The Pembury Society
Address	[REDACTED] [REDACTED] Tunbridge Wells TN2 [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	The Pembury Society (Mr David Hanes - [REDACTED])
Comment ID	PSLP_2001
Response Date	03/06/21 22:38
Consultation Point	Policy STR 6 Transport and Parking (View)
Status	Processed
Submission Type	Email
Version	0.5
Files	PSLP_1997-2001_The Pembury Society_SI(not inclusive).pdf
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	The Pembury Society
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR 6 Transport and Parking

[TWBC: this representation has been input against Policies PSTR/PE 1, Section 3 - Vision & Objectives, STR 5 and STR 6 – see Comment Numbers PSLP_1997, PSLP_1998, PSLP_2000 and PSLP_2001. Full response attached as Supporting Information]

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

Strategic Objectives

a. There are 11 points raised, yet the majority are found relating to development,

- 1 Transport is limited to a policy of giving priority to active travel and public transport,
- 2 There is but reference to “ensuring the borough is vibrant, culturally rich, and economically buoyant”, and
- 3 “conserving and enhancing the valued historic, built and natural environments, including Green Belt”, however

b. The majority of the Plan relates to “sustainable development”, sites and their uses, and there is nothing specific or being envisioned about the matters raised in “Vision and Objectives” above.

Policy STR 6

Transport and Parking

a) Active travel

b) We note that “Active travel” is inclusive of walking, cycling and emerging electrical personal vehicles. If the definition of “emerging electrical personal vehicles” is an electric powered cycle, then please say so. If it is a car with electrical power, while it is government policy to change to electric, this will have no effect on the congestion issues.

c) A cycling policy is one which works in the flat and densely populated Netherlands but, apart from a minority of dedicated cyclist who cycle largely for pleasure, has little practical capacity in the hilly Weald of Kent for daily activities such as shopping, taking children to school, the elderly, infirm, and indeed use for job related travel.

d) In short this policy is likely to have limited impact on the use of roads by either petrol or electric cars, even with enhanced public transport.

e) It is a policy that does not differentiate between leisure active travel, daily essential travel and business use. It would impact on employers having to provide changing and showering facilities, and would be a questionable all-year-round means of essential travel.

c) Highway network

a) We are disappointed that there are only mitigating actions in relation to the highway problems (funded by S106) rather than positive improvement and a strategy for the future.

b) There is no strategic road plan for the future, and in the knowledge that major road improvement takes years to bring into fruition, such a highway strategic plan needs to be included in this Local Plan.

c) The Document “Draft Consultation Response on behalf of the Tunbridge Wells Town Forum” – March 2013 – sets out approaches to the transport issues of Tunbridge Wells and notes that there would be an estimated 10% increase in vehicles from 2013 to 2026, not a decline as appears to be

the underlying presumption from all the Local Plan statements. It also includes the map of the Civic Association by-pass scheme of 1945, produced at the request of TWBC, when the then congestion around Tunbridge Wells was considered to become extreme. Such a scheme, with the noted relief roads, needs to be considered as part of the Local Plan.

d) Such a ring road would enhance Tunbridge Wells from many perspectives:

- 1 Through access from North/South and East/West without going through TW centre,
- 2 Access to/from areas of TW without travelling through the centre,
- 3 Reduce journey times, encouraging more leisure visits, enhanced shopping experience, and tourism.
- 4 Reduced congestion times, with more favourable air quality and lower carbon impact.

SUMMARY

- 1 The Local Plan concentrates on achieving and ticking a box regarding Government objectives in order to meet a calculated housing need, while we note that such number mechanisms are already being seen as flawed. Should Government pursue the strategy of levelling between north and south, 'Northern Powerhouse', it is possible that the housing needs in the south-east may need to be re-assessed downwards.
- 2 The Local Plan majors on development and development sites in order to achieve numbers and has little to do with the aspirations of the people of the Borough.
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Question 7

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Supporting Information File Ref No: SI_133

Comment

Consultee	Mr David Hanes ([REDACTED])
Email Address	[REDACTED]
Company / Organisation	The Pembury Society
Address	[REDACTED] [REDACTED] Tunbridge Wells TN2 [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	The Pembury Society (Mr David Hanes - [REDACTED])
Comment ID	PSLP_1997
Response Date	03/06/21 22:38
Consultation Point	Policy PSTR/PE 1 The Strategy for Pembury parish (View)
Status	Processed
Submission Type	Email
Version	0.6
Files	PSLP_1997-2001_The Pembury Society_SI(not inclusive).pdf
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	The Pembury Society
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy PSTR/PE 1 The Strategy for Pembury parish

[TWBC: this representation has been input against Policies PSTR/PE 1, Section 3 - Vision & Objectives, STR 5 and STR 6 – see Comment Numbers PSLP_1997, PSLP_1998, PSLP_2000 and PSLP_2001. Full response attached as Supporting Information]

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If you consider that the Local Plan is not sound, please answer this question.

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On behalf of The Pembury Society, I write to register its formal response to the Draft Pre-Submission Local Plan ('Local Plan').

We are aware of the response from Pembury Parish Council dated 11 May, which we endorse in its entirety, but subject to further observations we would make as follows (para numbers as per Parish letter):

- 1 **Para 2.1** We strongly endorse the suggestion for 20 mph speed restrictions by the school and would support such a limit throughout the village. In addition the "rat-runs" of Cornford Lane and, in recent days, Romford Road/Foxhole Lane/Kings Toll need to be addressed urgently. The Kippings Cross A21 congestion arises frequently and the Pembury Bo-Peep turnoff is used by a continuous stream of fast traffic down these very narrow country roads, which have frequent walkers, cyclists and horse riders.
- 2 **Para 2.3** We agree that 30 spaces at the village hall is not enough. The Hall seats approx. 2000, and all roads in the vicinity have yellow lines. We would suggest it should have a minimum of 60 spaces. We would also suggest that parking problems at the Bo-Peep end of Hastings Road, where many houses have no off-street facilities, could be alleviated by the provision of a further car park in PE3.
- 3 **Para 2.5** Pembury is a village and there must be sufficient places at Pembury Primary School to accommodate all the children of the Parish. This would also reduce traffic movements in the area. We note that about 260 of the proposed new houses are likely to be for families and, therefore an additional form per year may be required, and must be planned for.
- 4 **Para 2.6** If car use is to be discouraged a far better public bus service has to be implemented, extended daily hours must be provided with greater frequency and better routing (eg there is no direct service from Pembury to North Farm retail park).
- 5 **Para 3.1 to 3.8** We wish to emphasize the importance of these S106 allocations.
- 6 **Para 4.3** As stated above we would like to see the provision of a car park for local residents who have no off-street car parking facilities.
- 7 **Para 4.4** We have strong reservations about access into the proposed development from Church Road, and would like alternative access provision to be made on to Maidstone Road.

SUMMARY

- 1 The Local Plan concentrates on achieving and ticking a box regarding Government objectives in order to meet a calculated housing need, while we note that such number mechanisms are already being seen as flawed. Should Government pursue the strategy of levelling between north and south, 'Northern Powerhouse', it is possible that the housing needs in the south-east may need to be re-assessed downwards.

- 2 The Local Plan majors on development and development sites in order to achieve numbers and has little to do with the aspirations of the people of the Borough.
- 3 While the Local Plan does seek to detail all the relative aspects to be considered in relation to development sites, Neighbourhood Development Plans urgently need to be developed with relative local support, ensuring that each community has such housing as is beneficial and sustainable, in the context of each community's needs, available employment, enhanced infrastructure and supporting services.
- 4 While it promotes the use of "active travel", the impact of essential travel as opposed to leisure use is, in our view, highly suspect and vehicle use is likely to increase. This necessitates a much deeper look at long term highway strategy, which should be part of this Local Plan.
- 5 The enhancement of Tunbridge Wells for tourism, leisure, artistic and cultural amenities, as well as shopping experience, will only come about with renewed vision, and a major scheme to remove road congestion such as a ring road.
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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

Comment

Consultee	The Rev Canon Andrew Lenox-Conyngham [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] Birmingham [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	The Rev Canon Andrew Lenox-Conyngham [REDACTED]
Comment ID	PSLP_514
Response Date	27/05/21 14:38
Consultation Point	Policy AL/BE 3 Land at Benenden Hospital (south of Goddards Green Road), East End (View)
Status	Processed
Submission Type	Email
Version	0.8
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Andrew Lenox-Conyngham
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy AL/BE 3 Land at Benenden Hospital (south of Goddards Green Road), East End

Inset Map 18

[TWBC: this representation has been input against Policies AL/BE 3 and AL/BE 4 – see Comment Numbers PSLP_514 & PSLP_515]

Question 4

Do you consider that the Local Plan:

Is legally compliant	No
Is sound	No
Complies with the Duty to Cooperate	No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:	. It is not positively prepared
	. It is not effective
	. It is not justified
	. It is not consistent with national policy

Question 5

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Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

This representation relates to the Pre-submission Local Plan(PSLP) and its handling of the parish of Benenden

1 The plan is unsound because of inadequacies in the consultation process.

(i) Poor consultation between TWBC and other Borough Councils

A Statement of Common Ground (SoCG) between Maidstone and Tunbridge Wells Borough Councils (TWBC) is published, but nothing is apparently published in relation to Ashford Borough Council or Tonbridge and Malling Borough Council.

(ii) Poor consultation between TWBC, the parish of Benenden and the Benenden Healthcare Society (BHS), the single landowner of those sites in the East End of Benenden where most of Benenden's houses are allocated.

(iii) There is no Statement of Common Ground between TWBC and the Benenden Neighbourhood Plan (BNP) although a SoCG was listed as a supporting document to the BNP Reg 14. This is significant *because the two plans, though identical in their choice of sites, show different areas within those sites for development at the East End, and both plans differ from the view of BHS.* BHS's position is presented to the public through its comments on the first draft of the Local Plan (TWFDLP Comments) (see (see web link)

- . Looking at the issue in terms of its hectarage:
 - . according to the PSLP the northern site (AL/BE4) is 3.72 ha and the South East Quadrant (SEQ or AL/BE3) is 3.07 ha;
 - . according to the Benenden Neighbourhood Plan (BNP), the northern site (called LS41 in the BNP, see para 2.9.4.2.) is 1.9 ha and SEQ (called 424 plus LS40b, see para 2.9.3.2) is 4.24 ha.
 - . according to BHS, the northern site is 3.7 ha and the southern site is 4.2 ha (see TWFDLP comments), Savills for BHS: DLP_4956)

The hectareage varies largely according to whether Local Wildlife Sites (LWS) are included in the development area. There are four LWS at the hospital. One of these lies in the northern area (AL/BE4) and two lie in the southern area (AL/BE3). The fourth is in an area not up for development.

- . For AL/BE3, the PSLP excludes the second and the most southerly of its two Local Wildlife Sites (LWS), while the BNP *includes* both LWS. *Currently, Strutt and Parker are advertising to developers the larger, BNP version of the site for sale, together with Cleveland Farm.* The PSLP states that in the event of the BNP passing a referendum, its own plans for Benenden will be superseded by the BNP (see para 5.421). Which means the plan presented in the PSLP for AL/BE3 is incorrect.
- . For AL/BE4, the PSLP *includes* all the LWS at the site, while the BNP includes only a small southerly section of it. The PSLP states that in the event of the BNP passing a referendum, its own plans for Benenden will be superseded by the BNP (see para 5.421). Which means the plan presented in the PSLP for AL/BE4 is incorrect.
- . For AL/BE4, Savills' comments on behalf of the BHS (see TWFDLP comments), propose 43 dwellings for the site, which will include the LWS (see TWFDLP Comments, item DLP_4956 para 3.6), "Unlike the BNP, the TWLP is broader in the site area by providing a boundary encompassing the entire hospital site, yet aside from the discrepancy addressed previously in this representation the two allocations align in terms of proposed numbers. The Society intends to bring forward the development on the two sites identified through the BNP and *within the boundary identified in the TWLP.* The Society welcomes the consistent approach to unit numbers, and the allocation of both parcels of land through the draft BNP and the TWLP."

In terms of boundaries:

- . BHS understands (see DLP_4956, para 2.8 in TWFDLP Comments) "The North East Quadrant occupies the North East of the site, bordered to the North and East by Mockbeggar Lane, to the south by Goddards Green Lane / Benenden Road and the West by existing hospital buildings." *In other words, it includes the entire LWS in its area.*
- . To the south, BHS understands (see DLP_4956, para 2.9 in TWFDLP comments), "The South East Quadrant occupies the South East of the site, bordered to the north by Goddards Green Lane / Benenden Road, to the West by Green Lane and to the South and East by agricultural land and the High Weald AONB boundary." *In other words, it includes the whole of the more southerly of the two LWS at the site.*

This means that PSLP's AL/BE3 is inaccurate because the larger BNP plan will likely prevail, while the PSLP's AL/BE4 could be challenged by the BNP (if successful in a referendum) (see PSLP para 5.421) and substantially reduced in size. The PSLP's plans for the two hospital plans are therefore both potentially inaccurate.

A failure to coordinate and effectively consult has produced unsound documents.

(iv) Poor consultation with stakeholders, the local community and the neighbouring parish (possibly even more affected by the plans than Benenden). These parties have either not been consulted, or consulted after the fact or consulted but not engaged with.

- . **The Friends of the East End (FEE)** are more affected by the plans than most in the parish but they were not consulted over the development of the BNP on which the PSLP is based. The FEE are mainly residents of the East End which covers about one third of the parish and is a wholly rural location of 76 scattered households. Because it is isolated, it was chosen as the site for an isolation hospital. This now makes up a small enclave close to the border with the neighbouring parish of Biddenden.
 - . The BNP Steering Committee is the only one in the borough to have made its own site allocations and these allocations were published in an Informal Draft Plan in February 2019, before consultations with the High Weald -AONB and before inviting AECOM to produce a Strategic Environmental Assessment (SEA). (N.B. Even when the HW-AONB were invited to assess sites, they were NOT asked to assess the hospital sites).
 - . The FEE object strongly to the proposal to site almost all the new housing in the East End, but the BNP Steering Committee never asked to meet the FEE nor engaged with them (See EN1 para 9 requiring the effective engagement of the local community, neighbours of sites and others).
 - . The FEE submitted three petitions, two to the BNP and one in relation to the LP. A FEE submission with 127 signatures was submitted on April 4th 2019 in response the IDP (published on February 23, 2019), in which the allocations, later adopted by the PSLP were

first set out. A second FEE submission with 164 signatures was submitted in October 2019 objecting to the TWFDLP, and in the same month, a third FEE submission with 167 signatures was submitted in relation to the Reg 16 draft BNP. Instead of acknowledging the strength of these views and the number of people who held them, the chair of the BNP Steering Group, who wrote a regular column in the Parish Magazine about the BNP process, wrote in January 2020, that only “31 residents from the East End” had sent in “comments”. For the strength of today’s opposition to the BNP, see the FEE’s current online petition with over 450 signatures <https://www.change.org/EastEndFriends> .

Instead of being consulted, the FEE were ignored and belittled. They were informed on 11th March 2019 by the editor of the Parish Magazine (PM), husband of the Chair of the Parish Council, that “I’m of the view that much of the uncertainty has passed since the presentation of the plan to the village - to a highly favourable reception. At least we no longer have to give polite credence to *uninformed views* that fly in the face of TWBC policy and advocate direct and *pointless confrontation* with TWBC, thereby running the risk of having the entire BNDP thrown back in our faces. *The ensuing chaos hardly bears thinking about.* At least it seems the opinions now being afforded most weight are those of *people who have worked hard for two years to understand the issues* and come up with a coherent way forward.”

- . Consultation also failed in relation to the neighbouring **parish of Biddenden**. The Clerk of Biddenden Council has repeatedly responded to Benenden Parish Council in the course of the BNP consultation process, but received only acknowledgments. A Kent County Councillor and Ashford Borough Councillor wrote an article about BNP’s mismanagement of consultations with the parish of Biddenden in the Biddenden Parish Magazine, February 2021.

1 **The plan is unsound because of the untimely publication of site allocations**

- . Pre-Submission Local Plan, para 5.420 reads “The BNP was submitted to TWBC in October 2020 and was consulted on between 30 October and 11 December 2020.” But the allocations had already been made and published by the BNP in February 2019 in its so called “Informal Draft Plan”. The 2019 February allocations are virtually identical to the PSLP 2021 allocations. Para 5.420 states “The BNP proposes to include site “allocation policies that follow the approach of the site allocation policies for Benenden in this Local Plan.” How can the BNP follow the PSLP’s approach when its sites were already allocated? Because the PSLP is founded on site allocations made by the BNP, the unsoundness of the latter carries over and produces unsoundness in the former.

- . The LP is based on the BNP and BNP allocations were made before **consultations with stakeholders**. This is not consulting in a timely fashion. For example, the PSLP requires archaeological surveys of the hospital sites *after* the designation of the sites for development. Historic England (HE) asks for the surveys to be carried out *before* allocation (see TWFDLP Comments DLP_4556 - “we would expect the allocation of sites following on from this Strategy policy (STR1) to be subject to appropriately robust and detailed heritage impact assessment *prior to the allocations being adopted.*”

1 **The plan is unsound because the evidence on which it is based is inaccurate or irrelevant**

Supporting Documents

- . **AONB Setting Analysis report: Main Report and AONB Study Plans and Photographs Benenden Hospital/Hankinson Duckett Associates.** November 2020.

See para 4.4.2, the description of the hospital site is for the *entire built up-hospital area*, minus the southerly LWS in the SEQ. It is therefore a *report on an area not submitted in the PSLP*. As a result, it draws its conclusions from areas not included in the PSLP. The conclusions are therefore unsound.

The report:

- . is concerned with adding 66-72 additional dwellings in addition to the 18 already extant on the northern site and presumably in addition to the 24 for which planning permission has been granted. That is between 108 and 114 new houses. The PSLP is talking about planning 43 houses for the northern site and 49 for the south. A total of 92 new houses. The report muddies the waters, leaving no clarity.
- . fails to note items of critical importance in any attempt to evaluate the landscape and historic importance of the site e.g.
 - . that the site is on an east-west ridge giving it a dominant position in relation to the AONB;

- . the east-west Roman Road running over Benenden Healthcare Society (BHS) land a few yards to the south of the site, and the medieval drove road (Goddards Green Road - GGR) which divides the northern site from the southern one;
- . the National Monument Register which lists a Bronze Age palstaff (SMR Number/Hob UID) found at the hospital site, (though, oddly, the report does note Scheduled Monuments in the village);
- . that the SEQ development proposes two entrances on to Green Lane and two on to GGR, see Transport Planning Associates (tpa)- October 2019 Scoping note for BHS, 1907-038 under the section headed 'Access', para 4.4 "The consented vehicle access arrangements will be retained. Therefore, vehicle access to the Site will be taken from two access points along Goddards Green Road and two on Green Lane." (This and other documents were revealed to the FEE in May 2021 as a result of the BNP Independent Examiner's queries. In spite of the Examiner's request that all such material be published on-line, this document and the KCC Highways 13 Nov 2019 "Pre-App Response" have been not been published). Such entrances will seriously impact the AONB. Both Goddards Green and Green Lane are designated Rural Lanes, and, of the two, Green Lane is mentioned as a particularly high scoring lane (for its beauty and tranquillity) in *TWBC's Rural Lanes: Supplementary Planning Guidance*. Creating a series of broad entrances large enough so that an "11.4 m refuse vehicle can enter and leave the site in forward gear (see KCC Pre-App Response 13-11-19, a document revealed to the FEE as a result of the BNP Examiner's queries but not made public) would have a substantial effect on the AONB. Hankinson Duckett Associates ignore the issue (see Section 4 on Benenden in the main report and photos B1 and B2 in *Supporting Plans and Photographs*, Benenden).
- . offers photos (B5 & B6) which are irrelevant to the site in question. These photos look south towards an area not up for development, and are taken from a point also not up for development. These omissions undermine the report's conclusion.
- . ***Inset Map 18 (Benenden Hospital)***, unlike other maps attached as supporting documents to the PSLP, Inset Map 18 makes no reference to the AONB boundary. This is a significant omission because both the PSLP and the BNP claim that the hospital is outside the AONB and on this basis, largely justify placing most of Benenden's housing in the East End. Because AL/BE3&4 lie on a high ridge to the north of the parish and because the AONB boundary wraps tightly round the site which bulges, like a balloon, into the AONB, development at the East End significantly affects the AONB. While TWBC acknowledges this by requesting the Hankinson Duckett Report, by publishing Inset Map 18, which omits the AONB boundary, TWBC loses a critical opportunity to show the true relevance of AL/BE 3&4 to the AONB. It could even be said that by leaving out the boundary, there is an implication that the hospital sites are genuinely 'outside' the protected area.
- . ***Previous Stages, Draft Local Plan, Benenden Overview***, p263, provides a basis for the PSLP but contains inaccuracies.
 - . There is no "pre-school/nursery" as stated in the Overview
 - . There is no "Small shop at hospital" as stated in the Overview
 - . The statement that there are tennis courts and a café at the site is misleading. In TWFDLP Comments, Savills requests (see DLP_4956 para 3.14) that "the requirement to incorporate the tennis courts and retain the sports pavilion is removed". As for the café, BHS states in its comments on the LP that the café is for hospital use only - "the existing hospital buildings ... have only been designed for hospital use". See TWFDLP detailed additional submissions from Savills "*Representation to the TWBC Draft Local Plan Regulation 18*" 2- Sept- 1Nov 2019 para 3.18 and 3.19)

1 **Sustainability Appraisal**

As far as the East End of Benenden is concerned, the plan is unsound because the **Sustainability Appraisal**, which is the heart of the planning process, provides evidence that is often incorrect, sometimes inadequate, but always untimely because the evidence on which site allocation should depend, follows, instead of precedes, site allocation. This was first published February 2019 in the BNP's Informal Draft Plan. The allocations then made are identical (save for a few additional houses) to those now made in the PSLP. Site allocation cannot be supported in retrospect.

An examination of SA Table 58 pp 161-163 Sites AL/BE 3&4 and Appendix L pp 331-332 shows faults in the SA's evidence base.

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The SA's scoring is not supported by evidence in a letter from Keith Nicholson of the Kent Wildlife Trust, former Planning and Conservation officer for the Kent Wildlife Trust (KWT), dated 4 March 2013, to TWBC Development Control Officer, Ellen Gilbert in which he states, "The 2012 survey has demonstrated that Benenden hospital LWS is more valuable than previously believed. The applicant's consultant is now more firmly of the belief that the Site would fulfil the criteria for it to be considered a Site of Special Scientific Interest (paragraph 4.3.6.). The waxcap community is of national importance when judged against both the Reid classification (para 4.3.4.) and the JNCC Guidelines (para 4.3.5.)."

Nor is it supported by the view of the HW-AONB as stated in TWFDLP Comments (see DLP_3458) that the hospital LWS *"includes rare and vulnerable acid grassland which should form a core area for unimproved grassland as part of a High Weald nature recovery network."* Neither the KWT nor the HW-AONB offer any indication that one or other of the LWS at the hospital is of less value than the rest. Further, we now know from

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Regulation 18 Representation made by Benenden Healthcare Society, November 2019, that BHS intends to abolish one of the two LWS in AL/BE3, see para 3.21. that "The Society supports the requirement for long-term management of the core areas of the LWS associated with the hospital land. This includes all but the modest area within the SEQ adjoining Peek Lodge which is too constraining on the South East Quadrant redevelopment proposals. Accordingly, the soils in the area will be translocated to a nearby receptor site to try to ensure that the rare fungi can continue to thrive in this local area."

In other words, far from supporting biodiversity, the BHS plan is to reduce it in AL/BE3 and the same is true of AL/BE4 see (in the same document) para 3.17. "In addition, as highlighted in paragraph 3.13 above, the Society do not intend to use the area in which the garage block is located as an extension to the Local Wildlife Site (LWS) or for additional sports provision. As such, the Society request that the requirement to specifically use the land occupied by the existing garage block and manage it in the long term for the benefit of the LWS and / or sports provision is removed from the policy requirement." Given this, biodiversity scoring in Table 58 of sites AL/BE3&4 is substantially overrated. Biodiversity at both sites is under threat.

Business Growth: AL/BE3&4 are scored as if they were more favourable to business growth than AL/BE1&2 and sites 158 and 222, but all four of these last-mentioned sites are in the heart of the village where residents will have ready access to local businesses as well as to daily bus services and other services and facilities. Residents at the East End, on the other hand, will have no access to local businesses except by car.

Education: All sites in this SA are scored equally for education, except for site 158 which scores less well. This SA report compares poorly with the SA which TWBC carried out on site 158 in 2006. 158 is parallel to and just north of the Street with its exit onto New Pond Road. In 2006 site 158 was chosen in a village referendum as the site for a new C of E primary school. It was the preferred site out of a choice of two, both of which were greenfield. TWBC's 2006 SA on 158 decided (see page 18 of the *Sustainability Appraisal Benenden Church of England Primary School Land Allocation DPD - Issues and Options* report), that 158 was one of two top sites. "Situated adjacent to an area of ancient woodland, the site provides the potential for habitat linkages and wildlife corridors. The site is not adjacent to the CA [Conservation Area] and does not form a significant role in its setting. There are

no Listed Buildings on or adjacent to the site. The site is consistent with the surrounding landscape character. There are limited views into the site and no public rights of way over the site.” On page 38, we read, “This site is anticipated to have a major beneficial effect on improving educational standards and travel choice/traffic levels”. In spite of the referendum result, the school was eventually built at the less preferred site and, since then, TWBC had been in consultation with 158’s owners to build houses there. If, in 2006, the SA offered site 158 as one of two top sites in the village for building the new primary school, where is the evidence that it’s appropriateness has somehow massively declined since then? Where is the evidence site 158 is less favourable to education than all the other sites mentioned, especially given that the hospital sites, so favoured for development, are three miles distant from the village school?

Table 58 states that “the education objective does not deteriorate when considering the cumulative effects as the schools in Tenterden will be a viable option for residents in East End.” Children from the East End will have priority over the between 70 and 75% of the existing pupils at the school who come from outside the parish. On what basis is the assumption made that East End parents will prefer to drive their children 6 miles into Tenterden than drive to the primary school in their own village?

Heritage: AL/BE 3 scores slightly less well in terms of its heritage value than AL/BE4 without supporting evidence. How were heritage issues assessed when there is no apparent knowledge of the historic importance of the site, for example: the PSLP makes no mention of the Roman road a few yards south of AL/BE3; the medieval droveway (GGR), which runs through the site and along the ridge; and the Bronze Age palstaff found at the hospital site (National Monument Register - SMR Number/Hob UID). How can a site be scored or evaluated without at least some knowledge of the sites historic significance? This is available at <https://www.benendenvillage.org.uk/History/benweb2006.pdf> and advertised on the Benenden village website.

Services and Facilities: How can sites which are in the heart of the village such as 158 and 222, score the same as sites which are 3 miles distant and isolated in the country? The village has a daily bus service, continuous pavements on both sides of the street, several shops, including a post office, a general store, a butcher and a florist, as well as a pub/restaurant, village green, recreation ground, children’s playground, church, memorial hall, village hall and a primary school. In spite of this, sites 158 and 222, both as close to the centre as AL/BE1&2, are described as lacking services and facilities including public transport (Appendix L pp 331-332) while the sites chosen for most houses are 3 miles out of the village where there are no amenities whatsoever. LS8 is also described as being remote, but it is only one mile from the village and connected to it by a paved footpath. It is close to a bus stop, a playground, tennis courts and a community hall and it is within walking distance of a pub/restaurant. How can its Services and Facilities be offered the same score as AL/BE3&4? These assessments are not understandable except if the sites were chosen before the SA (as is the case) and the SA had to be manipulated to support those original choices.

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan 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.

Many of the PSLP’s problems are associated with failure in the duty to co-operate and can therefore not be remedied.

Many are due to poor evidence or poor interpretation of evidence. This too cannot be remedied.

In summary, development on site AL/BE3 should be limited to the existing, so far unused, planning permission for 24 houses, preferably by adapting the Garland Wing, which is a building of historic

value, either to a wellness centre, in accordance with its original intention, or to a row of up to 10 terraced houses. Site AL/BE4 already has 18 semi-detached houses on it, and cannot support any more. It should therefore be excluded. Housing should be allocated to sites such as 158 and 222 in the village centre, or to LS8 in Iden Green. These sites all lie within walking distance of shops, other amenities and the primary school. Paragraphs 5.421 and 5.422 should be omitted.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . Yes, I wish to participate in hearing session(s)

Question 7a

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

In order to present my case and to answer those with vested interests who may seek to put forward arguments against it.

Question 8

If you have any separate comments you wish to make on the accompanying Sustainability Appraisal, please make them here.

Sustainability Appraisal

As far as the East End of Benenden is concerned, the plan is unsound because the Sustainability Appraisal, which is the heart of the planning process, provides evidence that is often incorrect, sometimes inadequate, but always untimely because the evidence on which site allocation should depend, follows, instead of precedes, site allocation. This was first published February 2019 in the BNP's Informal Draft Plan. The allocations then made are identical (save for a few additional houses) to those now made in the PSLP. Site allocation cannot be supported in retrospect. An examination of SA Table 58 pp 161-163 Sites AL/BE 3&4 and Appendix L pp 331-332 shows faults in the SA's evidence base.

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Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	The Rev Canon Andrew Lenox-Conyngham [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] Birmingham [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	The Rev Canon Andrew Lenox-Conyngham [REDACTED]
Comment ID	PSLP_515
Response Date	27/05/21 14:38
Consultation Point	Policy AL/BE 4 Land at Benenden Hospital (north of Goddards Green Road), East End (View)
Status	Processed
Submission Type	Email
Version	0.4
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Andrew Lenox-Conyngham
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy AL/BE 4 Land at Benenden Hospital (north of Goddards Green Road), East End

Inset Map 18

[TWBC: this representation has been input against Policies AL/BE 3 and AL/BE 4 – see Comment Numbers PSLP_514 & PSLP_515]

Question 4

Do you consider that the Local Plan:

Is legally compliant	No
Is sound	No
Complies with the Duty to Cooperate	No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:	. It is not positively prepared
	. It is not effective
	. It is not justified
	. It is not consistent with national policy

Question 5

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Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

This representation relates to the Pre-submission Local Plan(PSLP) and its handling of the parish of Benenden

1 The plan is unsound because of inadequacies in the consultation process.

(i) Poor consultation between TWBC and other Borough Councils

A Statement of Common Ground (SoCG) between Maidstone and Tunbridge Wells Borough Councils (TWBC) is published, but nothing is apparently published in relation to Ashford Borough Council or Tonbridge and Malling Borough Council.

(ii) Poor consultation between TWBC, the parish of Benenden and the Benenden Healthcare Society (BHS), the single landowner of those sites in the East End of Benenden where most of Benenden's houses are allocated.

(iii) There is no Statement of Common Ground between TWBC and the Benenden Neighbourhood Plan (BNP) although a SoCG was listed as a supporting document to the BNP Reg 14. This is significant *because the two plans, though identical in their choice of sites, show different areas within those sites for development at the East End, and both plans differ from the view of BHS.* BHS's position is presented to the public through its comments on the first draft of the Local Plan (TWFDLP Comments) (see web link)

- . Looking at the issue in terms of its hectareage:
 - . according to the PSLP the northern site (AL/BE4) is 3.72 ha and the South East Quadrant (SEQ or AL/BE3) is 3.07 ha;
 - . according to the Benenden Neighbourhood Plan (BNP), the northern site (called LS41 in the BNP, see para 2.9.4.2.) is 1.9 ha and SEQ (called 424 plus LS40b, see para 2.9.3.2) is 4.24 ha.
 - . according to BHS, the northern site is 3.7 ha and the southern site is 4.2 ha (see TWFDLP comments), Savills for BHS: DLP_4956)

The hectareage varies largely according to whether Local Wildlife Sites (LWS) are included in the development area. There are four LWS at the hospital. One of these lies in the northern area (AL/BE4) and two lie in the southern area (AL/BE3). The fourth is in an area not up for development.

- . For AL/BE3, the PSLP excludes the second and the most southerly of its two Local Wildlife Sites (LWS), while the BNP *includes* both LWS. *Currently, Strutt and Parker are advertising to developers the larger, BNP version of the site for sale, together with Cleveland Farm.* The PSLP states that in the event of the BNP passing a referendum, its own plans for Benenden will be superseded by the BNP (see para 5.421). Which means the plan presented in the PSLP for AL/BE3 is incorrect.
- . For AL/BE4, the PSLP *includes* all the LWS at the site, while the BNP includes only a small southerly section of it. The PSLP states that in the event of the BNP passing a referendum, its own plans for Benenden will be superseded by the BNP (see para 5.421). Which means the plan presented in the PSLP for AL/BE4 is incorrect.
- . For AL/BE4, Savills' comments on behalf of the BHS (see TWFDLP comments), propose 43 dwellings for the site, which will include the LWS (see TWFDLP Comments, item DLP_4956 para 3.6), "Unlike the BNP, the TWLP is broader in the site area by providing a boundary encompassing the entire hospital site, yet aside from the discrepancy addressed previously in this representation the two allocations align in terms of proposed numbers. The Society intends to bring forward the development on the two sites identified through the BNP and *within the boundary identified in the TWLP*. The Society welcomes the consistent approach to unit numbers, and the allocation of both parcels of land through the draft BNP and the TWLP."

In terms of boundaries:

- . BHS understands (see DLP_4956, para 2.8 in TWFDLP Comments) "The North East Quadrant occupies the North East of the site, bordered to the North and East by Mockbeggar Lane, to the south by Goddards Green Lane / Benenden Road and the West by existing hospital buildings." *In other words, it includes the entire LWS in its area.*
- . To the south, BHS understands (see DLP_4956, para 2.9 in TWFDLP comments), "The South East Quadrant occupies the South East of the site, bordered to the north by Goddards Green Lane / Benenden Road, to the West by Green Lane and to the South and East by agricultural land and the High Weald AONB boundary." *In other words, it includes the whole of the more southerly of the two LWS at the site.*

This means that PSLP's AL/BE3 is inaccurate because the larger BNP plan will likely prevail, while the PSLP's AL/BE4 could be challenged by the BNP (if successful in a referendum) (see PSLP para 5.421) and substantially reduced in size. The PSLP's plans for the two hospital plans are therefore both potentially inaccurate.

A failure to coordinate and effectively consult has produced unsound documents.

(iv) Poor consultation with stakeholders, the local community and the neighbouring

parish (possibly even more affected by the plans than Benenden). These parties have either not been consulted, or consulted after the fact or consulted but not engaged with.

- . **The Friends of the East End (FEE)** are more affected by the plans than most in the parish but they were not consulted over the development of the BNP on which the PSLP is based. The FEE are mainly residents of the East End which covers about one third of the parish and is a wholly rural location of 76 scattered households. Because it is isolated, it was chosen as the site for an isolation hospital. This now makes up a small enclave close to the border with the neighbouring parish of Biddenden.
 - . The BNP Steering Committee is the only one in the borough to have made its own site allocations and these allocations were published in an Informal Draft Plan in February 2019, before consultations with the High Weald -AONB and before inviting AECOM to produce a Strategic Environmental Assessment (SEA). (N.B. Even when the HW-AONB were invited to assess sites, they were NOT asked to assess the hospital sites).
 - . The FEE object strongly to the proposal to site almost all the new housing in the East End, but the BNP Steering Committee never asked to meet the FEE nor engaged with them (See EN1 para 9 requiring the effective engagement of the local community, neighbours of sites and others).
 - . The FEE submitted three petitions, two to the BNP and one in relation to the LP. A FEE submission with 127 signatures was submitted on April 4th 2019 in response the IDP (published on February 23, 2019), in which the allocations, later adopted by the PSLP were

first set out. A second FEE submission with 164 signatures was submitted in October 2019 objecting to the TWFDLP, and in the same month, a third FEE submission with 167 signatures was submitted in relation to the Reg 16 draft BNP. Instead of acknowledging the strength of these views and the number of people who held them, the chair of the BNP Steering Group, who wrote a regular column in the Parish Magazine about the BNP process, wrote in January 2020, that only “31 residents from the East End” had sent in “comments”. For the strength of today’s opposition to the BNP, see the FEE’s current online petition with over 450 signatures <https://www.change.org/EastEndFriends> .

Instead of being consulted, the FEE were ignored and belittled. They were informed on 11th March 2019 by the editor of the Parish Magazine (PM), husband of the Chair of the Parish Council, that “I’m of the view that much of the uncertainty has passed since the presentation of the plan to the village - to a highly favourable reception. At least we no longer have to give polite credence to *uninformed views* that fly in the face of TWBC policy and advocate direct and *pointless confrontation* with TWBC, thereby running the risk of having the entire BNDP thrown back in our faces. *The ensuing chaos hardly bears thinking about.* At least it seems the opinions now being afforded most weight are those of *people who have worked hard for two years to understand the issues* and come up with a coherent way forward.”

- . Consultation also failed in relation to the neighbouring **parish of Biddenden**. The Clerk of Biddenden Council has repeatedly responded to Benenden Parish Council in the course of the BNP consultation process, but received only acknowledgments. A Kent County Councillor and Ashford Borough Councillor wrote an article about BNP’s mismanagement of consultations with the parish of Biddenden in the Biddenden Parish Magazine, February 2021.

1 **The plan is unsound because of the untimely publication of site allocations**

- . Pre-Submission Local Plan, para 5.420 reads “The BNP was submitted to TWBC in October 2020 and was consulted on between 30 October and 11 December 2020.” But the allocations had already been made and published by the BNP in February 2019 in its so called “Informal Draft Plan”. The 2019 February allocations are virtually identical to the PSLP 2021 allocations. Para 5.420 states “The BNP proposes to include site “allocation policies that follow the approach of the site allocation policies for Benenden in this Local Plan.” How can the BNP follow the PSLP’s approach when its sites were already allocated? Because the PSLP is founded on site allocations made by the BNP, the unsoundness of the latter carries over and produces unsoundness in the former.

- . The LP is based on the BNP and BNP allocations were made before **consultations with stakeholders**. This is not consulting in a timely fashion. For example, the PSLP requires archaeological surveys of the hospital sites *after* the designation of the sites for development. Historic England (HE) asks for the surveys to be carried out *before* allocation (see TWFDLP Comments DLP_4556 - “we would expect the allocation of sites following on from this Strategy policy (STR1) to be subject to appropriately robust and detailed heritage impact assessment *prior to the allocations being adopted.*”

1 **The plan is unsound because the evidence on which it is based is inaccurate or irrelevant** **Supporting Documents**

- . **AONB Setting Analysis report: Main Report and AONB Study Plans and Photographs Benenden Hospital/Hankinson Duckett Associates.** November 2020.

See para 4.4.2, the description of the hospital site is for the *entire built up-hospital area*, minus the southerly LWS in the SEQ. It is therefore a *report on an area not submitted in the PSLP*. As a result, it draws its conclusions from areas not included in the PSLP. The conclusions are therefore unsound.

The report:

- . is concerned with adding 66-72 additional dwellings in addition to the 18 already extant on the northern site and presumably in addition to the 24 for which planning permission has been granted. That is between 108 and 114 new houses. The PSLP is talking about planning 43 houses for the northern site and 49 for the south. A total of 92 new houses. The report muddies the waters, leaving no clarity.
- . fails to note items of critical importance in any attempt to evaluate the landscape and historic importance of the site e.g.
 - . that the site is on an east-west ridge giving it a dominant position in relation to the AONB;

- . the east-west Roman Road running over Benenden Healthcare Society (BHS) land a few yards to the south of the site, and the medieval drove road (Goddards Green Road - GGR) which divides the northern site from the southern one;
- . the National Monument Register which lists a Bronze Age palstaff (SMR Number/Hob UID) found at the hospital site, (though, oddly, the report does note Scheduled Monuments in the village);
- . that the SEQ development proposes two entrances on to Green Lane and two on to GGR, see Transport Planning Associates (tpa)- October 2019 Scoping note for BHS, 1907-038 under the section headed 'Access', para 4.4 "The consented vehicle access arrangements will be retained. Therefore, vehicle access to the Site will be taken from two access points along Goddards Green Road and two on Green Lane." (This and other documents were revealed to the FEE in May 2021 as a result of the BNP Independent Examiner's queries. In spite of the Examiner's request that all such material be published on-line, this document and the KCC Highways 13 Nov 2019 "Pre-App Response" have been not been published). Such entrances will seriously impact the AONB. Both Goddards Green and Green Lane are designated Rural Lanes, and, of the two, Green Lane is mentioned as a particularly high scoring lane (for its beauty and tranquillity) in *TWBC's Rural Lanes: Supplementary Planning Guidance*. Creating a series of broad entrances large enough so that an "11.4 m refuse vehicle can enter and leave the site in forward gear (see KCC Pre-App Response 13-11-19, a document revealed to the FEE as a result of the BNP Examiner's queries but not made public) would have a substantial effect on the AONB. Hankinson Duckett Associates ignore the issue (see Section 4 on Benenden in the main report and photos B1 and B2 in *Supporting Plans and Photographs*, Benenden).
- . offers photos (B5 & B6) which are irrelevant to the site in question. These photos look south towards an area not up for development, and are taken from a point also not up for development. These omissions undermine the report's conclusion.
- . ***Inset Map 18 (Benenden Hospital)***, unlike other maps attached as supporting documents to the PSLP, Inset Map 18 makes no reference to the AONB boundary. This is a significant omission because both the PSLP and the BNP claim that the hospital is outside the AONB and on this basis, largely justify placing most of Benenden's housing in the East End. Because AL/BE3&4 lie on a high ridge to the north of the parish and because the AONB boundary wraps tightly round the site which bulges, like a balloon, into the AONB, development at the East End significantly affects the AONB. While TWBC acknowledges this by requesting the Hankinson Duckett Report, by publishing Inset Map 18, which omits the AONB boundary, TWBC loses a critical opportunity to show the true relevance of AL/BE 3&4 to the AONB. It could even be said that by leaving out the boundary, there is an implication that the hospital sites are genuinely 'outside' the protected area.
- . ***Previous Stages, Draft Local Plan, Benenden Overview***, p263, provides a basis for the PSLP but contains inaccuracies.
 - . There is no "pre-school/nursery" as stated in the Overview
 - . There is no "Small shop at hospital" as stated in the Overview
 - . The statement that there are tennis courts and a café at the site is misleading. In TWFDLP Comments, Savills requests (see DLP_4956 para 3.14) that "the requirement to incorporate the tennis courts and retain the sports pavilion is removed". As for the café, BHS states in its comments on the LP that the café is for hospital use only - "the existing hospital buildings ... have only been designed for hospital use". See TWFDLP detailed additional submissions from Savills "*Representation to the TWBC Draft Local Plan Regulation 18*" 2- Sept- 1Nov 2019 para 3.18 and 3.19)

1 **Sustainability Appraisal**

As far as the East End of Benenden is concerned, the plan is unsound because the **Sustainability Appraisal**, which is the heart of the planning process, provides evidence that is often incorrect, sometimes inadequate, but always untimely because the evidence on which site allocation should depend, follows, instead of precedes, site allocation. This was first published February 2019 in the BNP's Informal Draft Plan. The allocations then made are identical (save for a few additional houses) to those now made in the PSLP. Site allocation cannot be supported in retrospect.

An examination of SA Table 58 pp 161-163 Sites AL/BE 3&4 and Appendix L pp 331-332 shows faults in the SA's evidence base.

Climate Change: AL/BE3&4 are not scored for climate change, nor are sites 158 & 222, yet, inexplicably, climate change is scored for AL/BE1&2 (Uphill and Feoffee) and for LS8. Where is the explanation for the failure to assess all sites, especially when sites 158, 222, AL/BE1&2 are all close to each other? The issue is particularly concerning in that sites AL/BE3&4 are both 3 miles distant from the village and without any amenities. Residents at these sites will be heavily car dependent and this was of concern even when only 24 houses were proposed for the site. "You will see from KCC's comments on the hybrid application (12/03130) that in consideration of this earlier application for 24 dwellings, the highways authority raised concern that all residents will be very heavily car dependent, which is contrary to a number of policy objectives, including the NPPF." (see KCC Pre-App Response, 13 Nov 2019, revealed in response to the BNP's Independent Examiner's queries and still not in the public arena).

Biodiversity: AL/BE3 is considered to be less at risk in terms of biodiversity than AL/BE4 though AL/BE 3 has two Local Wildlife Sites (LWS) while AL/BE 4 has only one. Where is the evidence to support the idea that the one is less important for biodiversity than the other?

The SA's scoring is not supported by evidence in a letter from Keith Nicholson of the Kent Wildlife Trust, former Planning and Conservation officer for the Kent Wildlife Trust (KWT), dated 4 March 2013, to TWBC Development Control Officer, Ellen Gilbert in which he states, "The 2012 survey has demonstrated that Benenden hospital LWS is more valuable than previously believed. The applicant's consultant is now more firmly of the belief that the Site would fulfil the criteria for it to be considered a Site of Special Scientific Interest (paragraph 4.3.6.). The waxcap community is of national importance when judged against both the Reid classification (para 4.3.4.) and the JNCC Guidelines (para 4.3.5.)."

Nor is it supported by the view of the HW-AONB as stated in TWFDLP Comments (see DLP_3458) that the hospital LWS *"includes rare and vulnerable acid grassland which should form a core area for unimproved grassland as part of a High Weald nature recovery network."* Neither the KWT nor the HW-AONB offer any indication that one or other of the LWS at the hospital is of less value than the rest. Further, we now know from

[TWBC: Incorrect web link removed for formatting purposes]

Regulation 18 Representation made by Benenden Healthcare Society, November 2019, that BHS intends to abolish one of the two LWS in AL/BE3, see para 3.21. that "The Society supports the requirement for long-term management of the core areas of the LWS associated with the hospital land. This includes all but the modest area within the SEQ adjoining Peek Lodge which is too constraining on the South East Quadrant redevelopment proposals. Accordingly, the soils in the area will be translocated to a nearby receptor site to try to ensure that the rare fungi can continue to thrive in this local area."

In other words, far from supporting biodiversity, the BHS plan is to reduce it in AL/BE3 and the same is true of AL/BE4 see (in the same document) para 3.17. "In addition, as highlighted in paragraph 3.13 above, the Society do not intend to use the area in which the garage block is located as an extension to the Local Wildlife Site (LWS) or for additional sports provision. As such, the Society request that the requirement to specifically use the land occupied by the existing garage block and manage it in the long term for the benefit of the LWS and / or sports provision is removed from the policy requirement." Given this, biodiversity scoring in Table 58 of sites AL/BE3&4 is substantially overrated. Biodiversity at both sites is under threat.

Business Growth: AL/BE3&4 are scored as if they were more favourable to business growth than AL/BE1&2 and sites 158 and 222, but all four of these last-mentioned sites are in the heart of the village where residents will have ready access to local businesses as well as to daily bus services and other services and facilities. Residents at the East End, on the other hand, will have no access to local businesses except by car.

Education: All sites in this SA are scored equally for education, except for site 158 which scores less well. This SA report compares poorly with the SA which TWBC carried out on site 158 in 2006. 158 is parallel to and just north of the Street with its exit onto New Pond Road. In 2006 site 158 was chosen in a village referendum as the site for a new C of E primary school. It was the preferred site out of a choice of two, both of which were greenfield. TWBC's 2006 SA on 158 decided (see page 18 of the *Sustainability Appraisal Benenden Church of England Primary School Land Allocation DPD - Issues and Options* report), that 158 was one of two top sites. "Situated adjacent to an area of ancient woodland, the site provides the potential for habitat linkages and wildlife corridors. The site is not adjacent to the CA [Conservation Area] and does not form a significant role in its setting. There are

no Listed Buildings on or adjacent to the site. The site is consistent with the surrounding landscape character. There are limited views into the site and no public rights of way over the site.” On page 38, we read, “This site is anticipated to have a major beneficial effect on improving educational standards and travel choice/traffic levels”. In spite of the referendum result, the school was eventually built at the less preferred site and, since then, TWBC had been in consultation with 158’s owners to build houses there. If, in 2006, the SA offered site 158 as one of two top sites in the village for building the new primary school, where is the evidence that it’s appropriateness has somehow massively declined since then? Where is the evidence site 158 is less favourable to education than all the other sites mentioned, especially given that the hospital sites, so favoured for development, are three miles distant from the village school?

Table 58 states that “the education objective does not deteriorate when considering the cumulative effects as the schools in Tenterden will be a viable option for residents in East End.” Children from the East End will have priority over the between 70 and 75% of the existing pupils at the school who come from outside the parish. On what basis is the assumption made that East End parents will prefer to drive their children 6 miles into Tenterden than drive to the primary school in their own village?

Heritage: AL/BE 3 scores slightly less well in terms of its heritage value than AL/BE4 without supporting evidence. How were heritage issues assessed when there is no apparent knowledge of the historic importance of the site, for example: the PSLP makes no mention of the Roman road a few yards south of AL/BE3; the medieval droveway (GGR), which runs through the site and along the ridge; and the Bronze Age palstaff found at the hospital site (National Monument Register - SMR Number/Hob UID). How can a site be scored or evaluated without at least some knowledge of the sites historic significance? This is available at <https://www.benendenvillage.org.uk/History/benweb2006.pdf> and advertised on the Benenden village website.

Services and Facilities: How can sites which are in the heart of the village such as 158 and 222, score the same as sites which are 3 miles distant and isolated in the country? The village has a daily bus service, continuous pavements on both sides of the street, several shops, including a post office, a general store, a butcher and a florist, as well as a pub/restaurant, village green, recreation ground, children’s playground, church, memorial hall, village hall and a primary school. In spite of this, sites 158 and 222, both as close to the centre as AL/BE1&2, are described as lacking services and facilities including public transport (Appendix L pp 331-332) while the sites chosen for most houses are 3 miles out of the village where there are no amenities whatsoever. LS8 is also described as being remote, but it is only one mile from the village and connected to it by a paved footpath. It is close to a bus stop, a playground, tennis courts and a community hall and it is within walking distance of a pub/restaurant. How can its Services and Facilities be offered the same score as AL/BE3&4? These assessments are not understandable except if the sites were chosen before the SA (as is the case) and the SA had to be manipulated to support those original choices.

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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Many of the PSLP’s problems are associated with failure in the duty to co-operate and can therefore not be remedied.

Many are due to poor evidence or poor interpretation of evidence. This too cannot be remedied.

In summary, development on site AL/BE3 should be limited to the existing, so far unused, planning permission for 24 houses, preferably by adapting the Garland Wing, which is a building of historic

value, either to a wellness centre, in accordance with its original intention, or to a row of up to 10 terraced houses. Site AL/BE4 already has 18 semi-detached houses on it, and cannot support any more. It should therefore be excluded. Housing should be allocated to sites such as 158 and 222 in the village centre, or to LS8 in Iden Green. These sites all lie within walking distance of shops, other amenities and the primary school. Paragraphs 5.421 and 5.422 should be omitted.

Question 7

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Question 7a

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If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

In order to present my case and to answer those with vested interests who may seek to put forward arguments against it.

Question 8

If you have any separate comments you wish to make on the accompanying Sustainability Appraisal, please make them here.

Sustainability Appraisal

As far as the East End of Benenden is concerned, the plan is unsound because the Sustainability Appraisal, which is the heart of the planning process, provides evidence that is often incorrect, sometimes inadequate, but always untimely because the evidence on which site allocation should depend, follows, instead of precedes, site allocation. This was first published February 2019 in the BNP's Informal Draft Plan. The allocations then made are identical (save for a few additional houses) to those now made in the PSLP. Site allocation cannot be supported in retrospect.

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Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Jeremy Skene [REDACTED]
Email Address	[REDACTED]
Company / Organisation	The Russell Hotel
Address	80 London Rd Tunbridge Wells TN1 1DZ
Event Name	Pre-Submission Local Plan
Comment by	The Russell Hotel [REDACTED]
Comment ID	PSLP_1035
Response Date	03/06/21 12:12
Consultation Point	Policy ED 7 Retention of, and improvements to existing, and the promotion of new, tourist accommodation and attractions (View)
Status	Processed
Submission Type	Web
Version	0.1
Question 1	
Respondent's Name and/or Organisation	Jeremy Skene, The Russell Hotel
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy ED7 and Paragraphs 6.499 & 6.500	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Don't know
Is sound	No

Complies with the Duty to Cooperate

Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not positively prepared
- . It is not effective
- . It is not justified

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

We kindly request your attention to the following matters concerning Policy ED 7 and its implications upon conversion of existing tourist accommodation into other uses.

Summary

The proposed changes appear to tighten and restrict existing regulations at a time when the hotel industry faces severe challenges from the changes brought about by the pandemic and the effect of Brexit upon European travellers. Whilst the essence of Policy T2 is retained and even strengthened under Article 6.500, the addition of Policy ED 7 serves to specify blanket conditions which may be imposed irrespective of the individual circumstances prevalent in each application. Consequently the practical flexibility possible under existing regulations is entirely removed with pre specified requirements that uni formally process all small family businesses alongside large scale corporate concerns. We consider that such measures may unfairly penalise small operators utilising old converted residential houses that may no longer viably serve the needs of modern customers and are unsuited to cost effective technological and facility modernisation. In many cases this may lead to serious financial loss and hardship to private owner operators who have diligently served the local community for decades only to find themselves unable to compete against major hotel chains operating newly built large scale premises designed to meet modern tourist needs.

Detailed elements

Paragraph 6.499

The term 'adequate supply' does not distinguish between the aspirations of the council and the actual usage by tourists of each range of accommodation available. No indication of bed number requirements is given and there is no suggestion that the licensing of new hotels in the borough might permit the proportional decommissioning of older and less suited premises when tourist demand is proven to have been satisfied.

Moreover there is no consideration that changing tourist profiles, requirements and numbers may be evidenced and considered in each application for change of use. Our data indicates a steady fall in tourist numbers since 2000 particularly since the decline of town centre attractions such as Scandals at the Spa, the Chalybeate Spring and regular bandstand concerts. In some cases small hotels, without the possibility of conference or function facilities, have experienced a 75% fall of tourist income. There is no evidence that increased hotel accommodation actually increases tourist numbers and without detailed published data of actual tourist demand and requirements any estimation of 'an adequate supply' of accommodation cannot be substantiated. **The council is therefore requested to take into**

account firm evidence of actual tourist demand by sector when assessing the merits of any application.

Paragraph 6.500 and Policy ED 7

These two elements appear to overlap in several paragraphs and are thereby considered together.

The need for a professional viability report is entirely supported. It is assumed that non viability remains the cornerstone of any application and that all other criteria are only designed to evidence that assertion - for otherwise entirely non viable businesses could be forced to operate at a continuous loss or face closure of their premises. **However this clarification is not clearly stated in the Policy and consideration of the need to do so is requested.**

Criterion 1 stipulates the need to use all feasible marketing channels despite that some of these may not be relevant to the business concerned. Small budget hotels often use on line marketing channels, web sites, online travel agents and Google rather than printed brochures or media advertisements which do not cost effectively increase trade. **We suggest that only suitable marketing channels for that particular business need be proven rather than others only applicable elsewhere.**

Criterion 2 centres upon the need to market the business at a 'market price' reflecting the existing use and condition. However it does not take into account the depreciation of that market price brought about by the licensing of large new hotels able to operate at low rates subsidised by other hotels in that chain. The realisation of those circumstances, already apparent in the Tunbridge Wells budget sector since the opening of the Travel Lodge, automatically and considerably reduces the 'market price' of those other budget hotels unable to price match it. Together with the Premier Inn, this development provides 190 budget rooms sold at prices that no small family operator can match. Hence, in the event of sale, the reduced valuation of small budget hotels effectively denies owners their former equity and thereby the chance to buy elsewhere or retire. Moreover, where a business has been driven into non viability it would only be of interest to speculators who might close it down and wait for circumstances to change in their favour.

Thereby it can be argued that if the council encourages and facilitates the construction of large new hotels, it should also indemnify those smaller businesses that are driven into non viability because of them. Permission for change of use should thereby be properly facilitated under these circumstances as the most efficacious solution for both parties. The recent government directive for easier planning laws to permit more residential accommodation and the shortage of family sized homes in the borough indicates the benefits that should be considered when formerly residential houses are no longer viable as small hotels.

We very much hope that these considerations can be taken into account when finalising the new regulations under discussion.

Question 6

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Please see the bold text in the answer to Question 5, above.

Question 7

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Question 7a

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I believe my comments to be important and participation in the hearings will facilitate a clear and unambiguous understanding of the issues.

Future Notifications

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Comment

Consultee	Tom Clarke MRTPI [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Theatres Trust
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Theatres Trust [REDACTED]
Comment ID	PSLP_1186
Response Date	04/06/21 09:01
Consultation Point	Policy ED 12 Retention of Local Services and Facilities (View)
Status	Processed
Submission Type	Web
Version	0.2
Question 1	
Respondent's Name and/or Organisation	Tom Clarke MRTPI, Theatres Trust
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy ED 12	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes
Is sound	No

Complies with the Duty to Cooperate

Yes

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not effective
- . It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

We do not consider Policy ED 12 to be sound because it is too limited in its scope and contains flaws which could undermine valued facilities in the district.

The policy only appears to apply to smaller and more local facilities as outlined in paragraph 6.534. This means the district's larger facilities and valued cultural assets such as theatres are not protected by policy. This means the policy is not consistent with paragraph 92 of the NPPF which includes cultural buildings within the scope of community uses. The issue is important because with potential development of a new theatre as part of the Civic Hall project there could during the plan period be a threat to the Assembly Hall Theatre. More broadly there are a number of other valued cultural venues within the district; with these venues having been hardest hit by Covid restrictions inevitably some may be vulnerable within the plan period. Strong policy will be needed to ensure potentially viable facilities are retained.

We are also concerned by paragraph 6.535 because it affords opportunity for valued and/or potentially viable facilities to be lost. The presence of more than one of the same type of facility does not mean they are both the same or that the users of one can be absorbed by the other. For example in the case of pubs it may be the case that one is more of a quiet community 'local' whereas the other hosts live music or other events. The loss of one would likely mean complete loss of a function to the detriment of the community.

Cultural facilities contribute to the social and cultural wellbeing of local people, and are important anchors which draw people into town centres in turn boosting footfall and supporting other businesses. There is clear merit and justification in protecting them from loss.

Question 6

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We recommend revision of the policy and its supporting text to ensure it is applicable to cultural facilities, and that part 1 of Policy ED 12 is removed. This will ensure conformity with paragraph 92 of the NPPF and ensure effectiveness by preventing loss of facilities that meet local need and contribute to the diversity of the district's cultural, community and social offer.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . Yes, I wish to participate in hearing session(s)

Question 7a

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If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

There are a number of valued cultural facilities in the area which have not been afforded protection through policy. The Trust has previously made representation seeking the amendments set out above.

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box: Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Tammy Thew [REDACTED]
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	Tammy Thew [REDACTED]
Comment ID	PSLP_90
Response Date	06/05/21 15:00
Consultation Point	Map 28 Paddock Wood and East Capel Structure Plan (published with the permission of David Lock Associates Ltd) (View)
Status	Processed
Submission Type	Web
Version	0.1
Question 1	
Respondent's Name and/or Organisation	Mrs Tammy Thew
Question 3	
To which part of the Local Plan does this representation relate?	Policies Map
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
STR/SS1	
Map 28	
2.f	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Don't know

Is sound

No

Complies with the Duty to Cooperate

Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because: . It is not justified

Question 5

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Having only recently found out that there is an indicative location to put a Gypsy/Traveller site on Ledgers Work, Queen Street, Paddock wood, TN12 6NN, myself and my husband aswell as our neighbours absolutley, vehemently oppose this decision. The Ledgers Works location is directly next door to my property and inbetween my neighbours home. Who in their right mind would consider putting a gypsy/traveller site between 2 residential homes!! Not only would this have a financial impact on our home but it would also deem it unsellable. We have worked very hard for many year for this not to happen.

We brought our property in a rural location for peace and quiet, so not only do we have to contend with the fact that 100's of homes are now proposed to be built directly around our home we have now found out about the traveller site.

Not only am I having sleepless nights thinking about what the decision will be in the future, this is also having a impact on my mental health! I don't want to be back on medication again because someone/people have these ideas but don't think about the impact that it's going to have on the people that live in these areas.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Angie Thirkell [REDACTED]
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	Angie Thirkell [REDACTED]
Comment ID	PSLP_869
Response Date	02/06/21 14:07
Consultation Point	Policy STR/HA 1 The Strategy for Hawkhurst parish (View)
Status	Processed
Submission Type	Web
Version	0.3
Question 1	
Respondent's Name and/or Organisation	Mrs A Thirkell
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
STRA/HA/1	
HA3	
HA4	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes
Is sound	No
Complies with the Duty to Cooperate	Don't know

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Angie Thirkell [REDACTED]
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	Angie Thirkell [REDACTED]
Comment ID	PSLP_864
Response Date	02/06/21 14:05
Consultation Point	Policy STR/HA 1 The Strategy for Hawkhurst parish (View)
Status	Processed
Submission Type	Web
Version	0.3
Question 1	
Respondent's Name and/or Organisation	Mrs Angela Thirkell
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
STRA/HA/1	
HA3	
HA4	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes
Is sound	No
Complies with the Duty to Cooperate	Don't know

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Jeremy Thompson [REDACTED]
Email Address	[REDACTED]
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Jeremy Thompson [REDACTED]
Comment ID	PSLP_1409
Response Date	04/06/21 16:14
Consultation Point	Policy STR/SS 2 The Strategy for Paddock Wood Town Centre (View)
Status	Processed
Submission Type	Email
Version	0.3
Data inputter to enter their initials here	KH
Question 1	
Respondent's Name and/or Organisation	Jeremy Thompson
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR/SS 2 The Strategy for Paddock Wood Town Centre

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

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I would like to make the following comments.

LCWIP 4.12

The idea of having a Low Traffic Town is a very good idea in theory. However, limiting the flow of traffic over the railway bridge on Maidstone Road will be an economic disaster for businesses in the Town. If this idea was to go ahead the damage to the environment would increase as people wanting to come to the town approaching from the north would have to make a detour along the Whetstead by Pass to the Colts Hill roundabout and then go along Badsell Road and Maidstone Road to enter the Town.

Local Green Space Assessment. Site 150

Recreation Ground and Memorial Park Maidstone Road,

With three new housing developments already being constructed the loss of any green space needs very serious consideration. 89% of the Memorial Playing Field is already designated as local green space and the remaining 11% should also be designated in the same manner. This land was previously mentioned in Regulation 18 and the planning application 20/03848 has still not been scheduled to appear in a TWBC planning committee meeting. It is considered to be an important green space within the settlement that contributes to its character/setting and local visual amenity. There are other sites that are more appropriate within the Town for a Community Centre. If this site is built on then Paddock Wood will no longer be able to host hard ball Cricket matches at a time when cricket has an increasing popularity. The residents of the Town have already made their feelings known through the Parish Poll which has been ignored by our own Town Council. It is worth mentioning that the deeds of this land state that it is for the purpose of providing a recreation ground. I cannot find any mention of a Community Centre or a pre school.

A proposed development on this site by the Girl Guides Association in 1987 was turned down by the Secretary of State and the comments made then are still applicable today.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

For office use only

If responder hasn't ticked an option on this box, data inputter to tick 'not stated' box. Not Stated

Comment

Consultee	Andrew Thomson [REDACTED]
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	Andrew Thomson [REDACTED]
Comment ID	PSLP_8
Response Date	27/03/21 15:12
Consultation Point	Policy STR/SS 3 The Strategy for Tudeley Village (View)
Status	Processed
Submission Type	Web
Version	0.6
Question 1	
Respondent's Name and/or Organisation	andrew thomson
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy STR/SS 3: The Strategy for Tudeley Village	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Don't know
Is sound	No
Complies with the Duty to Cooperate	Don't know
Question 4a	

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound . It is not justified because:

Question 5

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I object to the 1000 houses at Tudely. A rural green belt area with poor roads and public transport will increase congestion in Tonbridge and should only be built if dedicated rail station with 10 mins walk of all houses is also built with regular stopping services

Increased housing of 1000 properties in Tudely will adversely affect greenbelt type area separating Tonbridge from Paddock Wood and will increase congestion in Tonbridge. As roads are built there will be pressure to infill the area between Tonbridge and Paddock Wood creating urban sprawl. To be sustainable it should be built around a new railway station with regular services. Much more effort should be made by the council to build on brownfield and infill sites with sustainable transport options without reliance on private cars.

Question 6

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Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Future Notifications

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Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Robert Tillotson [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] Tunbridge Wells [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Robert Tillotson [REDACTED]
Comment ID	PSLP_1945
Response Date	03/06/21 15:03
Consultation Point	Policy STR 1 The Development Strategy (View)
Status	Processed
Submission Type	Email
Version	0.3

Data inputter to enter their initials here KJ

Question 1

Respondent's Name and/or Organisation Robert Tillotson

Question 3

To which part of the Local Plan does this representation relate? Policy

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR 1 The Development Strategy

Paragraph Nos. 2.16, 2.18, 4.10

Question 4

Do you consider that the Local Plan:

Is sound No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound . It is not justified because:

Question 5

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Evidence in the plan proposes an ONS figure of 5% population growth over the plan period, equating to an increase of 6155 people. The plan submitted clearly follows the national guidelines and standard methods mandated. But the consequence is to deliver a housing unit demand of 678 per annum to a total of 12,200 units, eg double required for the projected population.

This is unsound as currently the population is falling due to Brexit European departures, COVID deaths of over 500 people in Tonbridge and Tunbridge Wells health areas alone (and sadly this is not over yet) and ironically housing and rent costs locally.

The above paragraphs also describe housing costs locally at 12 x average earnings. It is intrinsic to the plan that adding supply will alleviate this bubble. It has never done in the past and it won't in this plan either. House pricing is not as a result of medium term supply constraints, but is Government policy delivered through financial measures eg supporting buyers and builders to buy what people cannot afford. "Sub prime" definitions of mortgage debt is not something that happened in 2008. It now applies to most first time mortgage applications.

The plan cites Conservative manifesto commitments to build at a rate of 300,000 units by mid term in the plan. Are we really setting development plans on political party manifestos? This is not sound, as anyone with a memory or common sense can attest to. Manifestos do not always turn into Government policy, especially when the states finances have been ravaged by pandemic spending.

The basis of the overall strategy is therefore unsound and not justified by the supporting evidence.

Question 6

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A. Base the strategic plan on real projected demographic population increases, plus a reasonable margin and not twice that number.

B. Insert in the plan actions to mitigate and release underused housing stock eg big houses with low occupancy. Incentivise conversions to multiple occupancy, not currently considered.

C. Repurpose large areas of retail usage to central town living accommodation, as the current retail closures will accelerate due to e-commerce activity and changed consumer behaviour.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . Yes, I wish to participate in hearing session(s)

Question 7a

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If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

The structure of the plan at 592 pages plus hundreds more attachments coupled with the restrictive response forms successfully stifle big objections to fundamental aspects of this plan.

It is not through challenging hedgehog counts, or identifying individual trees for retention that real change or influence can be brought to bear.

Question 8

If you have any separate comments you wish to make on the accompanying Sustainability Appraisal, please make them here.

Sustainability is a word which no longer has meaning, because of the definitions used by planning. At the current rate of concrete pouring, carbon emissions and habitat destruction, this plan is not in any true meaning sustainable for life on this planet. It is not compliance with wordsmiths or political manifesto definitions that really matters, but whether in reality the projected plan really changes our current trajectory for better or worse.

This plan proposes building on Green Belt land, areas of outstanding natural beauty and flood plains. Our water courses are being depleted locally, and we have the most polluted rivers in Europe. It removes areas of ancient woodland and is proposing new roads, when reducing travel is required. The word "Sustainability" is used thousands of times in this plan.

We need to get real and act now. As this plan comes into effect in 2022. COP 26 takes place in UK this year. Is this a good time to "set in concrete" a "sustainable" plan before the outcome is known?

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box: Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Robert Tillotson [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] Tunbridge Wells [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Robert Tillotson [REDACTED]
Comment ID	PSLP_1942
Response Date	03/06/21 16:15
Consultation Point	Policy STR 7 Climate Change (View)
Status	Processed
Submission Type	Email
Version	0.3
Data inputter to enter their initials here	KJ
Question 1	
Respondent's Name and/or Organisation	Robert Tillotson
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy STR 7 Climate Change	
Paragraph Nos. 1....to...7	
And para 4.112	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	No

Is sound

No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not effective
- . It is not justified

Question 5

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LegalCompliance. This strategy has no direct quantifiable linkage to The Paris Agreement and UK Climate Act which are both referred in the plan. Both of these legal acts demand quantifiable immediate actions to reduce carbon emissions and to taking other related steps. The UK has signed these acts and treaties.

There are volumes of well meaning words, but no quantifiable targets or steps or measurements. Therefore this plan is legally playing lip service to these acts. If implemented as it stands we will be breaking these laws.

Paragraph .4.112 of the plan states; " climate adaption must be understood as the main priority for long term planning to secure climate resilience, and must be accepted as equally as important as meeting household needs."

If that were true in this plan we would see a target commitment to total carbon emission reductions. We would see the carbon impact of building over the detailed pieces of land planned for roads, and houses which the plan describes. We would see the calculated carbon impact of farmland, flood plane and woodland destruction. But we see none of this. We do see copious numeric detail on the building plans, but nothing on the "equally as important meeting of household needs", the climate. Why is this?

We have the science base and methodology to do the work. We have the tools, and specialists to do the work. But despite the "equivalent importance" the work has not been done. The plan is at variance to its stated objectives, and has no means to achieve them. It is therefore planning to be in breach of these legal acts.

The plan is unsound. Effectiveness and justification. For any strategic plan to be effective it must have targets, measurements and way points to review the actions taken and progress made. If we consider for a moment that we took the same approach in the plan for housing, we might end up with a plan that states " we intend to build enough housing to meet our needs, somewhere, at some point, and enough roads and schools to meet the target of 12000." This, you might think would be ridiculous. You would be right. But that is where this plan is with its "equally important climate strategy." This strategy is therefore not effective, and cannot be so.

And neither can it be justifiable. Climate change is stated as the World's and the UK's greatest strategic threat. (Despite the COVID pandemic) It cannot be justifiable to deliver a 592 page plan and a further huge sustainability report without showing a numeric linkage between the building, transport and other plans and its climate and net zero impacts. It is easily possible to do this. Can anyone justify why it would not be done? It is our most immediate existential threat.

Question 6

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Additions to policy STR7.

New paragraph 1. The current emissions output from the Tunbridge Wells planning area is currently X. For those topics addressed by this plan eg housing, transport, energy etc the discrete emissions are currently Y.

The additional emissions impact of building housing, roads etc contained in this plan will be Z for each category.

The impact on the total emissions of this plan will be xxxxx.

New Paragraph 2. The following strategies to hit net zero will be the following, with targets and dates.....please draft when work completed.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? Yes, I wish to participate in hearing session(s)

Question 7a

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Because I have a horrible feeling that this Proposed plan is not a strategic plan that treats climate objectives equally, as it states with household needs, but a building plan with lots of details and quantifiable information and plans for development, and plenty of warm words about sustainability, and no detailed quantifiable or measurable steps to hit net zero.

It is really a building plan, not a strategic plan. And this is really serious, and must be heard, and acted upon urgently. If not now, within this planning cycle to 2038 then when? We all know we are late on this and behind the curve. We cannot allow the legal and stated net zero end targets in the plan to be kicked down the road with warm words and no data or detailed plans. We have no excuse not to act now.

Question 8

If you have any separate comments you wish to make on the accompanying Sustainability Appraisal, please make them here.

See above.

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Mr Ian Bailey [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Tonbridge & Malling Borough Council
Address	Council Offices Gibson Building WEST MALLING ME19 4LZ
Event Name	Pre-Submission Local Plan
Comment by	Tonbridge & Malling Borough Council [REDACTED] [REDACTED]
Comment ID	PSLP_1495
Response Date	03/06/21 16:26
Consultation Point	Pre-Submission Local Plan (View)
Status	Processed
Submission Type	Email
Version	0.3
Data inputter to enter their initials here	KJ
Question 1	
Respondent's Name and/or Organisation	Ian Bailey, Tonbridge & Malling Borough Council

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

[TWBC: Covering letter - see also representations PSLP_1496 (Policy STR/SS1), PSLP_1497-1501 (Policy STR/SS3), PSLP_1502 (Policy STR1) and PSLP_1503 (Policy STR/SS3 Maps 33 and 34)].

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

Thank you for the opportunity to comment on the above consultation.

The consultation draft of the emerging Tunbridge Wells Local Plan was considered at an extraordinary meeting of this Council's Planning and Transportation Advisory Board on the 17th May 2021 and this response incorporates the views expressed by Members.

Tonbridge and Malling Borough Council welcomes the amendments made to the Regulation 18 draft of the Local Plan in response to the comments by this Council made in October 2019 and recognises the ongoing and pragmatic engagement in respect of the Duty to Cooperate to address the relevant cross-boundary issues and the continuing contributions to the infrastructure planning and master planning of the two strategic allocations at Tudeley and Paddock Wood.

However, the impact of these strategic sites, particularly on Tonbridge and the rural settlements of Hadlow, Golden Green and East Peckham, remains a serious concern. Having reviewed the Pre-Submission version of the Local Plan and the supporting evidence Members wish to make the specific comments set out below, which have also been included in this Council's on-line response. TMBC wishes to reiterate the importance of ensuring that the necessary infrastructure and mitigation measures are finalised and implemented in a timely and effective way. Continued close collaboration between the two authorities in respect of the master planning of both sites and the proposed Supplementary Planning Documents to refine the details is strongly encouraged.

The Local Plan has been prepared in accordance with the requirements of national policy as set out in the National Planning Policy Framework (2019) and Section 33A of the Planning and Compulsory Purchase Act 2004 in respect of the Duty to Cooperate. Please note that the Statement of Common Ground, which will reflect the matters raised in this Council's Regulation 19 response, will now be considered by the Planning and Transportation Advisory Board at its meeting on the 29th June 2021 before being agreed by Cabinet on 6th July.

Specific Comments

The transport evidence base documents underpinning the Local Plan are inconsistent, contradictory and unrealistically optimistic. There is therefore a lack of clarity regarding the infrastructure interventions required to deliver a sustainable plan.

To illustrate this point, the transport assessments, modelling assumptions and proposed mitigations do not take into account normal organic growth and planned development proposals in the Borough of Tonbridge & Malling or other neighbouring authorities and therefore do not adequately address the impacts on the local highway network and the consequential negative impacts on local communities.

Notwithstanding this, the mitigations proposed are considered to be insufficient to fully address all of the impacts on Tonbridge, for example, increased traffic flows into Tonbridge and surrounding villages causing increased congestion and a likely worsening of air quality.

The highway impacts on this Borough will extend beyond Tonbridge, Hadlow, Golden Green and East Peckham, for example additional traffic heading north along the A228 to access the M20 and A26 towards Maidstone and these should also be addressed.

The evidence for the impact on the landscape in the vicinity of the strategic site allocations and biodiversity is incomplete because the Landscape and Visual Impact Assessment only applies to sites located within the High Weald Area of Outstanding Natural Beauty.

The proposed closure of Hartlake Road to through traffic is a concern as it is a well-used route at peak times and it is not clear how the new accesses and internal road layout will provide an alternative north-south route. Whereas, if Hartlake Road were to remain open after the delivery of the Tudeley,

East of Capel Parish and Paddock Wood developments then this road and the lanes beyond would be inadequate for the significant new traffic being introduced and the wide reaching consequences described above would be even greater.

The strategic site allocations will increase the flood risk of the area to the north of Tudeley/Capel Parish, which is already prone to flooding, and this will have an adverse impact on the Medway flood plain.

As a result of this it is understood that the Upper Medway Internal Drainage Board will be seeking developer contributions. Has this been taken into account with regard to the whole plan viability study?

The Tudeley Garden Village master plan anticipates the delivery of new local service centres after phase 3 and the new secondary school will be delivered even later. This will put pressure on infrastructure in Tonbridge in the short to medium term, which the Local Plan seeks to avoid. Therefore, how will these impacts be mitigated?

Whilst recognising that there is not a requirement for a new railway station at Tudeley and that Network Rail has confirmed that the proposed growth in Tunbridge Wells borough does not require specific rail capacity interventions the omission of any mitigation of any impacts is a concern. TMBC encourages TWBC to continue to promote the opportunity for future provision with Network Rail and the rail operators and that this is revisited at the first review of the Plan. Without a new railway station undue pressure will be put on both Tonbridge and Hildenborough stations and TMBC members fear that the car parks serving both stations and the rail services themselves will be unable to cope with the increased demand created by the proposed development in Tudeley in particular.

The inclusion of cross-boundary walking and cycle routes both from the new settlement at Tudeley and associated with the Mabledon House Policy is a welcome contribution towards more sustainable means of transport, but concerns remain that this together with the proposed additional bus services will not result in the anticipated modal shift from private car use of 10%.

Paragraph 4.12 refers to the situation with respect to unmet housing need in neighbouring Sevenoaks District as being 'unclear' although it recognises that a potential shortfall of 1,900 dwellings may be further tested in the event the Local Plan Examination is allowed to continue. Since the Tunbridge Wells Local Plan was published for consultation on 26th March the request by Sevenoaks District Council to appeal the Judicial Review decision in respect of their Local Plan has been declined. Therefore, this contextual paragraph should now be updated.

Paragraph 4.13 recognises that there may be some unmet housing need and that it is therefore appropriate to assess the potential for also contributing to unmet needs. If this exercise has already been carried out, then there should be signposting to the relevant part of the evidence base. However, in light of the events described in paragraph 4.12, it may be more appropriate to update both paragraphs.

There appears to be a mapping error in respect of Map 33 and Map 34, which show the location of the new Secondary School as outside of the Garden Village site boundary, while Map 32 shows the school within the site boundary. For consistency, the maps should make clear that the site is inside the boundary, as the delivery of the school is now addressed by Policy STR/SS3.

I hope these comments are of assistance.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

Comment

Consultee	Mr Ian Bailey [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Tonbridge & Malling Borough Council
Address	Council Offices Gibson Building WEST MALLING ME19 4LZ
Event Name	Pre-Submission Local Plan
Comment by	Tonbridge & Malling Borough Council [REDACTED] [REDACTED]
Comment ID	PSLP_1496
Response Date	03/06/21 16:26
Consultation Point	Policy STR/SS 1 The Strategy for Paddock Wood, including land at east Capel (View)
Status	Processed
Submission Type	Email
Version	0.4
Data inputter to enter their initials here	KJ

Question 1

Respondent's Name and/or Organisation Ian Bailey, Tonbridge & Malling Borough Council

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR/SS 1 The Strategy for Paddock Wood, including land at east Capel

[TWBC: see also representations PSLP_1495 (Covering letter on whole Plan), PSLP_1497-1501 (Policy STR/SS3), PSLP_1502 (Policy STR1) and PSLP_1503 (Policy STR/SS3 Maps 33 and 34)].

Question 4

Do you consider that the Local Plan:

Is legally compliant Yes

Is sound	No
Complies with the Duty to Cooperate	Yes

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because: . It is not justified

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

This representation relates to the evidence base supporting the two strategic site allocations at Tudeley and East Capel/Paddock Wood:

The transport evidence base documents underpinning the Local Plan are inconsistent, contradictory and unrealistically optimistic. There is therefore a lack of clarity regarding the infrastructure interventions required to deliver a sustainable plan.

To illustrate this point, the transport assessments, modelling assumptions and proposed mitigations do not take into account normal organic growth and planned development proposals in the Borough of Tonbridge & Malling or other neighbouring authorities and therefore do not adequately address the impacts on the local highway network and the consequential negative impacts on local communities.

Notwithstanding this, the mitigations proposed are considered to be insufficient to fully address all of the impacts on Tonbridge, for example, increased traffic flows into Tonbridge and surrounding villages causing increased congestion and a likely worsening of air quality.

The highway impacts on this Borough will extend beyond Tonbridge, Hadlow, Golden Green and East Peckham, for example additional traffic heading north along the A228 to access the M20 and A26 towards Maidstone and these should also be addressed.

The evidence for the impact on the landscape in the vicinity of the strategic site allocations and biodiversity is incomplete because the Landscape and Visual Impact Assessment only applies to sites located within the High Weald Area of Outstanding Natural Beauty.

Question 6

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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.

To revise the evidence base to address the omissions identified and ensure that the necessary mitigations are implemented

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box: Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Mr Ian Bailey [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Tonbridge & Malling Borough Council
Address	Council Offices Gibson Building WEST MALLING ME19 4LZ
Event Name	Pre-Submission Local Plan
Comment by	Tonbridge & Malling Borough Council [REDACTED] [REDACTED]
Comment ID	PSLP_1497
Response Date	03/06/21 16:26
Consultation Point	Policy STR/SS 3 The Strategy for Tudeley Village (View)
Status	Processed
Submission Type	Email
Version	0.4
Data inputter to enter their initials here	KJ
Question 1	
Respondent's Name and/or Organisation	Ian Bailey, Tonbridge & Malling Borough Council
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR/SS 3 The Strategy for Tudeley Village

[TWBC: see also representations PSLP_1495 (covering letter whole Plan), PSLP_1496 (Policy STR/SS1), PSLP_1498-1501 (Policy STR/SS3), PSLP_1502 (Policy STR1) and PSLP_1503 (Policy STR/SS3 Maps 33 and 34)].

Question 4

Do you consider that the Local Plan:

Is legally compliant	Yes
Is sound	No
Complies with the Duty to Cooperate	Yes

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because: . It is not justified

Question 5

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The evidence for the impact on the landscape in the vicinity of the strategic site allocations and biodiversity is incomplete because the Landscape and Visual Impact Assessment only applies to sites located within the High Weald Area of Outstanding Natural Beauty.

Question 6

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To revise the evidence base to address the omissions identified and ensure that the necessary mitigations are implemented

Question 7

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Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Mr Ian Bailey [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Tonbridge & Malling Borough Council
Address	Council Offices Gibson Building WEST MALLING ME19 4LZ
Event Name	Pre-Submission Local Plan
Comment by	Tonbridge & Malling Borough Council [REDACTED] [REDACTED]
Comment ID	PSLP_1498
Response Date	03/06/21 16:26
Consultation Point	Policy STR/SS 3 The Strategy for Tudeley Village (View)
Status	Processed
Submission Type	Email
Version	0.3
Data inputter to enter their initials here	KJ
Question 1	
Respondent's Name and/or Organisation	Ian Bailey, Tonbridge & Malling Borough Council
Question 3	
To which part of the Local Plan does this representation relate?	Paragraph(s)
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Paragraph No. 5.217

[TWBC: see also representations PSLP_1495 (covering letter whole Plan), PSLP_1496 (Policy STR/SS1), PSLP_1497-1501 (Policy STR/SS3), PSLP_1502 (Policy STR1) and PSLP_1503 (Policy STR/SS3 Maps 33 and 34)].

Question 4

Do you consider that the Local Plan:

Is legally compliant	Yes
Is sound	No
Complies with the Duty to Cooperate	Yes

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because: . It is not justified

Question 5

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The inclusion of cross-boundary walking and cycle routes both from the new settlement at Tudeley (and associated with the Mabledon House Policy) is a welcome contribution towards more sustainable means of transport, but concerns remain that this together with the proposed additional bus services will not result in the anticipated modal shift from private car use of 10%.

Question 6

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Further evidence of the estimated modal shift of 10% from motorised travel to Active Travel would be welcomed.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Future Notifications

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Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Mr Ian Bailey [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Tonbridge & Malling Borough Council
Address	Council Offices Gibson Building WEST MALLING ME19 4LZ
Event Name	Pre-Submission Local Plan
Comment by	Tonbridge & Malling Borough Council [REDACTED] [REDACTED]
Comment ID	PSLP_1499
Response Date	03/06/21 16:26
Consultation Point	Policy STR/SS 3 The Strategy for Tudeley Village (View)
Status	Processed
Submission Type	Email
Version	0.4
Data inputter to enter their initials here	KJ
Question 1	
Respondent's Name and/or Organisation	Ian Bailey, Tonbridge & Malling Borough Council
Question 3	
To which part of the Local Plan does this representation relate?	Paragraph(s)
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Paragraph No. 5.218

[TWBC: see also representations PSLP_1495 (covering letter whole Plan), PSLP_1496 (Policy STR/SS1), PSLP_1497-1501 (Policy STR/SS3), PSLP_1502 (Policy STR1) and PSLP_1503 (Policy STR/SS3 Maps 33 and 34)].

Question 4

Do you consider that the Local Plan:

Is legally compliant	Yes
Is sound	Yes
Complies with the Duty to Cooperate	Yes

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

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Whilst recognising that there is not a requirement for a new railway station at Tudeley and that Network Rail has confirmed that the proposed growth in Tunbridge Wells borough does not require specific rail capacity interventions the omission of any mitigation of any impacts remains a concern.

TMBC encourages TWBC to continue to promote the opportunity for future provision with Network Rail and the rail operators and that this is revisited at the first review of the Plan. Without a new railway station undue pressure will be put on both Tonbridge and Hildenborough stations and TMBC members fear that the car parks serving both stations and the rail services themselves will be unable to cope with the increased demand created by the proposed development in Tudeley in particular.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?	No, I do not wish to participate in examination hearing session(s)
--	--

Future Notifications

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---	---

Comment

Consultee	Mr Ian Bailey [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Tonbridge & Malling Borough Council
Address	Council Offices Gibson Building WEST MALLING ME19 4LZ
Event Name	Pre-Submission Local Plan
Comment by	Tonbridge & Malling Borough Council [REDACTED] [REDACTED]
Comment ID	PSLP_1500
Response Date	03/06/21 16:26
Consultation Point	Policy STR/SS 3 The Strategy for Tudeley Village (View)
Status	Processed
Submission Type	Email
Version	0.3
Data inputter to enter their initials here	KJ
Question 1	
Respondent's Name and/or Organisation	Ian Bailey, Tonbridge & Malling Borough Council
Question 3	
To which part of the Local Plan does this representation relate?	Paragraph(s)
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Paragraph No. 5.219

[TWBC: see also representations PSLP_1495 (covering letter whole Plan), PSLP_1496 (Policy STR/SS1), PSLP_1497-1501 (Policy STR/SS3), PSLP_1502 (Policy STR1) and PSLP_1503 (Policy STR/SS3 Maps 33 and 34)].

Question 4

Do you consider that the Local Plan:

Is legally compliant	Yes
Is sound	No
Complies with the Duty to Cooperate	Yes

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because: . It is not justified

Question 5

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The Tudeley Garden Village master plan anticipates the delivery of new local service centres after phase 3 and the new secondary school will be delivered even later. This will put pressure on infrastructure in Tonbridge in the short to medium term, which the Local Plan seeks to avoid. Therefore, how will these impacts be mitigated?

The proposed closure of Hartlake Road to through traffic is a concern as it a well-used route at peak times and it is not clear how the new accesses and internal road layout will provide an alternative north-south route. Whereas, if Hartlake Road were to remain open after the delivery of the Tudeley, East of Capel Parish and Paddock Wood developments then this road and the lanes beyond would be inadequate for the significant new traffic being introduced and the wide reaching consequences described above would be even greater.

Question 6

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The local infrastructure and services at Tudeley planned to meet the needs arising from the strategic allocations and reduce the need to travel further afield to centres like Tonbridge should be delivered earlier in the master planning of the new settlement.

The proposed closure of Hartlake Road to through traffic should be reconsidered.

Question 7

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Future Notifications

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Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Mr Ian Bailey [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Tonbridge & Malling Borough Council
Address	Council Offices Gibson Building WEST MALLING ME19 4LZ
Event Name	Pre-Submission Local Plan
Comment by	Tonbridge & Malling Borough Council [REDACTED] [REDACTED]
Comment ID	PSLP_1501
Response Date	03/06/21 16:26
Consultation Point	Policy STR/SS 3 The Strategy for Tudeley Village (View)
Status	Processed
Submission Type	Email
Version	0.3
Data inputter to enter their initials here	KJ
Question 1	
Respondent's Name and/or Organisation	Ian Bailey, Tonbridge & Malling Borough Council
Question 3	
To which part of the Local Plan does this representation relate?	Paragraph(s)
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Paragraph No. 5.222

[TWBC: see also representations PSLP_1495 (covering letter whole Plan), PSLP_1496 (Policy STR/SS1), PSLP_1497-1501 (Policy STR/SS3), PSLP_1502 (Policy STR1) and PSLP_1503 (Policy STR/SS3 Maps 33 and 34)].

Question 4

Do you consider that the Local Plan:

Is legally compliant	Yes
Is sound	No
Complies with the Duty to Cooperate	Yes

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because: . It is not justified

Question 5

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The supporting text states that development will be supported by a cohesive drainage strategy, however, the strategic site allocations will increase the flood risk of the area to the north of Tudeley/Capel Parish, which is already prone to flooding, and this will have an adverse impact on the Medway flood plain.

As a result of this it is understood that the Upper Medway Internal Drainage Board will be seeking developer contributions. Has this been taken into account with regard to the whole plan viability study?

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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Confirmation that the flood risks have been fully taken into account.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Mr Ian Bailey [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Tonbridge & Malling Borough Council
Address	Council Offices Gibson Building WEST MALLING ME19 4LZ
Event Name	Pre-Submission Local Plan
Comment by	Tonbridge & Malling Borough Council [REDACTED] [REDACTED]
Comment ID	PSLP_1502
Response Date	03/06/21 16:26
Consultation Point	Policy STR 1 The Development Strategy (View)
Status	Processed
Submission Type	Email
Version	0.3

Data inputter to enter their initials here KJ

Question 1

Respondent's Name and/or Organisation Ian Bailey, Tonbridge & Malling Borough Council

Question 3

To which part of the Local Plan does this representation relate? Paragraph(s)

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Paragraph Nos. 4.12 and 4.13

[TWBC: see also representations PSLP_1495 (covering letter whole Plan), PSLP_1496 (Policy STR/SS1), PSLP_1497-1501 (Policy STR/SS3), PSLP_1502 (Policy STR1) and PSLP_1503 (Policy STR/SS3 Maps 33 and 34)].

Question 4

Do you consider that the Local Plan:

Is legally compliant	Yes
Is sound	Yes
Complies with the Duty to Cooperate	Yes

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

Paragraph 4.12 refers to the situation with respect to unmet housing need in neighbouring Sevenoaks District as being 'unclear' although it recognises that a potential shortfall of 1,900 dwellings may be further tested in the event the Local Plan Examination is allowed to continue.

Since the Tunbridge Wells Local Plan was published for consultation on 26th March the request by Sevenoaks District Council to appeal the Judicial Review decision in respect of their Local Plan has been declined. Therefore, this contextual paragraph should now be updated.

Paragraph 4.13 recognises that there may be some unmet housing need and that it is therefore appropriate to assess the potential for also contributing to unmet needs. If this exercise has already been carried out, then there should be signposting to the relevant part of the evidence base. However, in light of the events described in paragraph 4.12, it may be more appropriate to update both paragraphs.

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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Paragraph 4.13 recognises that there may be some unmet housing need and that it is therefore appropriate to assess the potential for also contributing to unmet needs. If this exercise has already been carried out, then there should be signposting to the relevant part of the evidence base. However, in light of the events described in paragraph 4.12, it may be more appropriate to update both paragraphs.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Mr Ian Bailey [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Tonbridge & Malling Borough Council
Address	Council Offices Gibson Building WEST MALLING ME19 4LZ
Event Name	Pre-Submission Local Plan
Comment by	Tonbridge & Malling Borough Council [REDACTED] [REDACTED]
Comment ID	PSLP_1503
Response Date	03/06/21 16:26
Consultation Point	Map 33 Transport Connections: Tudeley Village (published with the permission of David Lock Associates Ltd) (View)
Status	Processed
Submission Type	Email
Version	0.3
Data inputter to enter their initials here	KJ
Question 1	
Respondent's Name and/or Organisation	Ian Bailey, Tonbridge & Malling Borough Council
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Maps 32, 33 and 34 (Policy STR/SS3)

[TWBC: see also representations PSLP_1495 (covering letter whole Plan), PSLP_1496 (Policy STR/SS1), PSLP_1497-1501 (Policy STR/SS3), PSLP_1502 (Policy STR1) and PSLP_1503 (Policy STR/SS3 Maps 33 and 34)].

Question 4

Do you consider that the Local Plan:

Is legally compliant	Yes
Is sound	Yes
Complies with the Duty to Cooperate	Yes

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

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There appears to be a mapping error in respect of Map 33 and Map 34, which show the location of the new Secondary School as outside of the Garden Village site boundary, while Map 32 shows the school within the site boundary.

Question 6

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For consistency, the maps should make clear that the site is inside the boundary, as the delivery of the school is now addressed by Policy STR/SS3.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

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Future Notifications

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Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Tonbridge Civic Society
Address	[REDACTED] Tonbridge [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Tonbridge Civic Society [REDACTED]
Comment ID	PSLP_1266
Response Date	04/06/21 15:06
Consultation Point	Policy STR/SS 1 The Strategy for Paddock Wood, including land at east Capel (View)
Status	Processed
Submission Type	Web
Version	0.1
Question 1	
Respondent's Name and/or Organisation	Tonbridge Civic Society
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
STR/SS1	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Don't know
Is sound	No

Complies with the Duty to Cooperate

Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not effective
- . It is not justified
- . It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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Policy STR/SS1

Tonbridge Civic Society – the largest amenity society in Tonbridge with almost 500 members – objects to the above proposals, which would have a big impact on Tonbridge and the countryside near it.

The proposal for 2,160 houses in East Capel taken together with the plans for a further 2,800 dwellings in the proposed Tudely “garden settlement” dealt with under policy STR/SS3, essentially amounts to a more or less continuous urban sprawl between Tonbridge and Paddock Wood.

This massively increased population will naturally focus for facilities on their nearest significant town, Tonbridge, which will be swamped by this pressure on its roads, railway station, healthcare and the like, which are already overburdened by substantial development in the town in recent years, with more proposed in Tonbridge and Malling Borough’s own local plan. This is totally unacceptable, particularly given that Tonbridge is in a different borough that will receive none of the rates levied on the new households.

Meanwhile this very substantial development will have a negligible impact on Tunbridge Wells, the centre of the TWBC that will be in receipt of the rates.

We see no evidence in the plan that the impact on Tonbridge has been assessed leave alone addressed

Most of our comments on the Tudely village proposal apply equally to this part of the plan and we would request that those applicable are taken into account here as well.

In addition, we note that this policy proposal casually brushes aside the fact that groundwater levels are high in the northern part of this area due to the proximity of the Upper Medway flood plain. It is clearly environmentally irresponsible to plan such substantial housing development on a flood plain and once again the increased flood risk will impinge on Tonbridge as well as other settlements along the river and not on Tunbridge Wells. We already have more than enough worries on this count

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

- . Yes, I wish to participate in hearing session(s)

Question 7a

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If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

To explain in more detail the injurious impact of the proposal on Tonbridge

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Tonbridge Civic Society
Address	[REDACTED] Tonbridge [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Tonbridge Civic Society [REDACTED]
Comment ID	PSLP_1274
Response Date	04/06/21 12:50
Consultation Point	Map 26 Site Layout Plan (View)
Status	Processed
Submission Type	Web
Version	0.1
Question 1	
Respondent's Name and/or Organisation	Tonbridge Civic Society
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
STR/SS1	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Don't know
Is sound	No
Complies with the Duty to Cooperate	Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

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- . It is not justified
- . It is not consistent with national policy

Question 5

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Policy STR/SS1

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This massively increased population will naturally focus for facilities on their nearest significant town, Tonbridge, which will be swamped by this pressure on its roads, railway station, healthcare and the like which are already overburdened by substantial development in the town in recent years, with more proposed in Tonbridge and Maidstone Borough’s own local plan. This is totally unacceptable, particularly given that Tonbridge is in a different borough that will receive none of the rates levied on the new households.

Meanwhile this very substantial development will have a negligible impact on Tunbridge Wells, the centre of the TWBC that will be in receipt of the rates.

We see no evidence in the plan that the impact on Tonbridge has been assessed leave alone addressed

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Tonbridge Civic Society
Address	[REDACTED] Tonbridge [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Tonbridge Civic Society [REDACTED]
Comment ID	PSLP_1276
Response Date	04/06/21 15:08
Consultation Point	Policy STR/SS 3 The Strategy for Tudeley Village (View)
Status	Processed
Submission Type	Web
Version	0.1
Question 1	
Respondent's Name and/or Organisation	Tonbridge Civic Society
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
STR/SS3	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Don't know
Is sound	No

Complies with the Duty to Cooperate

Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not effective
- . It is not justified
- . It is not consistent with national policy

Question 5

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Tonbridge Civic Society – the largest amenity society in Tonbridge with almost 500 members – objects to the above proposals, which would have a big impact on Tonbridge and the countryside near it.

We oppose very strongly on environmental, amenity and infrastructure grounds the proposal to build up to 2,800 dwellings at Tudeley, which is less than 2 miles from Tonbridge (and much closer to Tonbridge than to Tunbridge Wells):

It is environmentally irresponsible to build what is in effect a new small town in an area with no existing public transport, a town whose 5000 or so inhabitants will be dependent on cars to go anywhere;

A development of this size in the Green Belt and immediately adjacent to the High Weald Area of Outstanding Natural Beauty is unacceptable and will destroy the fine, pastoral landscape at Tudeley: it would be contrary to national planning policy;

All Saints, Tudeley has become one of the most visited small churches in England because of its Chagall glass: it attracts visitors from all over western Europe. They see now a church amidst fields. If the plan goes ahead, they will see a church in a housing estate. It is extraordinary that Tunbridge Wells Borough Council is prepared so to compromise one of Kent's most important buildings.

The impact on Tonbridge of this development would be severe. The town has significant traffic problems at peak times because of the concentration of schools and the presence of one of the busiest commuter railway stations in south east England. It would be inevitable that a large development at Tudeley, combined with yet another secondary school on the edge of Tonbridge proposed in this plan, would make those problems worse;

Existing overcrowding at Tonbridge railway station would be exacerbated.

The impact on Tonbridge would be in addition to that of the extensive new development which has recently taken place in the town and which is proposed in Tonbridge and Malling Borough Council's own plan.

The fact that one landowner has accumulated a great deal of land round Tudeley with the aim of developing it is not a reason for allowing this proposal to go ahead. The proposal needs to be looked at objectively, not regarded as a matter of convenience for the Council and the landowner. Looked at objectively, the case against it is overwhelming.

It would make much more sense to develop the large tract of unbuilt land on the north-eastern edge of Tunbridge Wells between Pembury Road and the A21 which would offer easy access to the centre of Tunbridge Wells, including its railway station and to the railway station at High Brooms, both of which are much less busy than that at Tonbridge.

The Civic Society also objects to the building of a new secondary school on the eastern edge of Tonbridge. Tonbridge already has one of the highest concentrations of secondary schools of any town of its size in England. It will be a major traffic-generator, drawing yet more people from the east and south-east of the town towards Tonbridge.

Moreover, urban sprawl east of Tonbridge is undesirable and will impinge visually on Somerhill and its park. If Kent County Council and Tunbridge Wells Borough Council judge that a new secondary school is needed in west Kent, it should be built at Paddock Wood or Pembury.

We request these comments are considered together with our comments on STR/SS1 which are interconnected as far as Tonbridge is concerned.

Ends

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . Yes, I wish to participate in hearing session(s)

Question 7a

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If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

To explain in more detail the injurious impact of the proposal on Tonbridge

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box: Yes, I wish to be notified of future stages of the Local Plan

Comment

Agent	Steve Terry [REDACTED]
Email Address	[REDACTED]
Address	
Consultee	Steven Terry [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Tonbridge Line Commuters
Address	[REDACTED] Paddock Wood TONBRIDGE [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Tonbridge Line Commuters [REDACTED]
Comment ID	PSLP_1161
Response Date	03/06/21 21:30
Consultation Point	Policy STR/SS 1 The Strategy for Paddock Wood, including land at east Capel (View)
Status	Processed
Submission Type	Web
Version	0.2
Question 1	
Respondent's Name and/or Organisation	Tonbridge Line Commuters
Question 2	
Agent's Name and Organisation (if applicable)	Steven Terry - Committee Member
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR/SS 1 For Paddock Wood

Question 4

Do you consider that the Local Plan:

Is legally compliant Don't know

Is sound No

Complies with the Duty to Cooperate Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not effective
- . It is not justified
- . It is not consistent with national policy

Question 5

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Tonbridge Line Commuters is the local public transport user group for the Tonbridge & Paddock Wood Area. We have over 50 years of experience in dealing with successive railway administrations and local bus companies in order to maintain and improve services

As an organisation we believe that the proposed Tunbridge Wells Local Plan does not properly address the public transport aspects of building large amounts of housing on greenfield land, and does not ensure that adequate transport infrastructure will be provided *prior* to the major expansion of housing in the Paddock Wood area.

Specifically;

- It is inevitable that due to the largely "dormitory" nature of the proposed Paddock Wood area developments that most adult residents will need to travel outside the immediate area to work, even if post Covid-19 there remains a significant element of home working.
- The existing road infrastructure in the area is already inadequate. Paddock Wood, which would be the most likely rail-head for commuting, would require a major increase in car parking provision, as well as road infrastructure upgrades *before* a further increase in housing. We do not see a strong enough commitment by TWBC to achieving this.
- We are not convinced that a bus network centred around travel to and from Paddock Wood town centre and railway station would be economically viable enough to develop and sustain a regular enough service with long enough operating hours to significantly reduce car journeys.

Question 7

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Comment

Agent	Steve Terry [REDACTED]
Email Address	[REDACTED]
Address	
Consultee	Steven Terry [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Tonbridge Line Commuters
Address	[REDACTED] Paddock Wood TONBRIDGE [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Tonbridge Line Commuters (Steven Terry - [REDACTED])
Comment ID	PSLP_1163
Response Date	03/06/21 21:36
Consultation Point	Policy STR/SS 3 The Strategy for Tudeley Village (View)
Status	Processed
Submission Type	Web
Version	0.2
Question 1	
Respondent's Name and/or Organisation	Tonbridge Line Commuters
Question 2	
Agent's Name and Organisation (if applicable)	Steven Terry - Committee Member
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR/SS3 For Tudeley Village

Question 4

Do you consider that the Local Plan:

Is legally compliant Don't know

Is sound No

Complies with the Duty to Cooperate Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not effective
- . It is not justified
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Question 5

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As an organisation we believe that the proposed Tunbridge Wells Local Plan does not properly address the public transport aspects of building large amounts of housing on greenfield land, and does not properly ensure that adequate transport infrastructure will be provided *prior* to the development starting.

Specifically;

- It is inevitable that due to the largely "dormitory" nature of the proposed Tudeley development that most adult residents will need to travel outside the immediate area to work, even if post Covid-19 there remains a significant element of home working.

- The existing road infrastructure is already inadequate for the volume of traffic. Tonbridge, which is the nearest more major settlement, and the most likely rail head, suffers serious congestion and lack of car parking availability. We are not convinced that a bus link between Tudeley and Tonbridge will be economically viable enough to sustain a regular service with sufficiently long operating hours to significantly reduce car journeys from the development.

- The plan's stated aim of eventually adding a railway station at Tudeley to serve the new development is in a noble idea, but in practice is not likely to be deliverable during the lifetime of the plan. The railway through the centre of the development is a main line, not a metro or branch line, and any current or future railway operator would not wish to add a further station on a such a line between two existing stations that are already only some 6 miles apart, even if the land acquisition and station building cost was to be fully funded.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box: Yes, I wish to be notified of future stages of the Local Plan

Comment

Agent	Catherine Stephens [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Frankham Projects
Address	- - -
Consultee	Mr Colin Lissenden [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Town & Country Housing Group
Address	[REDACTED] [REDACTED] ROYAL TUNBRIDGE WELLS [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Town & Country Housing Group [REDACTED] [REDACTED]
Comment ID	PSLP_1742
Response Date	04/06/21 09:42
Consultation Point	Policy STR/RTW 1 The Strategy for Royal Tunbridge Wells (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Town & Country Housing Group
Question 2	
Agent's Name and Organisation (if applicable)	Frankham Projects
Question 3	

To which part of the Local Plan does this representation relate?

Policy

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR/RTW 1 The Strategy for Royal Tunbridge Wells

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

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RE: Tunbridge Wells Borough Council Local Plan Pre-Submission (Regulation 19 Version)

We write on behalf of Town and Country Housing (TCH) in respect of the Pre-Submission (Regulation 19 Version) of the Tunbridge Wells Local Plan. TCH is a major land owner on the estate.

CH support the inclusion of the Showfields Estate within draft policy AL/RTW 15 (Land at Showfields Road and Rowan Tree Road). TCH note that the extent of the policy allocation has changed since the previous version of the local plan and this is welcomed.

The condition of some of the flats and houses on the Showfields Estate is a concern for TCH and the useable life of some of the buildings is limited without significant intervention and investment.

The Showfields Estate is in a highly sustainable location with excellent public transport links and opportunities for walking and cycling. It is well placed for residents to access local shops and services including those in Tunbridge Wells town centre. TCH is excited about the future regeneration of the Showfields Estate and the potential to create long lasting change for existing and future residents.

Whilst TCH support the allocation, it is considered that there are a number of issues which should be recognised by policy AL/RTW 15 including:

- **Fragmented Ownership** – the estate is in multiple ownership and whilst TCH support comprehensive regeneration, any future development will be constrained by land ownership issues which are outside of the control of TCH. Specifically, it is considered important that the policy recognises that the community uses are in separate ownership with a range of different interests. It is noted that within the draft policy AL/RTW 15, point 1 states that ‘*development on the site shall accord with a number of requirements including 1) a comprehensive redevelopment of the site to include the re-provision and enhancement of the existing residential dwellings alongside enhanced and improved community facilities to include a new medical centre. The community and health facilities to be provided in accordance with an agreed timetable, relative to the phasing of the residential element of the development*’.

TCH request that this part of the draft policy is amended to account for the fact that the delivery of the enhanced community facilities will be subject to phasing, land ownership and operator requirements.

- **Phasing** – given the scale of the existing estate, which is currently in full occupation, the policy should recognise that any future redevelopment will need to be phased appropriately to allow decanting to take place.
- **Housing** – regeneration of the Showfields Estate offers the potential to provide better quality private and affordable homes including family housing with a mix of unit types and tenures to meet demand. The draft policy currently refers to providing approximately 155 additional dwellings. It is considered that the reference to 155 dwellings is removed and that the policy provides an indicative range of a suitable number of new dwellings to allow maximum flexibility, recognising that the number of new units will be subject to a range of design issues and constraints including building heights and car parking requirements.
- **Community Uses** – TCH fully acknowledge the importance of the community uses on the estate and are committed to working in partnership with the relevant stakeholders to deliver improved community use provision. TCH would welcome a reference to retail, food and drink (café) and leisure uses within policy AL/RTW 15 to reflect the diverse range of uses which serve the community both now and in the future. TCH also support the desire within the policy to maintain the designated Village Green.
- **Design and Layout** – the design of any future regeneration scheme will need to address a number of significant shortcomings in terms of the existing design of the estate. The policy should recognise the potential to reconfigure the design and layout of the estate to improve natural surveillance, public realm, landscaping and environmental credentials.
- **Low Traffic Neighbourhood** – Point 2 of draft policy AL/RTW 15 notes that the design and layout of future development is to take the form of a Low Traffic Neighbourhood. Given that the design and layout of any redevelopment proposals will need to address a range of different aspects, including those noted in the bullet points above, it is considered that the reference to a Low Traffic Neighbourhood is deleted from the policy. Instead, the wording of the policy should focus on the requirement to provide safe and convenient access to modes of transport other than the private car, to encourage walking and cycling and promote active travel within a safe environment for existing and future residents. Furthermore, the Showfields Estate is primarily a residential area with very limited through traffic. Any future regeneration proposals are unlikely to change this and the requirement to introduce a Low Traffic Neighbourhood to reduce the impact of through-vehicular traffic on local streets is not considered necessary for the Showfields Estate.
- **Contributions to mitigate impact of development** – Point 5 of the draft policy AL/RTW 15 states that ‘contributions are to be provided to mitigate the impact of the development in accordance with Policy STR/RTW 1’. Whilst TCH recognise the need for the Council to ensure that the impacts of development are mitigated, it is considered that Point 5 should acknowledge that any redevelopment at Showfields is likely to provide significant benefits for the estate and such benefits should be recognised and taken into account when considering developer contributions. The level of contributions sought should also take into account the requirement of the draft policy AL/RTW 15 to provide a level of affordable housing in accordance with draft policy H4 (Estate Regeneration).

TCH also make the following comments in respect of other policies in the draft plan:

- Point 14 of draft policy STR/RTW 1 (The Strategy for Royal Tunbridge Wells) notes the strategic requirement to allocate land at Showfields and Rowan Tree Road for a new medical centre. The requirement for a new medical centre is also referenced in draft policy AL/RTW 15. TCH is concerned that the reference to provide a new medical centre as part of the regeneration proposals for Showfields is aspirational and that the specific requirements of potential operators has not been sought and there may not be an end user willing to operate a new medical practice in this location, which would impact on its delivery. This is of concern to TCH and TCH would urge the Council to consider this requirement in more detail.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

For office use only

If responder hasn't ticked an option on this box, data inputter to tick 'not stated' box. Not Stated

Comment

Agent	Catherine Stephens [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Frankham Projects
Address	- - -
Consultee	Mr Colin Lissenden [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Town & Country Housing Group
Address	[REDACTED] [REDACTED] ROYAL TUNBRIDGE WELLS [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Town & Country Housing Group [REDACTED] [REDACTED]
Comment ID	PSLP_1740
Response Date	04/06/21 09:42
Consultation Point	Policy AL/RTW 15 Land at Showfields Road and Rowan Tree Road (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Town & Country Housing Group
Question 2	
Agent's Name and Organisation (if applicable)	Frankham Projects
Question 3	

To which part of the Local Plan does this representation relate?

Policy

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy AL/RTW 15 Land at Showfields Road and Rowan Tree Road

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

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TCH request that this part of the draft policy is amended to account for the fact that the delivery of the enhanced community facilities will be subject to phasing, land ownership and operator requirements.

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Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

For office use only

If responder hasn't ticked an option on this box, data inputter to tick 'not stated' box. Not Stated

Comment

Consultee	Patricia Townend [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] Tonbridge [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Patricia Townend [REDACTED]
Comment ID	PSLP_920
Response Date	01/06/21 09:42
Consultation Point	Policy STR/SS 3 The Strategy for Tudeley Village (View)
Status	Processed
Submission Type	Email
Version	0.4
Data inputter to enter their initials here	KH
Question 1	
Respondent's Name and/or Organisation	Patricia Townend
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy STR/SS 3 The Strategy for Tudeley Village	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Don't know
Is sound	No

Complies with the Duty to Cooperate

No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

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The construction of such a large built-up area on the margins of a very sensitive part of the Medway floodplain has no proper provision for the loss of permeable ground which will exacerbate the flooding problems along this stretch of the Medway, a problem which will only be increased as climate change affects flood risk in the UK.

The Tonbridge and Malling Borough Council have also objected to the siting of the development on the grounds that it will have an inordinate impact on facilities, road and rail capacity in Tonbridge Town, which is only two miles away.

Question 6

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Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan 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.

Removal of the Tudeley Garden Village from the Local Plan

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Mike Traill [REDACTED]
Email Address	[REDACTED]
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Mike Traill [REDACTED]
Comment ID	PSLP_982
Response Date	02/06/21 19:56
Consultation Point	Policy AL/RTW 14 Land at Tunbridge Wells Garden Centre (View)
Status	Processed
Submission Type	Web
Version	0.1
Question 1	
Respondent's Name and/or Organisation	Mike Traill
Question 3	
To which part of the Local Plan does this representation relate?	Paragraph(s)
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

5.91, 5.92, 5.93, 5.94

Question 4

Do you consider that the Local Plan:

Is sound No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not effective
- . It is not justified
- . It is not consistent with national policy

Question 5

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5.91 Existing vehicular access to the site is directly from the A26 Eridge Road to the south east corner of the site, close to the bend in the Eridge Road. The Spa Valley Railway Line is located south of the site, including a bridge that crosses the Eridge Road just south of the site access. The existing access from the site onto the Eridge Road is already dangerous with a steep slope onto a busy bend with restricted visibility. The proposed development will add considerably to the traffic using this access road and so will represent a much greater risk of accident.

There is no pedestrian footpath on the garden centre side of the Eridge Road and so the pedestrians from the houses on the development going into town will need to cross a busy road on a dangerous bend.

Therefore:

1) Traffic Safety and Hazard: Vehicle access point on A26 Eridge Road. Road Traffic Safety compromised due to additional vehicle movement volumes; with a traffic hazard as there is restricted line of sight (ref. also 5.94) Note: Existing access considered to be on apex of bend, not as defined above as 'close to the bend'. 2) Pedestrian Safety and hazard: No available pavement on the Common side of the A26 pedestrians will be crossing the A26 at a dangerous busy point

5.92 The site was released from the Green Belt, and the Development Strategy Topic Paper and Green Belt studies set out the exceptional circumstances and compensatory improvements to the remaining Green Belt to justify the changes to the boundary in this location. What to date have been the compensatory improvements to the remaining Green Belt?

The 2019 Plan describes the site as being part of a Biodiversity Opportunity Area where any development should demonstrate net gains for nature and biodiversity. Reference was also made to the DEFRA "MAGIC" website which described the area as suitable as woodpasture and parkland. Both these descriptions have been removed from the current plan.

5.93 It lies adjacent to the Royal Tunbridge Wells Conservation Area and to Tunbridge Wells Common, which is a designated Local Wildlife Site. Part of the site is also covered by the Environment Agency's Flood Zone 3.

River Grom flooding Report 2017 (Currently Correct /Relevant unless structural changes have been made)– Ref pages 7-9 Extracts:(page 7 – 2.3 para 4)To the south and east of The Pantiles, much of the area has separate surface water and foul water drainage. The surface water sewers generally discharge to watercourses which ultimately flow into the River Grom.(Page 9 – 2.4.1 para 3).... There is a Combined Sewer Overflow (CSO) from the public combined sewer in the culverted section of the River Grom that allows the combined sewer in the Pantiles area of Tunbridge Wells to discharge into it if its capacity is exceeded.

The development is in a river valley. Under present conditions High Rocks Lane regularly floods at the point where it meets Hungershall Park (and where it is presumed the proposed "emergency exit" will be for the development). As a result the road is always in a poor condition with potholes that reappear quickly after frequent repairs. The road at this point is a blind bend with no footpath so

pedestrians and cyclists often veer across the roadway to avoid the potholes and create a real danger of accidents to oncoming vehicles. This situation will only get worse once a large area of the valley floor is concreted over as a result of the development.

It was recently noticed by local residents that the site currently suffers from a sewage problem. A large manhole cover had been dislodged and was surrounded by household waste which had obviously been forced out. It is hoped that this would be resolved as part of the development, especially as the River Grom is in close proximity and there is a seasonal flooding issue in that area, as referred to above in the 2017 flooding report.

5.94 *Development would need to be sensitively designed to respect the location in proximity to the Common, the conservation area, and the topography of the site. However, it constitutes a sustainable site on the edge of the town centre and could accommodate a mix of uses, to include the retention/expansion of the existing garden centre business and the introduction of some residential development within the site. However, Kent County Council, as the local highways authority, considers that the scale of development on the site may be limited due to the current access constraints. 108 Tunbridge Wells Borough Local Plan Regulation 19 Consultation Pre-Submission Local Plan Map 14 Site Layout Plan*

Policy AL/RTW 14 Land at Tunbridge Wells Garden Centre This site, as defined on the Royal Tunbridge Wells Policies Map, is allocated for the expansion of the existing Use Class E (a) commercial use (garden centre) with an element of residential of approximately 25-30 residential dwellings, of which 30 percent shall be affordable housing. Development on the site shall accord with the following requirements:

1. *Means of access, including secondary and emergency means of access, to be informed by a transport statement; it is likely that the scale of any development may be limited by the quality of access arrangements that can be achieved within the confines of the site. An emergency access is likely to be required to the north;*

Planning consents often require provision of social/affordable housing under Section 106 Agreements, but invariably the developer comes back to the local authority later and pleads that it renders the scheme unviable. The 30% (eg) then falls away to 10% or less. The infrastructure requirements on this site will render development especially expensive. The contribution this site could make to meeting housing need is negligible.

Previous planning for access - Refused(89/02011/FUL | New vehicular access. New gate and 1.8m high chain link boundary fence | Wyevale Garden Centre Eridge Road Royal Tunbridge Wells Kent TN4 8HP (midkent.gov.uk)) Ref. No: 89/02011/FUL | Received: Tue 07 Nov 1989 | Validated: Thu 14 Jun 1990 | Status: Decided Council Letter 1990 - Extracts detailing the Refusal reasons:1 a) The proposed access would be likely to create unacceptable additional hazard to traffic.2 a) The sight lines are inadequate and would create unacceptable additional hazards to traffic3 a) The proposal would be undesirable in an area which is predominately rural in character, and would be detrimental both to the appearance and to the rural amenities of the locality.4 a) The proposal would be likely to be unacceptably detrimental to residential amenities of adjacent dwellings

The only change since 1990 is higher volumes of traffic on High Rocks Lane and Hungershall Park.

No known local precedents have been set for a requirement of a secondary and/or an emergency access. Example: The existing adjacent large estate has no secondary or emergency access.

Access: The suggested 'North' secondary and emergency access point will:

- . Destroy a Bio Diverse habitat, impacting the natural rural dynamic .
 - . By default the access point becomes a tacit 'extra access' immediately opening onto High Rocks Lane with hazardous restricted/limited line of sight which is onto a speed de-restricted area and is a width constricted lane, plus opposite another lane entrance point; as highlighted in the council's planning permission access refusal 1990.
 - . There is a high probability for this access to become a local shortcut
- Proposing a Secondary and Emergency access appears to be a leverage argument to open up the site with another access point thereby ignoring the hazards identified, refer to previous valid refusal rational.

There is a high probability for dangerous additional 'on road parking' at the lower end of Hungershall Park/ corner of High Rocks lane/ Cabbage Stalk Lane. The proposed new developments at Spratsbrook

Farm and the old Plant & Tools Hire site by The West Station which is to have access directly on to Eridge Road, will both increase traffic flows along this busy stretch and force drivers to find alternative routes.

Newts and a variety of amphibian wildlife have been seen in the site North aspect / River Grom area of this location.

In traffic management terms an emergency exit would require either traffic light control, or a roundabout (taking up additional land) further eroding the natural character of the area.² *The provision of pedestrian and cycle access to the north and improved pedestrian and cycle access into the town;*

If the access point is allowed to the north, then the suggested access is onto a hazardous speed de-restricted and width restricted lane. This was one of the reasons the previous planning for access was refused.

This would also create a safety hazard for pedestrians as there is no pavement from the suggested access secondary/emergency point towards Cabbage Stalk Lane.

3. Adequate servicing and parking to serve the expanded commercial use on the site;

4. Provision of a green route through the site from east to west connecting to existing Public Rights of Way on Tunbridge Wells Common and Cabbage Stalk Lane; Site East West access – Cabbage Stalk Lane will cause additional volume of use. This poses the following problems: 1) Compromise to safety and hazard as now a designated cycle path. Several near misses have already occurred with current multi-use volumes; as the majority of cyclists appear to disregard this lane as being a shared facility with pedestrians, pedestrians and dog walkers, plus vehicular access traffic.

2) Cyclists coming out of the new development will generally turn right into Cabbage Stalk Lane, adding to the volumes of cyclists using that lane. Furthermore, this will surely add to the number of cyclists on the Common who increasingly seem to be ignoring the “no cycling” rule there.

3) For those who might turn left into High Rocks Lane, this would add to the number of cyclists on this narrow lane with blind corners and numerous potholes - adding yet further risk to themselves, pedestrians and cars.

4) This is likely to further increase the volume of cyclists coming down the hill in Hungershall Park and towards the proposed development. Residents are increasingly concerned about the number of cyclists coming around the corner at very high speed and oblivious to the blind entrance several drives. There have been near misses recently and including one cyclist who recently came off his bike near the entrance to the drive at no. 12 Hungershall.

5. Development shall be located on the areas identified for mixed use on the site layout plan; Tunbridge Wells Borough Local Plan 109 Pre-Submission Local Plan Regulation 19 Consultation

6. Green infrastructure shall be provided on the areas shown indicatively in green on the site layout plan, and these shall be retained and enhanced. This shall include suitable buffering and enhancements to the River Grom corridor and to the setting of the adjacent Tunbridge Wells and Rusthall Common; The plan shows a green space buffer running alongside Cabbage Stalk Lane. The current woodland buffer is substantial and therefore the developer is likely to bulldoze and excavate as much as is feasible subject to ground stability and the preservation of valuable and species trees etc. The trees provide cover and privacy for wildlife and seclusion for walkers and local residents but are not in themselves wonderful specimens but are nevertheless very important to the semi rural nature of the area. The retention of as much tree cover as possible is very important.

The River Grom flows along the Southern boundary of the plot alongside the railway line. The woodland and the river provide a habitat for deer and other wild animals. It would be desirable if the western end of the plot be preserved for wildlife, not be built upon and not used for vehicular access.⁷ *Regard will be given to existing hedgerows and mature trees on-site, with the layout and design of the development protecting those of most amenity value, as informed by an arboricultural survey and a landscape and visual impact assessment;*

The development will inevitably destroy and erode an established valuable bio-diverse habitat in a unique rural area.

Question 7

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Question 7a

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If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

The proposed development adjoins our property so we will be directly and adversely affected by the development

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box: Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Mr Alec Travers ()
Email Address	
Address	 CRANBROOK TN18
Event Name	Pre-Submission Local Plan
Comment by	Mr Alec Travers ()
Comment ID	PSLP_2041
Response Date	04/06/21 15:30
Consultation Point	Policy AL/HA 4 Land off Copthall Avenue and Highgate Hill (View)
Status	Processed
Submission Type	Email
Version	0.3
Data inputter to enter their initials here	KJ
Question 1	
Respondent's Name and/or Organisation	Mr Alec Travers
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy AL/HA 4 Land off Copthall Avenue and Highgate Hill

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

I wish to record my comments on the proposals for sites for housing in Hawkhurst as contained in your Pre-Submission Local Plan, in particular that contained in Policy AL/HA 4 Land at Copthall Avenue and Highgate Hill, Hawkhurst (Highgate) and Policy AL/HA 5 Land to the north of Birchfield Grove (medical centre).

Regarding Policy AL/HA-4, the recent dismissal of the Planning Application by the TWBC Planning Committee for the reasons stated show ample cause as to why this site should not be considered for development. In addition, I would state that the potential for traffic accidents at the point of entry on to Highgate Hill, both from traffic coming at speed down the Hill and with traffic attempting to cross into what is very often a static line of traffic waiting at the traffic-lights on the "Up" section are further reasons for turning this site down. The matter of access to the shopping centre at Highgate by pedestrian or cycle means is, in my opinion, a non-starter due to the steep hill, any resident in development on this site is going to use their car. This, in its turn, will contribute to the severe pollution already arising from traffic using Highgate. The Inspector, on dismissing the appeal for a development site in Heartenoak Road - Appeal Ref: APP/M2270/W/20/3247397 – gave ample reasons why that development should not proceed: I consider the same reasons apply with equal force against this site being approved for housing development.

Concerning Policy/HA-5, my only comment is that this site should be for the Medical Centre **only**, with neither any housing attached nor any provision made for a feeder road leading off site to any potential future development in Fowlers Park fields.

I would like these comments to be added to those you may have already received on this Plan.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

Comment

Consultee	Mr Alec Travers ([REDACTED])
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] CRANBROOK TN18 [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Mr Alec Travers ([REDACTED])
Comment ID	PSLP_2042
Response Date	04/06/21 15:30
Consultation Point	Policy AL/HA 5 Land to the north of Birchfield Grove (View)
Status	Processed
Submission Type	Email
Version	0.3
Data inputter to enter their initials here	KJ
Question 1	
Respondent's Name and/or Organisation	Mr Alec Travers
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy AL/HA 5 Land to the north of Birchfield Grove

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

I wish to record my comments on the proposals for sites for housing in Hawkhurst as contained in your Pre-Submission Local Plan, in particular that contained in Policy AL/HA 4 Land at Copthall Avenue and Highgate Hill, Hawkhurst (Highgate) and Policy AL/HA 5 Land to the north of Birchfield Grove (medical centre).

Regarding Policy AL/HA-4, the recent dismissal of the Planning Application by the TWBC Planning Committee for the reasons stated show ample cause as to why this site should not be considered for development. In addition, I would state that the potential for traffic accidents at the point of entry on to Highgate Hill, both from traffic coming at speed down the Hill and with traffic attempting to cross into what is very often a static line of traffic waiting at the traffic-lights on the "Up" section are further reasons for turning this site down. The matter of access to the shopping centre at Highgate by pedestrian or cycle means is, in my opinion, a non-starter due to the steep hill, any resident in development on this site is going to use their car. This, in its turn, will contribute to the severe pollution already arising from traffic using Highgate. The Inspector, on dismissing the appeal for a development site in Heartenoak Road - Appeal Ref: APP/M2270/W/20/3247397 – gave ample reasons why that development should not proceed: I consider the same reasons apply with equal force against this site being approved for housing development.

Concerning Policy/HA-5, my only comment is that this site should be for the Medical Centre **only**, with neither any housing attached nor any provision made for a feeder road leading off site to any potential future development in Fowlers Park fields.

I would like these comments to be added to those you may have already received on this Plan.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

Comment

Consultee	Anne Trevillion [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] Paddock Wood [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Anne Trevillion [REDACTED]
Comment ID	PSLP_1236
Response Date	04/06/21 12:58
Consultation Point	Policy STR/SS 1 The Strategy for Paddock Wood, including land at east Capel (View)
Status	Processed
Submission Type	Web
Version	0.3
Question 1	
Respondent's Name and/or Organisation	Anne Trevillion
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy STR/SS 1	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Don't know
Is sound	No
Complies with the Duty to Cooperate	Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not effective
- . It is not justified
- . It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

I have lived in Paddock Wood for over 30 years. In that time there have been new housing developments, not one of which has added to the cultural life and community of Paddock Wood, other than the Green Lane playing field with its mostly locked changing building. No new allotments have been provided, no dedicated cycle lanes, no park with interesting and imaginative plantings. No cultural hub such as art gallery, theatre or any kind of public art. In that time on street parking has become a real issue everywhere, and the traffic has become a real problem. Locally the bookshop and toyshop closed down years ago, and the so-called high street has empty buildings and an inordinate number of charity shops.

House prices are so high that local young people cannot afford them. The increase in the number of cars now parking at each house are a sign of the number of adult children now having to stay with their parents, but the housing was not planned to accommodate 3 and 4 cars per house. You can't stop people having their cars, as there is no feasible way of travelling without a car. Tunbridge Wells is not very accessible by train, and the buses are infrequent, very expensive, and don't run after 5 pm. The bus stops are far away from the majority of the housing in Paddock Wood. There is no way that a resident of Paddock Wood can participate in any evening (i.e. cultural) activity in Tunbridge Wells using public transport. Tonbridge is accessible by train, but there are few buses from the rest of the town to the station. – there is no joined up transport policy.

So we see a dormitory town, where most people work away from the town, travelling by car, and there is little in the town to engender a sense of community. Your plan consigns Paddock Wood to being no more than a town with some railway history – yet celebrates Tunbridge Wells as a tourist attraction and cultural hotspot. This attitude is so negative and fails to show any vision of sharing the cultural attributes of the area so everywhere becomes somewhere with a feature of which it can be proud. Yet the plan dumps the majority of the housing on Paddock Wood, with nothing to compensate. Just a very much larger dormitory town with no real centre or civic amenities.

The newest developments have no corner shops – no community halls or places for residents to meet. People have to drive to get to the local shops – the distances are greater than most people have time for by walking, and there is no safe cycle route.

This comment now focuses on STR/SS1.

I do not believe this is the right place to build the number of homes proposed.

The land is in a flood plain. The number of new homes is so vast as to increase the size of the town by a factor of 3. I see no evidence in the plan that flooding and drought issues, or local shops and local places for people to meet have been addressed. The plan state that there are likely to be flooding issues in the wet months (it is a floodplain) – and water supply issues in the dry months. Where is the plan to collect the excess water in the wet months and use it in the dry months? There need to be reservoirs, which would add habitat for water birds and wildlife. Note that the new estate off Green

Lane in Paddock Wood has tarmac driveways, causing more water runoff. Why were these not made water permeable? It is evidence that no real effort is being made to address the local flooding and water collection issues.

The transport issues are huge. The roads are poor. The B2017 is narrow, poorly maintained, and a nightmare when there are cyclists. The A228 similarly has no space to overtake cyclists, and is far too narrow for the type of traffic that it takes. Yet this is the road that everyone will have to use to access Paddock Wood, Tunbridge Wells or Tonbridge. So there is not sufficient infrastructure.

There is a nationwide shortage of GPs. How is there to be sufficient medical provision or dental provision for the increased population? I do not believe there is the capacity to serve the health needs of the increased population.

There is a site in Tunbridge Wells that has been an eyesore for decades – the old cinema site. Use that first for housing before moving onto Green Belt, unspoilt land in an area with no facilities and transport.

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan 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.

Reduce the number of houses, and aim to use brownfield sites elsewhere as much as possible.

Provide transport infrastructure in advance of the building, so people have real alternatives to car use.

Make dedicated cycle lanes all over the existing Paddock Wood town and on B2017, A228 and all other roads so cycling is a safe alternative. Cycles and pedestrians don't mix; cycles and cars don't mix.

Have a joined-up transport policy with cheap buses (as in London), through tickets on bus and train, buses that run near to people's homes to a hub where regular, frequent and useful bus and train service connect so people can access Tonbridge, Tunbridge Wells, and other local towns and villages throughout the day and evening, every day and evening.

Deal with flooding issues by collecting floodwater in wet months for use in dry times. Insist that parking surfaces are water permeable to replenish the groundwater and avoid water running into the overwhelmed drainage system.

Provide allotments for the houses - the pandemic and Brexit has shown that we need to have the opportunity to grow plants for better mental health and also produce our own low-carbon vegetables.

Provide more attractive green spaces - interesting plantings, imaginative landscaping using drought tolerant plants. Give residents ideas for how they can plant their gardens for less water use and sustainability for wildlife and pollinators.

Address the lack of meaningful cultural and sustainable living opportunities in Paddock Wood and Capel. Local theatre, small cinema, art gallery, craft workshops, repair facilities, no-waste shops. Community halls and gardens available in each housing area for use by the community - for birthday parties, yoga, music making, support services such as Sure Start, hearing aid services - whatever the community needs.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box: Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Anne Trevillion [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] Paddock Wood [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Anne Trevillion [REDACTED]
Comment ID	PSLP_1265
Response Date	04/06/21 13:00
Consultation Point	Policy STR/PW 1 The Strategy for Paddock Wood (View)
Status	Processed
Submission Type	Web
Version	0.1
Question 1	
Respondent's Name and/or Organisation	Anne Trevillion
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
STR/PW1	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Don't know
Is sound	No
Complies with the Duty to Cooperate	Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not effective
- . It is not justified
- . It is not consistent with national policy

Question 5

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I have already explained my association since 1989 with Paddock Wood in my comment on STR/SS1.

As in the previous comment, there are too many homes added here.

Paddock Wood does not have the capacity to absorb the size of the suggested development, and have any sense of community. The proposed new hall on the Memorial Field, which was needed **before** the new houses were/are built, will not be sufficient for the people coming with the vast number of new homes. The road system is not suited to take the number of new journeys - the environment will suffer from more air pollution, more noise, congestion, carbon used up waiting in traffic queues.

The policy suggests two more forms added to Mascalls School. I live in Siskin Gardens, and getting out onto Mascalls Court Road at school end times is a disaster. The parked cars cause obstruction, as do the children crossing Mascalls Court Road without pause or supervision, so no traffic can flow in either direction. An extra two forms will hugely increase this parking nuisance - where do you envisage the parents parking? They already use Linnet Avenues, Mascalls Court Road, Putlands Sports Centre, and there is no more space. It is no good saying they shouldn't do it - they do, because there is no alternative under the expensive and discriminatory school bus policies and the lack of safe cycle routes. No one can expect a child to walk 3 miles along a main road with no pavement, yet this is what the school bus policy expects. Parents will use their cars - so you need to change the bus policy and provide proper school buses to where people live. We need safe, dedicated cycle routes, separate from all other traffic. We need a proper joined-up transport policy.

I do not think it is sufficient merely to 'seek' developer contributions to infrastructure. This should be mandatory. Without the necessary infrastructure the town is unviable. Residents, old and new, should not suffer while developers make unseemly profits out of degrading the environment for the people, who seem to have so little say in any of this.

The cycle routes proposed do not seem helpful at all, nor do they seem to be dedicated. If I want to cycle to Tonbridge, I need to cycle along the B2017. I need a dedicated cycle route all the way from my home to Tonbridge, along the most direct route. We need sustainable active transport, not a half-hearted attempt that will not make it possible for even those keen to try. It is the hesitant and cautious who you need to get out of their cars - not those who are already cycling enthusiasts in their lycra who can cope with lorries passing within a whisker of their vulnerable bodies. You need to enable people who are visiting their friends in Tonbridge for a cup of tea, or popping to the shops or the doctors, wearing normal clothes, to feel able to cycle.

The number of new homes will surely require a new primary school. That is not mentioned.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box: Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Carl Tromans [REDACTED]
Email Address	[REDACTED]
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Carl Tromans [REDACTED]
Comment ID	PSLP_1396
Response Date	03/06/21 23:38
Consultation Point	Policy STR/SS 2 The Strategy for Paddock Wood Town Centre (View)
Status	Processed
Submission Type	Email
Version	0.4
Data inputter to enter their initials here	KH
Question 1	
Respondent's Name and/or Organisation	Carl Tromans
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR/SS 2 The Strategy for Paddock Wood Town Centre

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

I wish to formally register my objection to the proposals to permanently , or even temporarily close Hartlake Road as a solution to concerns about increased traffic from the new developments. Hartlake Road has a major bridge over the river for one , and two the road closure would create a major congestion of roads from Hadlow, east Peckham and the whole surrounding area . It's an old historic road , and a relief road for Tonbridge due to the bridging point.

This is not a viable option.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

For office use only

If responder hasn't ticked an option on this box, data inputter to tick 'not stated' box. Not Stated

Supporting Information File Ref No: SI_123

Comment

Agent	Mr Andrew Ryley [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Dominic Lawson Bespoke Planning
Address	[REDACTED] Little Venice London [REDACTED]
Consultee	Mrs Joanne Tucker [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] Sandhurst [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Mrs Joanne Tucker (1274688)
Comment ID	PSLP_1908
Response Date	04/06/21 12:50
Consultation Point	Policy PSTR/SA 1 The Strategy for Sandhurst parish (View)
Status	Processed
Submission Type	Email
Version	0.5
Files	<u>PSLP_1908-1909_DLBP_for_Mr_&_Mrs_Tucker_SI_Representation</u>
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Mr & Mrs Tucker
Question 2	
Agent's Name and Organisation (if applicable)	Dominic Lawson Bespoke Planning
Question 3	

To which part of the Local Plan does this representation relate? Policy

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy PSTR/SA 1 The Strategy for Sandhurst parish

Policies Map (Inset Map No(s)) 31

[TWBC: this representation has been input against Policies PSTR/SA 1 and AL/SA 2 - please see Comment Numbers PSLP_1908 and PSLP_1909]

Question 4

Do you consider that the Local Plan:

Is legally compliant	No
Is sound	No
Complies with the Duty to Cooperate	Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:	. It is not positively prepared
	. It is not effective
	. It is not justified
	. It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

A. SUMMARY AND CONCLUSIONS

1. This document has been prepared in response to the publication of the Pre-Submission Local Plan for Tunbridge Wells ("the draft Local Plan") in accordance with Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012.
2. This representation has been prepared by DLBP Ltd on behalf of Mr and Mrs Tucker, residents of Bayford House, Sandhurst, and relates primarily to the land at Sharps Hill Farm, Queen Street, Sandhurst, Cranbrook, Kent TN18 5HR ("the site"). It also relates to the Council's overall strategy for Sandhurst. In relation to these matters, Mr and Mrs Tucker formally object to the draft Local Plan.
3. The site (1.54 hectares) is proposed to be allocated for residential development within Royal Tunbridge Wells Council's ("the Council") draft Local Plan for 10-15 dwellings (draft Local Plan ref. AL/SA2).

4. The draft Local Plan proposes new residential development in Sandhurst, including at the site, and in the surrounding area. The Council's own evidence confirms that Sandhurst is not a sustainable location for growth, it has poor services and facilities and development in it and the surrounding area will lead to a high risk of a significant and adverse impact on air quality.

5. The proposed allocation at AL/SA2 does not have regard to the Council's own decision on planning application 19/01493/OUT. This development was for up to 16 units on the site, and so a scale that is comparable to the proposed allocation (and a reduction from the 31 units assessed). However, the Council's Planning Committee expressed specific concerns regarding the impact of such a development on the High Weald Area of Outstanding Natural Beauty (AONB) and designated heritage assets. The planning application was refused on these grounds in February 2021, with the Planning Committee determining that the scheme of 16 units would not constitute sustainable development.

6. On this basis, the draft Local Plan is unsound as it has not been positively prepared, will not be effective, is not justified and is inconsistent with national policy.

7. Modifications are required to the Local Plan to make it sound. In relation to 'Policy PSTR/SA 1 The Strategy for Sandhurst parish', the following changes should be made to points 1 and 2 (of the draft policy):

1. Set Limits to Built Development for Sandhurst village, as defined on the Policies Map (Inset Map 31) as a framework for new development over the plan period, incorporating the allocation Policies AL/SA 1 and AL/SA 2 into the Sandhurst Limits to Built Development;

2. Build approximately 20-30 new dwellings (including 40 percent affordable housing) on two sites at Sandhurst village, as allocated under Policies AL/SA 1 and AL/SA 2;

8. In relation to the Policies Map, the LBD boundary should not be extended to include sites AL/SA 1 and AL/SA 2.

9. 'Policy AL/SA 2 Sharps Hill Farm, Queen Street' and its supporting text should be deleted in its entirety.

B. INTRODUCTION

10. This document has been prepared in response to the publication of the Pre-Submission Local Plan for Tunbridge Wells ("the draft Local Plan") in accordance with Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

11. This representation has been prepared by DLBP Ltd on behalf of Mr and Mrs Tucker, residents of Bayford House, Sandhurst, and relates primarily to the land at Sharps Hill Farm, Queen Street, Sandhurst, Cranbrook, Kent TN18 5HR ("the site"). It also relates to the Council's overall strategy for Sandhurst.

12. The site (1.54 hectares) is proposed to be allocated for residential development within Royal Tunbridge Well Council's ("the Council") draft Local Plan for 10-15 dwellings (draft Local Plan ref. AL/SA2).

The site

13. The site fronts onto Queen Street and is 1.54 hectares in size. The site currently consists of a residential property, its curtilage and multiple outbuildings. To both the east and south of the residential curtilage the site is greenfield, featuring the natural features of a stream and pond to the north east corner.

14. The site is located next to approximately eight residential dwellings on Stream Pit Lane to the east - all of which are one storey bungalows - and a property to the west. To the north, south and west the landscape is open green space.

15. The site is located within the High Weald Area of Outstanding Natural Beauty (AONB), adjacent to a Conservation Area (Sandhurst), Listed building (Bayford House) and non-designated heritage asset (Sharps Hill Oast).

16. The site has a strong bucolic character, a character that is distinctly different from the residential development to the east of the site.

Planning history

17. A planning application ref 19/01493/OUT was made to the Council in June 2019. The application as originally made was for the development of the site for 31 dwellings. During the course of the application, the scale of the development was reduced to 16 dwellings. The Council's Planning Committee on 3 February 2021 refused to grant planning permission on the basis of the following reason:

- . The proposed development would not constitute sustainable development in the context of the National Planning Policy Framework in particular due to the harm to the High Weald Area of Outstanding Natural Beauty and upon nearby designated heritage assets. The benefits of the proposal would not outweigh this harm and therefore the proposed development is contrary to Paragraphs 8, 11, 130, 172, 193, 194 and 196 of the National Planning Policy Framework, the provisions of the National Planning Policy Guidance, Core Policies 4 and 14 of the Tunbridge Wells Borough Core Strategy June 2010 and Policies LBD1, EN1, EN5 and EN25 of the Tunbridge Wells Borough Local Plan 2006.

18. No appeal against the Council's refusal of the application has been lodged.

C. THE SPATIAL STRATEGY FOR SANDHURST AND POLICY PSTR/SA 1

19. There are a number of reasons that render Sandhurst an unsustainable location for the levels of new development set out in the draft Local Plan. It is of note that within the settlement hierarchy set out in the Council's current Core Strategy, Sandhurst is designated as a 'village' and sits at the bottom of the hierarchy.

20. The Strategic Housing and Economic Land Availability Assessment for the Pre-Submission Local Plan (SHELAA, January 2021) assessed the suitability of sites put forward for development in the Sandhurst Parish. Nine sites were in Sandhurst itself, and only two of these were deemed to be 'suitable for Local Plan allocation'.

21. The accompanying 'Site Assessment Sheets for Sandhurst Parish' sets out a more detailed assessment of the sites. It is noted that three main sites for development were considered, these being:

- . Site Reference DPC-12 (Local Plan Allocation AL/SA2) at Sharps Hill Farm, Queen Street, Sandhurst with a potential development yield of 15 units;
- . Site Reference 320 Land at Old Well House, Rye Road, Sandhurst with a potential development yield of 31 units; and
- . Site Reference 149 (includes Local Plan Allocation AL/SA 1 (part site)) overlap with site submission 227 at Land on the south side of Sayville, Rye Road and west of Marsh Quarter Lane, Sandhurst with a potential yield of 64 units (or 15 units on smaller site).

22. In all three cases, the sustainability assessment notes that the sites are:

...let down by poor services, facilities and travel options in this rural settlement...

23. This overarching issue of the suitability of Sandhurst for development is noted in the draft Local Plan itself. 'The Strategy for Sandhurst Parish' is outlined within Policy PSTR/SA 1. Paragraph 5.757 notes that (emphasis added):

*Sandhurst village is located approximately 2.9 miles from Hawkhurst to the north west and approximately 3.6 miles from Benenden to the north. Northiam, in the neighbouring district of Rother, is approximately 4.1 miles away to the south east. **The nearest rail stations are at Etchingham, approximately eight miles away and Staplehurst, approximately 11 miles from Sandhurst.** There are bus services that currently run to Hawkhurst, Maidstone, and Royal Tunbridge Wells, which all run more frequently on weekdays Monday-Friday. **There are currently no bus services running at peak times.***

24. As set out in the SHELAA Site Assessment, this makes clear that:

- . the two closest train stations are eight and 11 miles away;
- . but there are no direct buses to these; and
- . there are currently no bus services running at peak times, which are the most important times for encouraging sustainable modes of travel and a modal shift away from travel by private car.

25. The above not only renders Sandhurst an unsuitable location for new development, but as a consequence of the limited travel options and poor connectivity there would be major adverse impact on air quality. The Site Assessment Sheets for Sandhurst Parish goes on to set out for the three sites referred to above that the poor services, facilities and travel options would result in "subsequent effects...on the air quality objective".

26. The Council's 'Air Quality Topic Paper for Pre-Submission Local Plan' notes that the Council intends to declare an Air Quality Management Area (AQMA) to the north of Hawkhurst crossroads because of an existing Nitrogen Dioxide (NO₂) issue.

27. Table 4 of the Air Quality Paper sets out the maximum number of daily car trips to ensure impacts would be no worse than 'Moderate Adverse', where any number higher than this would be unacceptable. For 2027 the number of 'unacceptable' trips is 2001 (based on Table 4). Table 5 of the Air Quality Report states that the maximum number of dwellings to ensure impacts would be no worse than moderate adverse by 2027 would be 400. Paragraph 4.41 of the Air Quality Topic Paper states that (emphasis added):

*The Pre-Submission Local Plan proposes that a maximum of 170 new dwellings are built within Hawkhurst during the plan period of 2020-2038 which equates to 850 daily vehicle trips per annum (170 multiplied by 5 in accordance with paragraph 3.42). Furthermore, when factoring in the proposals in neighbouring Cranbrook (maximum of 429) and Sandhurst (maximum of 30), **the total number of new dwellings becomes 629 which equates to 3,145 daily vehicle trips per annum.***

28. Thus, the scale of development planned for this part of the district, including in Sandhurst, would lead to a daily number of trips some 57% higher than the level deemed to cause an unacceptable impact on air quality.

29. Paragraphs 3.42 and 3.43 of the Air Quality Paper sets out that the Council's strategy to deal with this is, in effect:

- . note that not all vehicle movements generated by the new development will pass through the AQMA, and so the overall impacts will be less than the maximum worst case scenario. Whilst it is likely to be the case that not all vehicle movements will pass through the AQMA, there is no quantitative analysis as to what the difference will be so as to ensure that the 'unacceptable' levels are not breached; and
- . note that not all of the planned level development will have been constructed by 2027.

30. Paragraph 5.760 of the draft Local Plan sets out that:

*At Hawkhurst, exceedances of the Annual Mean Objective for Nitrogen Dioxide (NO₂) have been identified in Cranbrook Road (the A229), to the north of the crossroads, close to the traffic lights and going down the hill for approximately 150m. The Council is declaring an Air Quality Management Area (AQMA) to the north of Hawkhurst crossroads because of this. **Proposals for 'Major' development (10 plus dwellings or new floorspace of more than 1,000sqm) within Sandhurst parish may exceed a threshold of additional vehicular movements through the Hawkhurst crossroads, which could affect air quality.** This will therefore be a consideration in the determination of any future planning applications in Sandhurst parish.*

31. The Council's approach is to allocate development in an area where it knows there is a real and tangible risk that there will be harmful and unacceptable air quality impacts. Its strategy to deal with this is to, in effect, hope that not all vehicle movements created by new development pass through the AQMA and expect that not all development will be delivered in a timely manner. However, with respect to the first point, there is no imperial evidence to support the Council's hope; and with respect to the latter, there are no time limit or other restrictions in the site allocations that would prevent planning permission being granted and all being built out by 2027.

32. Figure 1 of the Air Quality Topic paper indicates the air quality monitoring stations in the district, and is reproduced below:

[TWBC: for map, please see full representation attached as a supporting document]

33. What is of note here is that for the entire eastern half of the District there is only one air quality monitoring station, this being at the Hawkhurst crossroads. Given this, it is clear that this area, including Sandhurst, is not suitable for such a scale of new residential development due to the potential air quality impacts where almost the entire rest of the eastern part of the District does not have such a constraint.

34. In regards to local amenity within the Parish of Sandhurst, it is outlined within paragraph 5.766 of the Pre-Submission Local Plan that the Infrastructure Delivery Plan (IDP) (2021) shows that there is a deficiency in primary education provision, health and medical provision, library provision, youth play space provision, and allotments. It is also outlined that drainage improvements are needed and football

pitches are in short supply. This strongly suggests that Sandhurst is not well enough equipped in terms of local amenities and services, to provide for new residents.

35. This is further highlighted within the Sustainability Appraisal of the Pre-Submission Local Plan (2021) of which classes the sustainability objectives of transport, services and facilities, all as 'negative' for Sandhurst (as shown in Table 70).

36. It is also shown within Table 70 of the Sustainability Appraisal, that the sustainability objectives of air, heritage, land use and landscape are not met in the Parish of Sandhurst, as these are all classed as 'slightly negative'.

37. It should be further noted that the Sustainability Appraisal for Sandhurst returned no 'positive' or 'very positive' results in terms of the sustainability objectives. These results suggest that development in this parish at this time, would be very unsustainable.

D. ASSESSMENT OF PROPOSED ALLOCATION OF SITE AL/SA2 AND THE POLICIES MAP

High Weald Area of Outstanding Natural Beauty (AONB)

38. Site AL/ SA2 is located within the High Weald Area of Outstanding Natural Beauty (AONB). Core Policy EN21 of the Tunbridge Wells Core Strategy (2010) and the High Weald AONB Management Plan (2019-2024) seek to enhance and conserve the natural beauty of the AONB.

39. Policy EN21 of the draft Local Plan cites Paragraph 172 of the Framework concerning major development in AONBs:

Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues... The scale and extent of development within these designated areas should be limited. Planning permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest.

40. The SHELAA Site Assessment states that development on the site (AL/SA2) would cause "slight negative" impact on the surrounding area, particularly the AONB. It then asserts that this could be overcome through design.

41. Although not clearly set out, this is presumably based on the findings of the 'Tunbridge Wells - Landscape and Visual Impact Assessment of Proposed Allocation Sites within the High Weald AONB' (November 2020). This document assessed 21 sites within the AONB, including the Sharps Hill Farm site (referred to as DPC12). The assessment was based on the scale of the development being 30 units. The report concludes at paragraph 6.10.7.1 that:

The quantum of development initially assessed for the site is likely to give rise to adverse effects on the settlement pattern of Sandhurst and consequently the AONB. It is likely that a sensitively designed scheme with reduced numbers and retained features to the north and east, would reduce the predicted adverse effects. If the site is put forward as an allocation within the regulation 19 draft plan, it should set out the expectation for a design that responds positively to its location on the edge of settlement and the existing, well treed character of the site.

42. It is in part on the basis of this evidence that the site is proposed to be allocated in the draft Local Plan for up to 15 dwellings.

43. However, the analysis of the landscape assessment on the AONB has been overtaken by events, as it is not consistent with the Council's own decision on planning application 19/01493/OUT. This development was for up to 16 units, and so a scale that is comparable to the proposed allocation (and a reduction from the 30 units assessed). However, the Council's Planning Committee expressed specific concerns regarding the impact of such a development on the AONB.

44. This is a significant and material consideration. It effectively concludes that the development of this site cannot take place even with 'sensitive design' because such a proposal has already been considered and rejected. This is not a case of conjecture or supposition. The Council already has the detailed evidence on this in the form of the documents provided for planning application 19/01493/OUT, including the assessment on the AONB, and the decision of its own Planning Committee, the primary decision making body in the Council with respect to planning matters.

Heritage

45. Development on the site will result in the settlement encroaching on the setting of the heritage assets, replacing the current rural setting of Bayford House and Sharps Hill Oast with residential development, thereby impacting on the significance of their setting. In particular, the development would result in a domestication of the use of the site that is at odds with its original purposes, resulting in highly intense residential use with associated noise, lighting and activity. This activity will have an adverse impact on the rural and quiet significance of the setting of the Bayford House, and whilst we concur this is in the less than substantial category, in our view it is at the higher end of this scale.

46. The heritage significance of Bayford House and the associated Sharps Hill Oast relate to the rural agricultural setting of the settlement, set away from the village.

47. As noted above, the planning application on this site was for up to 16 units and has been subject to a detailed and thorough examination of the heritage impacts. The Conservation Officer's consultation response to the recent application objected to development in this area due to concerns over the impact on surrounding heritage assets. It is therefore unclear, as to how the new site allocation differs from the proposal, so as to not significantly impact upon the surrounding heritage assets.

48. Therefore, as described above, development on the site will result in less than substantial harm to the the grade II listed Bayford House, the Sharps Hill Oast non-designated heritage asset, and the Conservation Area of Sandhurst.

49. The site is also adjacent to the Conservation Area of Sandhurst. The conservation area includes the historic settlement of Sandhurst which has developed in a linear fashion along Queen Street. It is noted that the Conservation Area has lost some of its historic character over time, particularly due to housing development at the western edge of the settlement, south of Queen Street.

50. This allocation will therefore, further exacerbate the loss of historic character of the settlement as the proposed layout does not reflect the linear development patterns of the village, and will extend residential development into the existing rural context of the Conservation Area.

51. As with the AONB, the Council's Planning Committee considered a proposal to develop the site, with the scale of development comparable to that suggested in the draft Local Plan allocation. The Council's Planning Committee had the benefit of the technical and supporting documents provided with that application, as well as the advice of its key statutory consultees, the Conservation Officer. The decision of the Planning Committee was to reject the development on this site on the basis of harm to heritage assets. It is axiomatic that the site cannot be allocated for development in the draft Local Plan as it will cause harm to heritage assets, with case law confirming that great weight should be afforded to their preservation and setting out a presumption against development that causes harm.

Policies Map (Inset 31)

52. This indicates that the Limits to Built Development (LBD) boundary will be extended to include proposed allocation at the site.

53. The evidence base document the 'Limits to Built Development Topic Paper for Pre- Submission Local Plan (February 2021) assesses the potential changes to the LBD boundaries. Table 1 is entitled the 'Criteria used to determine what should or should not be included within LBD boundaries'. Criteria (d) is:

have no adverse impact on designated areas of national and local landscape, archaeological, geological, ecological or heritage importance

54. With respect to the proposed allocation at the site, the LBD is indicated on the Policies Map as extending around this site. However, criteria (a) and (d) are listed as two of the supporting principles for this change. With respect to criteria (a), this requires that the the extension be adjacent to and form a logical extension to the built up area and not result in harmful protrusion into the countryside. The development of the site would lead to a harmful encroachment into the countryside. With respect to the Council's assessment of criteria (d), this is clearly wrong - as already acknowledged by the Council, development on the site would lead to adverse impacts on the AONB and designated heritage assets, contrary to established planning policy.

55. Table 1 also sets out a list of criteria that should be assessed to exclude sites. Criteria VI is '*buildings in spacious grounds on the edge of the settlement*'. This describes the proposed allocation site. Paragraphs 1.01 and 1.02 of the Planning Committee report for the refused application describes the site as follows:

The application site consists of approximately 1.55 hectares and is located on the south side of Queen Street in the Sandhurst Parish of the Borough. The site comprises a detached dwelling known as Sharps Hill Farm, its residential curtilage and agricultural/paddock land that hosts two, relatively small, stable like structures. The agricultural/paddock land is currently divided and in use as private paddock land for the keeping of horses associated with the current owner of the dwelling. The site is largely grasses surfaced, other than small areas of hardstanding around the dwelling and stable structures. The land level slopes upwards from Queen Street towards the south of the site.

The boundaries of the site are marked largely by trees and hedging. A pond is located towards the north east corner of the site and there is a stream which runs along the east boundary of the site. The site is largely overgrown and unmaintained in parts particularly to the eastern boundary of the site where a relatively dense woodland area lies. Outside of this woodland there are a small number of trees within the site, otherwise the site is largely open in nature.

56. It is clear from this description that the site comprises a building in spacious grounds on the edge of the settlement and on the basis of the Council's own assessment criteria, should be excluded.

E. ASSESSMENT OF SOUNDNESS

57. The draft Local Plan is unsound in relation to the Council's strategy for development in Sandhurst and in its approach to the proposed allocation for Sharps Hill Farm, Queens Street, Sandhurst (AL/SA2) when assessed against the tests of soundness as set out in paragraph 182 of the National Planning Policy Framework.

Positively prepared

58. The draft Local Plan has not been positively prepared, particularly when the proposed allocation of the site AL/SA2 is looked at in the context of the previous planning application on the site for a comparable scale of development (as the allocation).

59. Planning application 19/01493/OUT for the '*residential development of up to 16 no. dwellings with associated parking, amenity and landscaping*', was rejected by the Council earlier this year, on the grounds that the location was unsuitable and "*would constitute unsustainable development*". This has not been addressed within the Local Plan site allocation, and the decision to reject the previous proposal, but encourage development within the Local Plan is evidence that the plan is not positively prepared. The plan must meet the objective needs in a sustainable way and the allocation of this site and wider development in Sandhurst would be contradictory to the principles of sustainable development.

Justified

60. The draft Local Plan is not justified as it is not clear what alternatives have been explored to avoid the identified air quality impacts that will occur with respect to the Hawkhurst AQMA.

Effective

61. The draft Local Plan is not effective as the plan does not take into account the significant potential environmental concerns connected to the development of land in an unsuitable area.

62. The draft Local Plan will not be effective as it is based on assumptions around when development will take place in Sandhurst and the wider area that, if wrong, would lead to a direct and significant impact on air quality in the AQMA.

Consistent with national planning policy

63. The development of this site conflicts with both the draft local policy document itself, and national policy.

64. The draft Local Plan's proposed allocation of development in Sandhurst and specifically at site AL/SA2 would be wholly inconsistent with national planning policy because:

- . the Council's own evidence and assessment of the sites considered for development in Sandhurst acknowledges that they are in an unsustainable location and are let down by poor services and facilities;
- . the draft Local Plan allocates land in Sandhurst and the surrounding area where there is a high risk of a significant and adverse impact on air quality; and
- . the development of the site will lead to specific AONB and heritage impacts which individually and collectively are significant and a level of harm that outweighs any benefits associated with housing delivery. The nature of the surrounding landscape is protected for valid reasons. The

location adjacent to heritage assets, a conservation area and within an AONB are all classed as assets or areas of particular importance. The Council has already reached this view on the planning application submitted on the site.

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan 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.

F. MODIFICATIONS TO THE PLAN

65. In order to address the issues identified in this representation and make the Local Plan sound, the following changes should be made.

66. In relation to 'Policy PSTR/SA 1 The Strategy for Sandhurst parish', the following changes should be made to points 1 and 2:

1. *Set Limits to Built Development for Sandhurst village, as defined on the Policies Map (Inset Map 31) as a framework for new development over the plan period, incorporating the allocation Policies AL/SA 1 and AL/SA 2 into the Sandhurst Limits to Built Development;*

2. *Build approximately 20-30 new dwellings (including 40 percent affordable housing) on two sites at Sandhurst village, as allocated under Policies AL/SA 1 and AL/SA 2;*

67. In relation to the Policies Map, the LBD boundary should not be extended to include sites AL/SA 1 and AL/SA 2.

68. 'Policy AL/SA 2 Sharps Hill Farm, Queen Street' and its supporting text should be deleted in its entirety.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . Yes, I wish to participate in hearing session(s)

Question 7a

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

To raise issues of soundness and discuss necessary modifications.

If you would like to attach a file in support of your comments, please upload it here.

PSLP 1908-1909 DLBP for Mr & Mrs
Tucker SI Representation

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Supporting Information File Ref No: SI_123

Comment

Agent	Mr Andrew Ryley [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Dominic Lawson Bespoke Planning
Address	[REDACTED] Little Venice London [REDACTED]
Consultee	Mrs Joanne Tucker [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] Sandhurst [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Mrs Joanne Tucker (1274688)
Comment ID	PSLP_1909
Response Date	04/06/21 12:50
Consultation Point	Policy AL/SA 2 Sharps Hill Farm, Queen Street (View)
Status	Processed
Submission Type	Email
Version	0.4
Files	<u>PSLP_1908-1909_DLBP for Mr & Mrs Tucker SI Representation</u>
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Mr & Mrs Tucker
Question 2	
Agent's Name and Organisation (if applicable)	Dominic Lawson Bespoke Planning
Question 3	

To which part of the Local Plan does this representation relate?

Policy

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy AL/SA 2 Sharps Hill Farm, Queen Street

Policies Map (Inset Map No(s)) 31

[TWBC: this representation has been input against Policies PSTR/SA 1 and AL/SA 2 - please see Comment Numbers PSLP_1908 and PSLP_1909]

Question 4

Do you consider that the Local Plan:

Is legally compliant

No

Is sound

No

Complies with the Duty to Cooperate

Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not positively prepared
- . It is not effective
- . It is not justified
- . It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

A. SUMMARY AND CONCLUSIONS

1. This document has been prepared in response to the publication of the Pre-Submission Local Plan for Tunbridge Wells ("the draft Local Plan") in accordance with Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

2. This representation has been prepared by DLBP Ltd on behalf of Mr and Mrs Tucker, residents of Bayford House, Sandhurst, and relates primarily to the land at Sharps Hill Farm, Queen Street, Sandhurst, Cranbrook, Kent TN18 5HR ("the site"). It also relates to the Council's overall strategy for Sandhurst. In relation to these matters, Mr and Mrs Tucker formally object to the draft Local Plan.

3. The site (1.54 hectares) is proposed to be allocated for residential development within Royal Tunbridge Wells Council's ("the Council") draft Local Plan for 10-15 dwellings (draft Local Plan ref. AL/SA2).

4. The draft Local Plan proposes new residential development in Sandhurst, including at the site, and in the surrounding area. The Council's own evidence confirms that Sandhurst is not a sustainable location for growth, it has poor services and facilities and development in it and the surrounding area will lead to a high risk of a significant and adverse impact on air quality.

5. The proposed allocation at AL/SA2 does not have regard to the Council's own decision on planning application 19/01493/OUT. This development was for up to 16 units on the site, and so a scale that is comparable to the proposed allocation (and a reduction from the 31 units assessed). However, the Council's Planning Committee expressed specific concerns regarding the impact of such a development on the High Weald Area of Outstanding Natural Beauty (AONB) and designated heritage assets. The planning application was refused on these grounds in February 2021, with the Planning Committee determining that the scheme of 16 units would not constitute sustainable development.

6. On this basis, the draft Local Plan is unsound as it has not been positively prepared, will not be effective, is not justified and is inconsistent with national policy.

7. Modifications are required to the Local Plan to make it sound. In relation to 'Policy PSTR/SA 1 The Strategy for Sandhurst parish', the following changes should be made to points 1 and 2 (of the draft policy):

1. Set Limits to Built Development for Sandhurst village, as defined on the Policies Map (Inset Map 31) as a framework for new development over the plan period, incorporating the allocation Policies AL/SA 1 and AL/SA 2 into the Sandhurst Limits to Built Development;

2. Build approximately 20-30 new dwellings (including 40 percent affordable housing) on two sites at Sandhurst village, as allocated under Policies AL/SA 1 and AL/SA 2;

8. In relation to the Policies Map, the LBD boundary should not be extended to include sites AL/SA 1 and AL/SA 2.

9. 'Policy AL/SA 2 Sharps Hill Farm, Queen Street' and its supporting text should be deleted in its entirety.

B. INTRODUCTION

10. This document has been prepared in response to the publication of the Pre-Submission Local Plan for Tunbridge Wells ("the draft Local Plan") in accordance with Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

11. This representation has been prepared by DLBP Ltd on behalf of Mr and Mrs Tucker, residents of Bayford House, Sandhurst, and relates primarily to the land at Sharps Hill Farm, Queen Street, Sandhurst, Cranbrook, Kent TN18 5HR ("the site"). It also relates to the Council's overall strategy for Sandhurst.

12. The site (1.54 hectares) is proposed to be allocated for residential development within Royal Tunbridge Well Council's ("the Council") draft Local Plan for 10-15 dwellings (draft Local Plan ref. AL/SA2).

The site

13. The site fronts onto Queen Street and is 1.54 hectares in size. The site currently consists of a residential property, its curtilage and multiple outbuildings. To both the east and south of the residential curtilage the site is greenfield, featuring the natural features of a stream and pond to the north east corner.

14. The site is located next to approximately eight residential dwellings on Stream Pit Lane to the east - all of which are one storey bungalows - and a property to the west. To the north, south and west the landscape is open green space.

15. The site is located within the High Weald Area of Outstanding Natural Beauty (AONB), adjacent to a Conservation Area (Sandhurst), Listed building (Bayford House) and non-designated heritage asset (Sharps Hill Oast).

16. The site has a strong bucolic character, a character that is distinctly different from the residential development to the east of the site.

Planning history

17. A planning application ref 19/01493/OUT was made to the Council in June 2019. The application as originally made was for the development of the site for 31 dwellings. During the course of the application, the scale of the development was reduced to 16 dwellings. The Council's Planning Committee on 3 February 2021 refused to grant planning permission on the basis of the following reason:

- . The proposed development would not constitute sustainable development in the context of the National Planning Policy Framework in particular due to the harm to the High Weald Area of Outstanding Natural Beauty and upon nearby designated heritage assets. The benefits of the proposal would not outweigh this harm and therefore the proposed development is contrary to Paragraphs 8, 11, 130, 172, 193, 194 and 196 of the National Planning Policy Framework, the provisions of the National Planning Policy Guidance, Core Policies 4 and 14 of the Tunbridge Wells Borough Core Strategy June 2010 and Policies LBD1, EN1, EN5 and EN25 of the Tunbridge Wells Borough Local Plan 2006.

18. No appeal against the Council's refusal of the application has been lodged.

C. THE SPATIAL STRATEGY FOR SANDHURST AND POLICY PSTR/SA 1

19. There are a number of reasons that render Sandhurst an unsustainable location for the levels of new development set out in the draft Local Plan. It is of note that within the settlement hierarchy set out in the Council's current Core Strategy, Sandhurst is designated as a 'village' and sits at the bottom of the hierarchy.

20. The Strategic Housing and Economic Land Availability Assessment for the Pre-Submission Local Plan (SHELAA, January 2021) assessed the suitability of sites put forward for development in the Sandhurst Parish. Nine sites were in Sandhurst itself, and only two of these were deemed to be 'suitable for Local Plan allocation'.

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22. In all three cases, the sustainability assessment notes that the sites are:

...let down by poor services, facilities and travel options in this rural settlement...

23. This overarching issue of the suitability of Sandhurst for development is noted in the draft Local Plan itself. 'The Strategy for Sandhurst Parish' is outlined within Policy PSTR/SA 1. Paragraph 5.757 notes that (emphasis added):

*Sandhurst village is located approximately 2.9 miles from Hawkhurst to the north west and approximately 3.6 miles from Benenden to the north. Northiam, in the neighbouring district of Rother, is approximately 4.1 miles away to the south east. **The nearest rail stations are at Etchingham, approximately eight miles away and Staplehurst, approximately 11 miles from Sandhurst.** There are bus services that currently run to Hawkhurst, Maidstone, and Royal Tunbridge Wells, which all run more frequently on weekdays Monday-Friday. **There are currently no bus services running at peak times.***

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26. The Council's 'Air Quality Topic Paper for Pre-Submission Local Plan' notes that the Council intends to declare an Air Quality Management Area (AQMA) to the north of Hawkhurst crossroads because of an existing Nitrogen Dioxide (NO₂) issue.

27. Table 4 of the Air Quality Paper sets out the maximum number of daily car trips to ensure impacts would be no worse than 'Moderate Adverse', where any number higher than this would be unacceptable. For 2027 the number of 'unacceptable' trips is 2001 (based on Table 4). Table 5 of the Air Quality Report states that the maximum number of dwellings to ensure impacts would be no worse than moderate adverse by 2027 would be 400. Paragraph 4.41 of the Air Quality Topic Paper states that (emphasis added):

*The Pre-Submission Local Plan proposes that a maximum of 170 new dwellings are built within Hawkhurst during the plan period of 2020-2038 which equates to 850 daily vehicle trips per annum (170 multiplied by 5 in accordance with paragraph 3.42). Furthermore, when factoring in the proposals in neighbouring Cranbrook (maximum of 429) and Sandhurst (maximum of 30), **the total number of new dwellings becomes 629 which equates to 3,145 daily vehicle trips per annum.***

28. Thus, the scale of development planned for this part of the district, including in Sandhurst, would lead to a daily number of trips some 57% higher than the level deemed to cause an unacceptable impact on air quality.

29. Paragraphs 3.42 and 3.43 of the Air Quality Paper sets out that the Council's strategy to deal with this is, in effect:

- . note that not all vehicle movements generated by the new development will pass through the AQMA, and so the overall impacts will be less than the maximum worst case scenario. Whilst it is likely to be the case that not all vehicle movements will pass through the AQMA, there is no quantitative analysis as to what the difference will be so as to ensure that the 'unacceptable' levels are not breached; and
- . note that not all of the planned level development will have been constructed by 2027.

30. Paragraph 5.760 of the draft Local Plan sets out that:

*At Hawkhurst, exceedances of the Annual Mean Objective for Nitrogen Dioxide (NO₂) have been identified in Cranbrook Road (the A229), to the north of the crossroads, close to the traffic lights and going down the hill for approximately 150m. The Council is declaring an Air Quality Management Area (AQMA) to the north of Hawkhurst crossroads because of this. **Proposals for 'Major' development (10 plus dwellings or new floorspace of more than 1,000sqm) within Sandhurst parish may exceed a threshold of additional vehicular movements through the Hawkhurst crossroads, which could affect air quality.** This will therefore be a consideration in the determination of any future planning applications in Sandhurst parish.*

31. The Council's approach is to allocate development in an area where it knows there is a real and tangible risk that there will be harmful and unacceptable air quality impacts. Its strategy to deal with this is to, in effect, hope that not all vehicle movements created by new development pass through the AQMA and expect that not all development will be delivered in a timely manner. However, with respect to the first point, there is no imperial evidence to support the Council's hope; and with respect to the latter, there are no time limit or other restrictions in the site allocations that would prevent planning permission being granted and all being built out by 2027.

32. Figure 1 of the Air Quality Topic paper indicates the air quality monitoring stations in the district, and is reproduced below:

[TWBC: for map, please see full representation attached as a supporting document]

33. What is of note here is that for the entire eastern half of the District there is only one air quality monitoring station, this being at the Hawkhurst crossroads. Given this, it is clear that this area, including Sandhurst, is not suitable for such a scale of new residential development due to the potential air quality impacts where almost the entire rest of the eastern part of the District does not have such a constraint.

34. In regards to local amenity within the Parish of Sandhurst, it is outlined within paragraph 5.766 of the Pre-Submission Local Plan that the Infrastructure Delivery Plan (IDP) (2021) shows that there is a deficiency in primary education provision, health and medical provision, library provision, youth play space provision, and allotments. It is also outlined that drainage improvements are needed and football

pitches are in short supply. This strongly suggests that Sandhurst is not well enough equipped in terms of local amenities and services, to provide for new residents.

35. This is further highlighted within the Sustainability Appraisal of the Pre-Submission Local Plan (2021) of which classes the sustainability objectives of transport, services and facilities, all as 'negative' for Sandhurst (as shown in Table 70).

36. It is also shown within Table 70 of the Sustainability Appraisal, that the sustainability objectives of air, heritage, land use and landscape are not met in the Parish of Sandhurst, as these are all classed as 'slightly negative'.

37. It should be further noted that the Sustainability Appraisal for Sandhurst returned no 'positive' or 'very positive' results in terms of the sustainability objectives. These results suggest that development in this parish at this time, would be very unsustainable.

D. ASSESSMENT OF PROPOSED ALLOCATION OF SITE AL/SA2 AND THE POLICIES MAP

High Weald Area of Outstanding Natural Beauty (AONB)

38. Site AL/ SA2 is located within the High Weald Area of Outstanding Natural Beauty (AONB). Core Policy EN21 of the Tunbridge Wells Core Strategy (2010) and the High Weald AONB Management Plan (2019-2024) seek to enhance and conserve the natural beauty of the AONB.

39. Policy EN21 of the draft Local Plan cites Paragraph 172 of the Framework concerning major development in AONBs:

Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues... The scale and extent of development within these designated areas should be limited. Planning permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest.

40. The SHELAA Site Assessment states that development on the site (AL/SA2) would cause "slight negative" impact on the surrounding area, particularly the AONB. It then asserts that this could be overcome through design.

41. Although not clearly set out, this is presumably based on the findings of the 'Tunbridge Wells - Landscape and Visual Impact Assessment of Proposed Allocation Sites within the High Weald AONB' (November 2020). This document assessed 21 sites within the AONB, including the Sharps Hill Farm site (referred to as DPC12). The assessment was based on the scale of the development being 30 units. The report concludes at paragraph 6.10.7.1 that:

The quantum of development initially assessed for the site is likely to give rise to adverse effects on the settlement pattern of Sandhurst and consequently the AONB. It is likely that a sensitively designed scheme with reduced numbers and retained features to the north and east, would reduce the predicted adverse effects. If the site is put forward as an allocation within the regulation 19 draft plan, it should set out the expectation for a design that responds positively to its location on the edge of settlement and the existing, well treed character of the site.

42. It is in part on the basis of this evidence that the site is proposed to be allocated in the draft Local Plan for up to 15 dwellings.

43. However, the analysis of the landscape assessment on the AONB has been overtaken by events, as it is not consistent with the Council's own decision on planning application 19/01493/OUT. This development was for up to 16 units, and so a scale that is comparable to the proposed allocation (and a reduction from the 30 units assessed). However, the Council's Planning Committee expressed specific concerns regarding the impact of such a development on the AONB.

44. This is a significant and material consideration. It effectively concludes that the development of this site cannot take place even with 'sensitive design' because such a proposal has already been considered and rejected. This is not a case of conjecture or supposition. The Council already has the detailed evidence on this in the form of the documents provided for planning application 19/01493/OUT, including the assessment on the AONB, and the decision of its own Planning Committee, the primary decision making body in the Council with respect to planning matters.

Heritage

45. Development on the site will result in the settlement encroaching on the setting of the heritage assets, replacing the current rural setting of Bayford House and Sharps Hill Oast with residential development, thereby impacting on the significance of their setting. In particular, the development would result in a domestication of the use of the site that is at odds with its original purposes, resulting in highly intense residential use with associated noise, lighting and activity. This activity will have an adverse impact on the rural and quiet significance of the setting of the Bayford House, and whilst we concur this is in the less than substantial category, in our view it is at the higher end of this scale.

46. The heritage significance of Bayford House and the associated Sharps Hill Oast relate to the rural agricultural setting of the settlement, set away from the village.

47. As noted above, the planning application on this site was for up to 16 units and has been subject to a detailed and thorough examination of the heritage impacts. The Conservation Officer's consultation response to the recent application objected to development in this area due to concerns over the impact on surrounding heritage assets. It is therefore unclear, as to how the new site allocation differs from the proposal, so as to not significantly impact upon the surrounding heritage assets.

48. Therefore, as described above, development on the site will result in less than substantial harm to the the grade II listed Bayford House, the Sharps Hill Oast non-designated heritage asset, and the Conservation Area of Sandhurst.

49. The site is also adjacent to the Conservation Area of Sandhurst. The conservation area includes the historic settlement of Sandhurst which has developed in a linear fashion along Queen Street. It is noted that the Conservation Area has lost some of its historic character over time, particularly due to housing development at the western edge of the settlement, south of Queen Street.

50. This allocation will therefore, further exacerbate the loss of historic character of the settlement as the proposed layout does not reflect the linear development patterns of the village, and will extend residential development into the existing rural context of the Conservation Area.

51. As with the AONB, the Council's Planning Committee considered a proposal to develop the site, with the scale of development comparable to that suggested in the draft Local Plan allocation. The Council's Planning Committee had the benefit of the technical and supporting documents provided with that application, as well as the advice of its key statutory consultees, the Conservation Officer. The decision of the Planning Committee was to reject the development on this site on the basis of harm to heritage assets. It is axiomatic that the site cannot be allocated for development in the draft Local Plan as it will cause harm to heritage assets, with case law confirming that great weight should be afforded to their preservation and setting out a presumption against development that causes harm.

Policies Map (Inset 31)

52. This indicates that the Limits to Built Development (LBD) boundary will be extended to include proposed allocation at the site.

53. The evidence base document the 'Limits to Built Development Topic Paper for Pre- Submission Local Plan (February 2021) assesses the potential changes to the LBD boundaries. Table 1 is entitled the 'Criteria used to determine what should or should not be included within LBD boundaries'. Criteria (d) is:

have no adverse impact on designated areas of national and local landscape, archaeological, geological, ecological or heritage importance

54. With respect to the proposed allocation at the site, the LBD is indicated on the Policies Map as extending around this site. However, criteria (a) and (d) are listed as two of the supporting principles for this change. With respect to criteria (a), this requires that the the extension be adjacent to and form a logical extension to the built up area and not result in harmful protrusion into the countryside. The development of the site would lead to a harmful encroachment into the countryside. With respect to the Council's assessment of criteria (d), this is clearly wrong - as already acknowledged by the Council, development on the site would lead to adverse impacts on the AONB and designated heritage assets, contrary to established planning policy.

55. Table 1 also sets out a list of criteria that should be assessed to exclude sites. Criteria VI is '*buildings in spacious grounds on the edge of the settlement*'. This describes the proposed allocation site. Paragraphs 1.01 and 1.02 of the Planning Committee report for the refused application describes the site as follows:

The application site consists of approximately 1.55 hectares and is located on the south side of Queen Street in the Sandhurst Parish of the Borough. The site comprises a detached dwelling known as Sharps Hill Farm, its residential curtilage and agricultural/paddock land that hosts two, relatively small, stable like structures. The agricultural/paddock land is currently divided and in use as private paddock land for the keeping of horses associated with the current owner of the dwelling. The site is largely grasses surfaced, other than small areas of hardstanding around the dwelling and stable structures. The land level slopes upwards from Queen Street towards the south of the site.

The boundaries of the site are marked largely by trees and hedging. A pond is located towards the north east corner of the site and there is a stream which runs along the east boundary of the site. The site is largely overgrown and unmaintained in parts particularly to the eastern boundary of the site where a relatively dense woodland area lies. Outside of this woodland there are a small number of trees within the site, otherwise the site is largely open in nature.

56. It is clear from this description that the site comprises a building in spacious grounds on the edge of the settlement and on the basis of the Council's own assessment criteria, should be excluded.

E. ASSESSMENT OF SOUNDNESS

57. The draft Local Plan is unsound in relation to the Council's strategy for development in Sandhurst and in its approach to the proposed allocation for Sharps Hill Farm, Queens Street, Sandhurst (AL/SA2) when assessed against the tests of soundness as set out in paragraph 182 of the National Planning Policy Framework.

Positively prepared

58. The draft Local Plan has not been positively prepared, particularly when the proposed allocation of the site AL/SA2 is looked at in the context of the previous planning application on the site for a comparable scale of development (as the allocation).

59. Planning application 19/01493/OUT for the '*residential development of up to 16 no. dwellings with associated parking, amenity and landscaping*', was rejected by the Council earlier this year, on the grounds that the location was unsuitable and "*would constitute unsustainable development*". This has not been addressed within the Local Plan site allocation, and the decision to reject the previous proposal, but encourage development within the Local Plan is evidence that the plan is not positively prepared. The plan must meet the objective needs in a sustainable way and the allocation of this site and wider development in Sandhurst would be contradictory to the principles of sustainable development.

Justified

60. The draft Local Plan is not justified as it is not clear what alternatives have been explored to avoid the identified air quality impacts that will occur with respect to the Hawkhurst AQMA.

Effective

61. The draft Local Plan is not effective as the plan does not take into account the significant potential environmental concerns connected to the development of land in an unsuitable area.

62. The draft Local Plan will not be effective as it is based on assumptions around when development will take place in Sandhurst and the wider area that, if wrong, would lead to a direct and significant impact on air quality in the AQMA.

Consistent with national planning policy

63. The development of this site conflicts with both the draft local policy document itself, and national policy.

64. The draft Local Plan's proposed allocation of development in Sandhurst and specifically at site AL/SA2 would be wholly inconsistent with national planning policy because:

- . the Council's own evidence and assessment of the sites considered for development in Sandhurst acknowledges that they are in an unsustainable location and are let down by poor services and facilities;
- . the draft Local Plan allocates land in Sandhurst and the surrounding area where there is a high risk of a significant and adverse impact on air quality; and
- . the development of the site will lead to specific AONB and heritage impacts which individually and collectively are significant and a level of harm that outweighs any benefits associated with housing delivery. The nature of the surrounding landscape is protected for valid reasons. The

location adjacent to heritage assets, a conservation area and within an AONB are all classed as assets or areas of particular importance. The Council has already reached this view on the planning application submitted on the site.

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan 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.

F. MODIFICATIONS TO THE PLAN

65. In order to address the issues identified in this representation and make the Local Plan sound, the following changes should be made.

66. In relation to 'Policy PSTR/SA 1 The Strategy for Sandhurst parish', the following changes should be made to points 1 and 2:

1. *Set Limits to Built Development for Sandhurst village, as defined on the Policies Map (Inset Map 31) as a framework for new development over the plan period, incorporating the allocation Policies AL/SA 1 and AL/SA 2 into the Sandhurst Limits to Built Development;*

2. *Build approximately 20-30 new dwellings (including 40 percent affordable housing) on two sites at Sandhurst village, as allocated under Policies AL/SA 1 and AL/SA 2;*

67. In relation to the Policies Map, the LBD boundary should not be extended to include sites AL/SA 1 and AL/SA 2.

68. 'Policy AL/SA 2 Sharps Hill Farm, Queen Street' and its supporting text should be deleted in its entirety.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . Yes, I wish to participate in hearing session(s)

Question 7a

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

To raise issues of soundness and discuss necessary modifications.

If you would like to attach a file in support of your comments, please upload it here.

PSLP 1908-1909 DLBP for Mr & Mrs
Tucker SI Representation

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Mrs Joanne Tucker [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] Sandhurst [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Mrs Joanne Tucker [REDACTED]
Comment ID	PSLP_1728
Response Date	04/06/21 16:46
Consultation Point	Policy AL/SA 2 Sharps Hill Farm, Queen Street (View)
Status	Processed
Submission Type	Email
Version	0.5
Data inputter to enter their initials here	KJ
Question 1	
Respondent's Name and/or Organisation	Mrs Joanne Tucker
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy AL/SA 2 Sharps Hill Farm, Queen Street	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Don't know

Is sound	No
Complies with the Duty to Cooperate	Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:	.	It is not positively prepared
	.	It is not effective
	.	It is not justified
	.	It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

- 1 Our comments relate primarily to Sharps Hill Farm, Queen Street, Sandhurst, Kent TN18 5HR. It also relates to Tunbridge Wells Council's strategy for development in Sandhurst.
- 1 Planning permission at Sharps Hill Farm was sought in May 2019 and refused in February 2021 under ref.19/01493/OUT. The Planning Decision Notice stated that the development would not *constitute sustainable development in the context of the National Planning Policy Framework in particular due to the harm to the High Weald Area of Outstanding Natural Beauty and upon nearby designated heritage assets*. No account has been taken of this refusal in the Local Plan.
- 1 No appeal has been lodged against this decision.
- 1 Paragraph 5.766 of the Pre-Submission Local Plan shows that there is a lack of primary education provision, medical provision, library provision and youth recreation provision indicating that Sandhurst is not sufficiently equipped to provide for new residents.
- 1 Planning permission for Sharps Hill Farm was sought in 2019 and refused in February 2021 under ref.19/01493/OUT. The Planning Decision Notice stated that the development would not *constitute sustainable development in the context of the National Planning Policy Framework in particular due to the harm to the High Weald Area of Outstanding Natural Beauty and upon nearby designated heritage assets*.
- 1 No appeal has been lodged against this decision.
- 1 Paragraph 5.766 of the Pre-Submission Local Plan shows there is a lack of primary education provision, medical provision, library provision and youth recreation provision indicating that Sandhurst is not sufficiently equipped to provide for new residents.
- 1 Sandhurst is a rural village with poor connectivity unless using private transport. Paragraph 5.757 of the Local Plan highlights the issue of travel sustainability noting that:
The nearest rail stations are at Etchingham, approximately 8 miles away and Staplehurst, approximately 11 miles from Sandhurst. There are bus services that currently run to Hawkhurst, Maidstone and Royal Tunbridge Wells, which all run more frequently on weekdays, Monday-Friday. There are currently no bus services running at peak times.
- 1 In terms of sustainability, the allocated sites (Sharps Hill Farm and Land south of Sayville, Rye Road) for Sandhurst both score negatively in terms of Services and Facilities, Travel, Heritage, Landscape and Air.
- 1 Appendix T of the Sustainability Appraisal notes that allocated sites, Sharps Hill Farm and Land south of Sayville, Rye Road
are let down by poor services, facilities and travel options in this rural settlement and the subsequent effects of this on the air quality objective.

- 1 Tunbridge Wells Council intends to declare an Air Quality Management Area to the north of the traffic lights in Hawkhurst because of the presence of nitrogen dioxide. Any major development in Sandhurst, would increase these levels of nitrogen dioxide because of the reliance on private transport and the increased traffic travelling through Hawkhurst.
 - 1 Further, Appendix T of the Sustainability Appraisal shows no 'positive' or 'very positive' scale of impact returns for the two preferred sites in Sandhurst.
 - 1 Sandhurst lies within an Area of Outstanding Natural Beauty (AONB). Any major development at Sharps Hill Farm would cause significant harm to the AONB and any benefits would not be outweighed by this harm.
 - 1 In terms of the harm to heritage assets, any development at Sharps Hill Farm would cause harm to grade II listed Bayford House and a non designated heritage asset, Sharps Hill Oast. Tunbridge Wells Council's Conservation Officer concluded that less than substantial harm at the lower end of the scale would be likely. Whilst we are in agreement that harm is in the less than substantial category, we believe it is at the higher end of the scale.
 - 1 The Conservation Officer noted that the land at Sharps Hill Farm *contributes to the significance of Bayford House as a high status house set well outside the village in a semi-rural setting – there are likely to be some views from the house which will be affected by the presence of a housing development.*
 - 1 As the owners of Bayford House (we consider ourselves to be custodians of this lovely building and its setting), we wish to point out that any development at Sharps Hill Farm will have an adverse effect on the historically rural setting of this listed building.
 - 1 The original planning application on this site, 19/01493/OUT, was refused by Tunbridge Wells Planning Committee *in particular due to the harm ... upon nearby designated heritage assets.* Therefore, it is self evident that the site cannot be allocated for development in the draft Local Plan as it will cause harm to heritage assets. Case law confirms that great weight should be afforded to the preservation of heritage assets setting out a presumption against development that causes harm.
 - 1 The site is also adjacent to the Sandhurst Conservation Area. The Conservation Area has, over time, lost some of its historic character particularly at the western edge of the village. This allocation will further exacerbate the loss of historic character of the settlement as the proposed layout does not reflect the linear development patterns of the village, and will extend residential development into the existing rural context of the Conservation Area.
 - 1 The Council's Planning Committee refused the original planning application, 19/01493/OUT, as *The proposed development would not constitute sustainable development in the context of the National Planning Policy Framework in particular due to the harm to the High Weald Area of Outstanding Natural Beauty.*
 - 1 The Limits to Built Development Topic Paper for Pre-Submission Local Plan outlines in Table 1 the 'Criteria used to determine what should or should not be included within LBD boundaries. Certain criteria (a) (b) (c) (d) (e) (f) and (g) are given as supporting principles for the changes to Limits to Built Development. Certain of these criteria are incorrect.
- 17.Criteria (d) is '*have no adverse impact on designated areas of national and local landscape archaeological, geological, ecological or heritage importance*'. This is clearly wrong, as the Council has already acknowledged, development on this site would lead to adverse impacts on the AONB and designated heritage assets.
- 18.Criteria (a) is '*be adjacent to and form a logical extension to the built up area and not result in harmful protrusion into the countryside*.' This is wrong as the site would result in harmful protrusion into the countryside and does not form a logical extension to the built up area as it is separated by a stream, a pond and woods.
- . Criteria (c) '*has no adverse impact on landscape character*' This is incorrect as the site would clearly have an adverse impact on the landscape character and on the AONB.
- 20.Criteria (e) '*be of a scale/nature in keeping with the form and function of the settlement and result in no harm to its character, appearance or setting-does it relate more to the built environment or to the surrounding countryside?*' This is wrong as the site is surrounded by pasture and is bounded by one listed and one non designated heritage asset on the western aspect, and by fields to the south.
- 21.Criteria (g) '*allow reasonable access to local facilities and services (non-private car mode)*.' This is wrong as the site is approximately 1 kilometre from the centre of Sandhurst village. Bus services to and from Sandhurst are not frequent and do not operate at peak hours.

- 1 22. Table 1 also sets out a list of criteria that should be assessed to exclude sites. Certain of these Exclusions apply to this site and should therefore preclude it from inclusion in the Limits to Built Development.

21C23 Exclusion VI 'buildings in spacious grounds on the edge of the settlement', Exclusion IV 'Large rear gardens or paddocks stretching well out from the main built up form of the settlement' and Exclusion IX 'woodlands/forested areas' 'These Exclusions describe the proposed allocation site. Paragraphs 1.01 and 1.02 of the Planning Committee report for the refused application describes the site as follows:

The application site consists of approximately 1.55 hectares and is located on the south side of Queen Street in the Sandhurst Parish of the Borough. The site comprises a detached dwelling known as Sharps Hill Farm, its residential curtilage and agricultural/paddock land that hosts two, relatively small, stable like structures. The agricultural/paddock land is currently divided and in use as private paddock land for the keeping of horses associated with the current owner of the dwelling. The site is largely grasses surfaced, other than small areas of hardstanding around the dwelling and stable structures. The land level slopes upwards from Queen Street towards the south of the site.

The boundaries of the site are marked largely by trees and hedging. A pond is located towards the north east corner of the site and there is a stream which runs along the east boundary of the site. The site is largely overgrown and unmaintained in parts particularly to the eastern boundary of the site where a relatively dense woodland area lies. Outside of this woodland there are a small number of trees within the site, otherwise the site is largely open in nature.

- 1 Exclusion XVII 'hamlets and small clusters of existing development'. Sharps Hill Farm, Sharps Hill Oast and Bayford House form an enclave of development in the countryside and therefore should be regarded as a 'small cluster of existing development'.

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan 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.

In our view, in order to make the Local Plan sound, the following changes should be made.

In relation to 'Policy PSTR/SA 1 The Strategy for Sandhurst parish', the following changes should be made to points 1 and 2:

Point 1 - Delete the wording "incorporating the allocation Policies AL/SA 1 and AL/SA 2 into the Sandhurst Limits to Built Development;"

Point 2 – Delete the wording "Build approximately 20-30 new dwellings (including 40 percent affordable housing) on two sites at Sandhurst village, as allocated under Policies AL/SA 1 and AL/SA 2;"

In relation to the Policies Map, the LBD boundary should not be extended to include sites AL/SA 1 and AL/SA 2.

For the reasons stated earlier, we believe the actual allocation of the land at Sharps Hill Farm should be deleted from the local plan and therefore 'Policy AL/SA 2 Sharps Hill Farm, Queen Street' and its supporting text should be deleted in its entirety.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . No, I do not wish to participate in examination hearing session(s)

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If responder hasn't ticked an option on this box, data inputter to tick 'not stated' box. Not Stated

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box: Yes, I wish to be notified of future stages of the Local Plan

Supporting Information File Ref No: SI_77

Comment

Consultee	Tom Tugendhat MP [REDACTED]
Email Address	[REDACTED]
Address	House of Commons London SW1A 0AA
Event Name	Pre-Submission Local Plan
Comment by	Tom Tugendhat MP [REDACTED]
Comment ID	PSLP_1447
Response Date	01/06/21 15:25
Consultation Point	Policy STR/SS 3 The Strategy for Tudeley Village (View)
Status	Processed
Submission Type	Letter
Version	0.3
Files	PSLP_1447 Tom Tugendhat MP Reg18 response SI.pdf
Data inputter to enter their initials here	KJ
Question 1	
Respondent's Name and/or Organisation	Tom Tugendhat MP
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR/SS 3 The Strategy for Tudeley Village

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

Please accept this letter as my response to the consultation by Tunbridge Wells Borough Council (TWBC) on the Pre-Submission Local Plan. Though I do not represent any part of the borough of Tunbridge Wells in Parliament I am responding to this consultation, as I did during Regulation 18, as some of the proposals will have a clear and direct impact on Tonbridge, Golden Green, East Peckham and surrounding areas, which I am privileged to represent.

I am aware that the current, Regulation 19, consultation is separate from previous consultations undertaken by TWBC on this Local Plan. Therefore, completeness I am enclosing a copy of my letter to TWBC dated 29 October 2019 as my response to the previous consultation. This is so it can be included in the submission to the Planning Inspectorate.

The reason I do this is because the fundamental shape of the Local Plan has not changed, and the vast majority of the impacts I describe in this letter remain; as do the concerns of residents across Tonbridge and Malling. Since 2019 I have spoken with hundreds of people who have reservations about the scale and location of development on the border with Tonbridge and Malling, which is why these concerns still stand.

The representations in question focus on STR/SS1, Strategy for Paddock Wood, including land at east Capel and STR/SS3, Strategy for Tudeley Village specifically. This includes around half of the proposed development within the period that the TWBC Local Plan runs for, allocated for such a small part of the borough against the Tonbridge and Malling borough boundary, where there are already severe infrastructure issues that residents have to contend with.

I am pleased that some minor changes have been made since the TWBC Regulation 18 consultation in 2019. For example, no longer allocating land directly adjoining Tonbridge for use as a Secondary School is very welcome; the concentration of excellent existing secondary schools in south Tonbridge leads to traffic issues every morning and afternoon with so many children already travelling from afar for their education. In addition, I know that the impact of the allocation of this site on Tonbridge, especially through increased drainage and flood risk, was causing severe concerns from residents immediately neighbouring the allocation.

However, this is not to suggest that the other issues mentioned in the letter of 29 October 2019 have been resolved and I would draw attention towards the detailed comments made then, since they remain relevant. It is the strong view of the majority of residents I have spoken to across Tonbridge and Malling that the proposed mitigations are considered to be insufficient, especially in relation to the impact on the road network. In addition, the concerns referenced regarding rail and bus capacity remain, all of which would place an unsustainable burden on infrastructure in Tonbridge.

Finally, in addition to the matters discussed I wanted to mention significant concerns which have been raised by residents in East Peckham and Golden Green especially around the proposed road changes in Tunbridge Wells borough, which will have a detrimental impact on residents in Tonbridge and Malling. First, I understand that supplementary documents associated with this Local Plan proposed the closure of part of Maidstone Road in Paddock Wood, resulting in longer journey times from the central area of Paddock Wood, where the majority of amenities are located, to the north. This would clearly have an impact on the ability of East Peckham residents to visit Paddock Wood, now the location of their nearest GP practice too, increasing the distance of any car journey.

The other road change which would have a severe impact on Tonbridge and Malling would be the closure of Hartlake Road near Golden Green, which is a well used route, especially at peak time, and risks diverting even more cars on to the already congested A26 Hadlow Road through Tonbridge. As with the proposed closure in Paddock Wood, I have not yet seen any modelling which identifies the impact of either of these closures on Tonbridge and Malling, which should be a pre-requisite before any changes are made.

I had hoped that my response to this consultation would be very different, and the vast majority of the concerns raised in 2019 would have been addressed. Sadly this isn't the case which is why I have no choice but to attach a copy of my letter of 29 October 2019 which details the key changes necessary to reduce the impact of the Local Plan on Tonbridge and Malling.

I have also copied this letter to The Rt Hon Greg Clark MP and Helen Grant MP, who represent Tunbridge Wells borough.

[TWBC: see letter of 29 October 2019 attached as supporting information]

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

Comment

Consultee	Bjorn Simpole [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Tunbridge Wells Constituency Labour Party
Address	[REDACTED] [REDACTED] Tunbridge Wells [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Tunbridge Wells Constituency Labour Party [REDACTED] [REDACTED]
Comment ID	PSLP_1531
Response Date	04/06/21 15:52
Consultation Point	Policy STR 1 The Development Strategy (View)
Status	Processed
Submission Type	Email
Version	0.3
Data inputter to enter their initials here	KH
Question 1	
Respondent's Name and/or Organisation	TW Labour Party
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR 1 The Development Strategy

Question 4

Do you consider that the Local Plan:

Is legally compliant	Yes
Is sound	No
Complies with the Duty to Cooperate	Yes

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:	. It is not positively prepared
	. It is not effective
	. It is not justified

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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Whilst Tunbridge Wells Labour Party supports the development at Tudeley, we are of the view that the planned expansion of Paddock Wood is unjustified, excessive and poorly thought out.

STR1 also does not contain a commitment to provide the much needed genuinely affordable social housing which the Borough needs.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?	. No, I do not wish to participate in examination hearing session(s)
--	--

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:	Yes, I wish to be notified of future stages of the Local Plan
---	---

Comment

Consultee	Bjorn Simpole [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Tunbridge Wells Constituency Labour Party
Address	[REDACTED] [REDACTED] Tunbridge Wells [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Tunbridge Wells Constituency Labour Party [REDACTED] [REDACTED]
Comment ID	PSLP_1521
Response Date	04/06/21 15:52
Consultation Point	Policy STR 7 Climate Change (View)
Status	Processed
Submission Type	Email
Version	0.5
Data inputter to enter their initials here	KH
Question 1	
Respondent's Name and/or Organisation	TW Labour Party
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR 7 Climate Change

Question 4

Do you consider that the Local Plan:

Is legally compliant	Yes
Is sound	No
Complies with the Duty to Cooperate	Yes

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not positively prepared
- . It is not effective

Question 5

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The Local Plan is not ambitious enough on Climate Change and fails to fully embrace the extent of change needed to ensure that new development is fully compliant with the policy set by the council to be carbon neutral by 2030.

It does not contain the range of comprehensive measures needed that reflect the reality of the climate emergency that we are facing.

Question 6

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For an example of a Local Plan which is more ambitious on climate change see this link

<https://www.salford.gov.uk/planning-building-and-regeneration/planning-policies/local-planning-policy/salfords-development-plan/salford-local-plan/revised-draft-local-plan-chapters/6-climate-change/>

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Bjorn Simpole [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Tunbridge Wells Constituency Labour Party
Address	Len Fagg Hall 71 St John's Road Tunbridge Wells TN4 9TT
Event Name	Pre-Submission Local Plan
Comment by	Tunbridge Wells Constituency Labour Party [REDACTED] [REDACTED]
Comment ID	PSLP_1517
Response Date	04/06/21 15:52
Consultation Point	Policy STR/RTW 2 Royal Tunbridge Wells Town Centre (View)
Status	Processed
Submission Type	Email
Version	0.3
Data inputter to enter their initials here	KH
Question 1	
Respondent's Name and/or Organisation	TW Labour Party
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
	Policy STR/RTW 2 Royal Tunbridge Wells Town Centre
Question 4	
Do you consider that the Local Plan:	

Is legally compliant	Yes
Is sound	No
Complies with the Duty to Cooperate	Yes

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not positively prepared
- . It is not effective

Question 5

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This policy omits reference to providing genuinely affordable housing in the town centre and the valuable contribution more residential development of mixed tenures could have to help revitalise our town centre.

It also takes insufficient account of the changing work patterns arising from COVID-19 and the need for flexible and affordable workspace for a wide range of individuals and organisations.

Question 6

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The provision of genuinely affordable housing and workspace is a policy priority in the revitalisation of Tunbridge Wells Town centre.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Future Notifications

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Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Bjorn Simpole [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Tunbridge Wells Constituency Labour Party
Address	[REDACTED] [REDACTED] Tunbridge Wells [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Tunbridge Wells Constituency Labour Party [REDACTED] [REDACTED]
Comment ID	PSLP_1529
Response Date	04/06/21 15:52
Consultation Point	Policy STR/PW 1 The Strategy for Paddock Wood (View)
Status	Processed
Submission Type	Email
Version	0.3
Data inputter to enter their initials here	KH
Question 1	
Respondent's Name and/or Organisation	TW Labour Party
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR/PW 1 The Strategy for Paddock Wood

Question 4

Do you consider that the Local Plan:

Is legally compliant	Yes
Is sound	No
Complies with the Duty to Cooperate	Yes

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because: . It is not justified

Question 5

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Tunbridge Wells Labour Party believes that the proposed allocations for Paddock Wood are excessive and not justified.

Question 7

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Comment

Consultee	Bjorn Simpole [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Tunbridge Wells Constituency Labour Party
Address	[REDACTED] [REDACTED] Tunbridge Wells [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Tunbridge Wells Constituency Labour Party [REDACTED] [REDACTED]
Comment ID	PSLP_1526
Response Date	04/06/21 15:52
Consultation Point	Policy H 3 Affordable Housing (View)
Status	Processed
Submission Type	Email
Version	0.3
Data inputter to enter their initials here	KH
Question 1	
Respondent's Name and/or Organisation	TW Labour Party
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy H 3 Affordable Housing

Question 4

Do you consider that the Local Plan:

Is legally compliant	Yes
Is sound	No
Complies with the Duty to Cooperate	Yes

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not positively prepared
- . It is not effective

Question 5

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Tunbridge Wells Labour Party believes that the Local Plan should be far more ambitious for the Borough's residents in the provision of genuinely affordable housing at social rent and that the Council should commit itself to be a builder of council homes and a registered social landlord.

We are concerned that government planning reforms in relation to social housing has the potential to undermine the delivery of housing at social rent levels. The new starter homes proposals will not meet the needs of residents who require access to genuinely affordable housing.

It is imperative that the Local Plan is adopted prior to the effect of government changes in planning policy taking effect as they would be so damaging for the provision of new housing at social rent levels.

Question 6

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The Local Plan should commit to the delivery of genuinely affordable housing including those at social rent levels. The use of the term 'affordable' has been undermined repeatedly and is a term used for many forms of subsidised though still unaffordable homes.

Question 7

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No, I do not wish to participate in examination hearing session(s)

Future Notifications

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Comment

Consultee	Bjorn Simpole [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Tunbridge Wells Constituency Labour Party
Address	Len Fagg Hall 71 St John's Road Tunbridge Wells TN4 9TT
Event Name	Pre-Submission Local Plan
Comment by	Tunbridge Wells Constituency Labour Party [REDACTED] [REDACTED]
Comment ID	PSLP_1513
Response Date	04/06/21 15:52
Consultation Point	Policy TP 4 Public Car Parks (View)
Status	Processed
Submission Type	Email
Version	0.5
Data inputter to enter their initials here	KH
Question 1	
Respondent's Name and/or Organisation	Tunbridge Wells Labour Party
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy TP 4 Public Car Parks

Question 4

Do you consider that the Local Plan:

Is legally compliant	Yes
Is sound	No
Complies with the Duty to Cooperate	Yes

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not positively prepared
- . It is not effective
- . It is not justified

Question 5

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There is an over provision of car parking in Tunbridge Wells Town Centre and it is not sound to retain the number of existing parking places. This policy is not compatible with efforts to reduce car use, improve air quality and meet the challenge of the climate emergency. A reduction in car parking spaces would support the Council objectives and policy to build a more sustainable borough. This policy actively undermines this objective.

Question 6

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Surplus town centre car parks and parking spaces should be identified and options considered for their use for the public good. This could include the provision of Council built social housing on redundant car parks that are too expensive to maintain and are no longer required (i.e. Meadow Road)

Question 7

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Future Notifications

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Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Scott Bartlett ([REDACTED])
Email Address	[REDACTED]
Company / Organisation	Tunbridge Wells Football Club
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Tunbridge Wells Football Club (Scott Bartlett - [REDACTED])
Comment ID	PSLP_1293
Response Date	04/06/21 13:59
Consultation Point	Policy AL/RTW 19 Land to the north of Hawkenbury Recreation Ground (View)
Status	Processed
Submission Type	Web
Version	0.1
Question 1	
Respondent's Name and/or Organisation	Scott Bartlett Tunbridge Wells Football Club
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Don't know
Is sound	No
Complies with the Duty to Cooperate	Don't know
Question 4a	
If you consider that the Local Plan is not sound, please answer this question.	

Do you consider that the Local Plan is not sound because: . It is not effective
. It is not justified

Question 5

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The impact of potentially moving Tunbridge Wells Football Club from its home at the Culverden Stadium would have an impact on Hawkenbury with increased traffic also the idea of having a stadium surrounded by 11-a-side football pitches would not work with traffic and congestion this would cause on match days. There has been no official meeting to discuss this proposal and how the potential financial effect.

Question 6

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The idea of a sports hub makes sense for local sports without the relocation of TWFC and the cost of a new stadium.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . Yes, I wish to participate in hearing session(s)

Comment

Consultee	Scott Bartlett ([REDACTED])
Email Address	[REDACTED]
Company / Organisation	Tunbridge Wells Football Club
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Tunbridge Wells Football Club (Scott Bartlett - [REDACTED])
Comment ID	PSLP_1299
Response Date	04/06/21 14:13
Consultation Point	Map 20 Site Layout Plan (View)
Status	Processed
Submission Type	Web
Version	0.1
Question 1	
Respondent's Name and/or Organisation	Scott Bartlett Tunbridge Wells Football Club
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Don't know
Is sound	No
Complies with the Duty to Cooperate	Don't know
Question 4a	
If you consider that the Local Plan is not sound, please answer this question.	

Do you consider that the Local Plan is not sound because: . It is not justified

Question 5

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The impact on moving Tunbridge Wells football Club away from the Culverden would have a massive effect on the local wildlife with the family of deer that currently live in the grounds and surrounding area. There is also the financial impact on the club having to move with no discussion so far offered from the council.

Question 7

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Future Notifications

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Supporting Information File Ref No: SI_56

Comment

Consultee	Mr John Hurst [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Tunbridge Wells Green Party
Address	[REDACTED] Tunbridge Wells [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Tunbridge Wells Green Party [REDACTED] [REDACTED]
Comment ID	PSLP_958
Response Date	02/06/21 09:38
Consultation Point	Policy STR 1 The Development Strategy (View)
Status	Processed
Submission Type	Email
Version	0.6
Files	PSLP_958_Tunbridge Wells Green Party_SI-1_PSLP Figures.pdf
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Tunbridge Wells Green Party
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
	Policy STR 1 The Development Strategy
Question 4	

Do you consider that the Local Plan:

Is legally compliant	No
Is sound	No
Complies with the Duty to Cooperate	Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:	<input type="checkbox"/> It is not positively prepared
	<input type="checkbox"/> It is not effective
	<input type="checkbox"/> It is not justified
	<input type="checkbox"/> It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

Summary

The PSLP has not been properly prepared because:

1. Despite being asked to build far more houses than a constrained Borough like Tunbridge Wells can responsibly accommodate, the Council failed to try and influence the Government to change the calculation method. As the Green Party highlighted in their 2019 DLP submission, adoption of the ONS's revised 2016 methodology would result in a 35% reduction in the number of houses to be built, and thereby enable use of the Green Belt to be avoided altogether.
2. The Council was misled in the documentation for its 3 Feb 2021 Full Council meeting by a statement that the Housing Minister's Dec 2020 reform of the standard method applies "mostly to cities", meaning Councillors were not briefed on the Secretary of State's reformed standard method, and hence their decision to approve the PSLP going to Regulation 19 consultation was invalid.

The PSLP is unsound because:

3. The PSLP ignores the Secretary of State's Dec 2020 clarification of his reformed standard method, which he said should use the housing numbers derived from the standard method as a "starting point" for planning around constraints, and instead places some 50% of the ca 8,500 new dwellings in the Green Belt; it also puts many in sensitive AONB locations.
4. The PSLP contains an additional 1,050 dwellings above the number derived from use of the standard method, resulting in particularly damaging developments being included in the PSLP, which further contributes to its being unsound.

[TWBC: For PSLP Figures Table, please see supporting documents]

Discussion

1. Not rejecting the excessive Government housing target for Tunbridge Wells

In round figures, the PSLP proposes placing some 50% of its 8,500 new houses in Green Belt areas, which is so serious, it means this valuable planning constraint has effectively been ignored.

The spreadsheet calculation of this percentage, based on the figures available to the public in January 2021 is attached, and while the PSLP's final figures are slightly different, it is valid for this submission's purposes.

When this gross intrusion into the Green Belt had become clear, the Council should have fed back to the Government the implications of the excessive housing numbers, and pressed for a reduction, preferably via a revised standard method, such as the "2016" version proposed by the Office for National Statistics.

The interactive map in this website demonstrates the impact the use of the 2016 methodology would have on Tunbridge Wells' numbers – a reduction of 35%:

(see web link)

It is noted that the Council DID push back on the "mutant algorithm" proposed by the Ministry for Housing, Communities and Local Government (MHCLG) in Q3 2020, and after many other Councils and MPs joined in, the proposed algorithm was dropped by MHCLG; Tunbridge Wells Borough Council should have done the same for the 2014 standard method, rather than continue to simply implement its damaging repercussions.

The PSLP has thus not been properly prepared.

2. Tunbridge Wells Borough Council was misled by the statement that the Dec 2020 reform of the standard method applies "mostly to cities"

On 26 January 2021, in the run-up to the Full Council meeting of 3 February 2021, TWBC issued a version of the PSLP for Councillors to review and approve, along with a preceding 23-page Summary document.

In paragraph 3.19 on page 10 of that Summary document, there is a statement that *"MHCLG confirmed, on 16th December 2020 that the changes to the standard method would essentially only apply to city areas."*

The crucial clarification of the reform of the standard method by MHCLG quoted in 3. below was not included in this guidance to Councillors, and together with the statement in paragraph 3.19, left the Councillors inadequately informed on the basis for the numbers in the PSLP, and the obligation on LPAs to make plans that take account of the Green Belt and other similar constraints.

This procedural error renders the 3 Feb 2021 Full Council decision to approve and progress the PSLP invalid, and means the PSLP itself has not been properly prepared.

3. Ignoring the Secretary of State's Dec 2020 statement clarifying the application of his reformed standard method

On 16th December 2020 the Minister of Housing, Communities and Local Government (MHCLG) Robert Jenrick stated on the Gov.uk website (where it remains) in relation to his reform of the standard method for assessing local housing need that:

"Within the current planning system the standard method does not present a 'target' in plan-making, but instead provides a starting point for determining the level of need for the area, and it is only after consideration of this, alongside what constraints areas face, such as the Green Belt, and the land that is actually available for development, that the decision on how many homes should be planned for is made. It does not override other planning policies, including the protections set out in Paragraph 11b of the NPPF or our strong protections for the Green Belt. It is for local authorities to determine precisely how many homes to plan for and where those homes most appropriately located. In doing this they should take into account their local circumstances and constraints. In order to make this policy position as clear as possible, we will explore how we can make changes through future revisions to the National Planning Policy Framework, including whether a renaming of the policy could provide additional clarity".

TWBC ignored this Ministerial statement, and continued to propose a Pre-Submission Local Plan (PSLP) that took no account of the Green Belt constraints, and it has put forward a PSLP that places some 50% of its new dwellings in the Green Belt, and also contains some developments in the High Weald Area of Outstanding Natural Beauty (AONB) that conflict with the intent of the NPPF.

The PSLP is thus unsound.

4. Including 1,050 additional houses above the standard method's numbers in the PSLP

Compounding the error caused by taking the outcome of the standard method as a "target" rather than a "starting point", TWBC retained 1,050 dwellings in its average target above the standard method's calculated numbers, with no robust rationale other than referring to it as a "buffer".

Examination of the PSLP at a high level reveals that this has resulted in some particularly damaging developments being left in, when they could have been omitted to the benefit of the environment, the local communities impacted, and the Borough as a whole.

Examples of this include, but are not limited to:

AL/RTW16 Land to the west of Eridge Road at Spratsbrook Farm (known locally as Ramslye Field); Green Belt - 120 dwellings

AL/RTW14 Land at Wyevale Garden Centre; Green Belt - 25 to 30 dwellings

AL/RTW5 Land to the south of Speldhurst Road and west of Reynolds Lane at Caenbrook Farm; Green Belt - 100 dwellings

STR/SS1 The Strategy for Paddock Wood's most flood-prone areas, including Site numbers 20, 79, 141, 142 and 309; Green Belt - some 600+ dwellings

AL/BE3 & BE4 Land at Benenden Hospital, East End; AONB - 75+ dwellings

The arbitrary addition of these 1,050 dwellings renders the PSLP unsound.

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan 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.

Full reassessment of the Local Plan on the basis of a number of houses that can be developed without impacting the Green Belt or involving destructive developments in the High Weald AONB.

In any case, removal of the arbitrary additional 1,050 houses from the total, and deletion of the developments listed in paragraph 4 of our representation.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . Yes, I wish to participate in hearing session(s)

Question 7a

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

The representation made above describes some fundamental shortfalls in the PSLP and how it has been developed and approved, and I believe it would assist the Inspector if I could explain them in person.

Question 8

If you have any separate comments you wish to make on the accompanying Sustainability Appraisal, please make them here.

No additional comments, thanks.

If you would like to attach a file in support of your comments, please upload it here.

[PSLP 958 Tunbridge Wells Green Party SI-1 PSLP Figures.pdf](#)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Supporting Information File Ref No: SI_81

Comment

Consultee	V Segall Jones [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Tunbridge Wells Older People's Forum (TWOPF)
Address	[REDACTED] Tunbridge Wells [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Tunbridge Wells Older People's Forum (TWOPF) [REDACTED] [REDACTED]
Comment ID	PSLP_1544
Response Date	04/06/21 14:32
Consultation Point	Pre-Submission Local Plan (View)
Status	Processed
Submission Type	Email
Version	0.4
Files	PSLP_1544_TWOPF_Membership_Covid-19_isolation_report_Report_2020_SI.pdf

Data inputter to enter their initials here KJ

Question 1

Respondent's Name and/or Organisation Tunbridge Wells Older People's Forum (TWOPF)

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Various comments on aspects of whole Plan

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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TWOPF very much welcomes the opportunity to respond to the consultation on the comprehensive and in-depth Local Plan. TWOPF seeks to ensure that all residents enjoy the many natural, social, cultural and economic advantages Tunbridge Wells offers.

TWOPF focuses on such elements locally that benefit all people, and especially those who may be older and/or less able to be fully independent whether through, permanent or temporary limitation in their access to, interaction with and enjoyment of Tunbridge Wells' life, facilities and services.

TWOPF recognises the demographic profile and the forecast growth of an ageing population nationally and within the Tunbridge Wells Borough Council area. To that end, TWOPF wishes to flag some key practical aspects that can make a huge and positive impact on the well-being, integration and contribution of older people to the community.

Housing

1 Affordable

The proportion and category of affordable housing development should be in accordance with the local plan policy quota.

1 Older People's housing needs

- . More and appropriate choice of purpose built housing for older people.
- . All new housing to be built with adaptability for disabilities.

Infrastructure

Good infrastructure helps enable older people to have fulfilling independent lives for as long as possible. This should be a prerequisite of any new housing, civic or commercial development. For established communities, existing facilities should be protected or improved. The infrastructure should support people getting out and about safely, easily and in a timely manner.

Well-being, Exercise and Access

- 1 Outdoor space – all housing should have some outside space, whether a garden or a balcony.
- 2 Well maintained, wide and level pavements and dropped kerbs with safe, identifiable and visible crossing points.
- 3 Car parking that enables easily navigable pay systems.
- 4 Sufficient disabled parking bays in central or high demand locations.
- 5 Living in a “walkable town or village” – and as such any new housing and commercial development should be local and have easily access to daily life facilities including General Practitioner Surgeries, pharmacies, banks, post office, shops, library and community centre.
- 6 Public transport should have easily accessible vehicles, have multiple routes that link residential areas and the town and village centres, and services are frequent and give extensive timetables.

Local Green spaces

- 1 Safeguarding the number and overall volume of green areas, increasing the numbers and variety of trees and greenery in line with a greener and healthier vision.
- 2 Maintaining the extent, worth and value of nature and the local wildlife.
- 3 Promoting a litter free communities, green areas and park spaces.
- 4 Support rewilding of parks, verges and other spaces to promote enjoyment of the natural environment and an improved ambiance.
- 5 Introduce electric vehicle charging points in new housing and commercial developments.

Celebrating outdoor community life

1 Safe, widespread and freely accessible places to rest and/or socialise – actively encouraging people to mix in and benefit from their community; and actively combatting loneliness and isolation. New developments to have a proportion of outdoor space which is sheltered or undercover.

1 To have widespread, clean and well maintained civic amenities and facilities that invite and support people of all ages to retain their independence and confidence:

Specifically:

- 1 Public lavatories throughout the town and be adapted for people with disabilities.
- 2 Ample seating / resting areas – including park and street benches; bus stop seats and benches with IT connectivity.
- . Obstruction and clutter-free pavements which help older and disabled people to go where and when they choose (whether on foot, in a wheelchair, mobility scooter etc.)

For more detail please see TWOPF Covid-19 Report. [TWBC: see attached report]

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

If you would like to attach a file in support of your comments, please upload it here.

[PSLP 1544 TWOPF Membership Covid-19 isolation report Report 2020 SI.pdf](#)

Comment

Consultee	Miss Elizabeth Turton [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] Tonbridge [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Miss Elizabeth Turton [REDACTED]
Comment ID	PSLP_1192
Response Date	04/06/21 09:40
Consultation Point	Policy STR/SS 3 The Strategy for Tudeley Village (View)
Status	Processed
Submission Type	Web
Version	0.3
Question 1	
Respondent's Name and/or Organisation	Elizabeth Turton
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy STR/SS 3	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Don't know
Is sound	No
Complies with the Duty to Cooperate	Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not effective
- . It is not justified
- . It is not consistent with national policy

Question 5

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The so-called Tudeley Village development (by the time it is complete it will be a town not a village) creates so many negatives concerning traffic, infrastructure, AONB setting, environment, bio-diversity, flood risk, urban sprawl. TWBC has failed to cooperate with its neighbouring boroughs. It does not comply with government policy on green belt provision.

I have lived in Tonbridge for nearly 36 years and have seen the town grow hugely, especially in the last 10 years with the result that local roads are congested with traffic and parking. I opposed the original Tunbridge Wells Borough Council Local Plan under Reg 18 because the size and scale of the proposed development at Tudeley and Paddock Wood was well beyond what the area was capable of sustaining. Despite hundreds of objections the Council has ignored most of them and have even, unbelievably, substantially increased the size of the proposed developments at both Tudeley and Paddock Wood. My comments below are on the Tudeley proposal.

The TWBC draft plan being submitted to the Planning Inspector under Reg 19 is a cynical attempt to foist a massive house building scheme (50% of the total in the PLP) on one out of 20 wards in the borough, away from Tunbridge Wells and adjacent to the border with Tonbridge & Malling Borough. Tonbridge will suffer a huge impact on its infrastructure and quality of life for its residents whilst receiving no benefits from increased council tax or developer contributions. It shows a complete lack of understanding of the constraints which Tonbridge lives with currently.

It is extremely likely that most of the proposed housing will be sold to people re-locating from London. Since Covid there has been a surge in the Tonbridge housing market as London residents seek to leave the city. Inevitably many will commute into London or have to travel out of the 'village' for work even post-Covid. And how will they travel? A large proportion will drive to Tonbridge Station or through Tonbridge. No-one is going to go to Paddock Wood Station and pay more for that extra 7 minutes on the train. The 'aspirational' station at Tudeley is never likely to be built. Very few will cycle. Very few will take the bus (which does not exist at the moment and isn't planned for some years). Where will these residents shop, where will they go to school, visit the dentist or the doctor? The proposed primary school and secondary school will not be completed until a large number of homes have been built. It is naïve to think that as soon as they are opened parents will uproot their children from schools they have been attending previously, possibly for some years.

So the number of journeys between Tudeley and Tonbridge will rise considerably on top of what the town has to cope with now. The problem is that Tonbridge, being bisected west to east by the River Medway, only has two roads which cross the river north to south; the A227 High Street which takes you to the car parks near the station and the A21, and the A26 Cannon Lane/Vale Road which goes through the industrial estate and connects to the Tudeley road, the B2017. These roads and the junctions close to the town centre are already heavily congested and not just at morning and afternoon rush hours. A minor incident can grid-lock the whole area within minutes. At peak times traffic can queue from Five Oak Green to the B2017/A26 junction and then to join the A21 or travel into Tonbridge

to join the A26 to Tunbridge Wells. Tonbridge & Malling Borough Council's own Plan aims to put another 400 plus homes on a road where the only way out is onto the A26 not far from the station at a mini-roundabout. The town is not able to solve the problem and adding more and more homes aggravates an already very difficult situation. In addition, some warped logic on the part of TWBC proposes that Hartlake Road be closed to through traffic. They create the possibility of considerably more traffic and then close a road which provides an alternative to those wishing to by-pass Tonbridge from the east. This will create even more pressure on the Hadlow Road into the town which is already.

Of course, the traffic problem does not start when the whole development is complete. There will be years of heavy construction traffic using country lanes to access the Tudeley site before any additional road provision is made. This will be in addition to similar amounts of such traffic accessing the East Capel and Paddock Wood sites. Air and noise pollution levels for current residents will increase.

The Tudeley development will swallow up large swathes of prime agricultural land, plus hundreds of acres of precious Green Belt. Once built over it is gone for ever. In the owner of Hadlow Estate, TWBC have found a landowner who is prepared to profit from selling a substantial amount of the land he inherited instead of being a custodian of the countryside and protecting it and ensuring his tenants' futures. It saves TWBC so much effort instead of finding small pockets of land which can be sensitively developed where they would have to negotiate with numerous landowners. The town of Tunbridge Wells itself has development sites which have been derelict for many years and it is in serious decline, in need of regeneration with many opportunities for housing.

The Conservative Government, in the person of the Prime Minister, has said that Green Belt should be protected but TWBC, a Conservative council, seem not to agree. In addition to building on Green Belt they are planning to extend quarrying which will swallow up another 200 acres. The Green Belt is supposed to protect against urban sprawl. By ignoring its designation in this case the space between Tonbridge, Tudeley, Five Oak Green and Paddock Wood will practically disappear. As well as constructing housing land will be sacrificed to widening or building new roads. There will be more and more built environment instead of green space. Obviously with the loss of so much agricultural and green belt land biodiversity can only suffer. They have not taken the character of the landscape into account, the Green Belt and the High Weald AONB.

Flooding is a significant issue in the Tudeley area. Hartlake Road was closed for days at a time in the winter just passed, 2020/21, as it has been in the majority of the winters for the last ten years. How does adding 2,000 plus homes as well as commercial, educational and medical facilities and the necessary roads and paths help to control flooding from the River Medway? The farmland can absorb the water during the winter and still be viable the rest of the year for production. The Tudeley development will exacerbate the problem locally and push the problem downstream as well. The mysterious 'mitigation' of the flood risk is not explained.

As far as I can see, Tunbridge Wells Borough Council have ignored the objections raised at the Reg 18 stage of the PLP. They have considered their borough in isolation, as if it is an island with no relevance to the boroughs which surround it and their Local Plans.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Supporting Information File Ref No: SI_88

Comment

Consultee	Mrs Esther Twinley [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] Meopham [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Mrs Esther Twinley [REDACTED]
Comment ID	PSLP_1671
Response Date	03/06/21 18:38
Consultation Point	Policy H 9 Gypsies and Travellers (View)
Status	Processed
Submission Type	Email
Version	0.3
Files	2779-24B- Gypsy and Traveller site block plan.pdf 2779-23- Proposed Site Plan.pdf

Data inputter to enter their initials here	KH
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Question 1

Respondent's Name and/or Organisation	Mrs Esther Twinley
---------------------------------------	--------------------

Question 3

To which part of the Local Plan does this representation relate?	Policy
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Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy H 9 Gypsies and Travellers

Question 4

Do you consider that the Local Plan:

Is legally compliant No

Is sound No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not positively prepared
- . It is not effective
- . It is not justified
- . It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

Object: The capacity of the site should be increased from 3 pitches to 10 pitches. The allocation of land at Greenfields Farm is supported in principle. A planning application has been submitted for 10 pitches which is currently being considered by the council (21/00600/FULL). Gypsy and Traveller pitches will be made available quickly and within the next three years. The site is viable and deliverable. Please see the attached block plan, and site layout plan (*TWBC Comment - maps attached*). Each pitch is between 400 and 500 sqm and there is sufficient space for a mobile home, a commercial van, a touring caravan, family car, and garden space.

I therefore object to the allocation of the site for only 3 pitches and request the capacity is amended to 10. 3 pitches would not be an efficient use of land, because the density would be very low, contrary to criteria 1 of the proposed policy. Drainage infrastructure (swales and storage pond) and contributions to the District Level Licencing Scheme (which has already been agreed by Natural England) would make viability for only 3 pitches very challenging.

There is significant interest in the site from local Gypsy families and there is a clear demand. Indeed, a simple borough wide 'need' figure is almost impossible to accurately estimate because the Gypsy community do not restrict their site search to administrative boundaries and not everyone makes themselves available for research questionnaires to determine future demand. We also know of numerous Gypsies in 'brick and mortar' accommodation who want to live in a mobile home. In any case, the identified need is a minimum figure only and it would be a positive and proactive response for the site to be used to a higher density.

The pitches will be provided to rent and this increases the number of accommodation options, i.e. transit sites, rented sites and owned sites.

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan 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.

Amend the capacity of the Gypsy and Traveller site at Greenfields Farm (Policy H9, site reference DCP15) to 10 Gypsy and Traveller pitches.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . Yes, I wish to participate in hearing session(s)

Question 7a

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If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

To respond to any questions the Inspector has and ensure that the plan delivers sustainable development.

Question 8

If you have any separate comments you wish to make on the accompanying Sustainability Appraisal, please make them here.

I disagree with the assessment that the site is remote. It is a suitable location for a Gypsy and Traveller site. Cycle parking will be made available and proposed extensions to Paddock Wood mean that the site will be very close indeed to the urban area. The manager of the site proposes to ensure that car sharing for school and shopping trips reduces the number of car movements. Furthermore, there is a bus stop nearby.

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box: Yes, I wish to be notified of future stages of the Local Plan

Supporting Information File Ref No: SI_152

Comment

Agent	Kelly Phillips ([REDACTED])
Email Address	[REDACTED]
Company / Organisation	Lichfields
Address	The Minster Building 21 Mincing Lane London EC3R 7AG
Consultee	[REDACTED]
Company / Organisation	U+I Group PLC & Robert Sheridan Bowie
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	U+I Group PLC & Robert Sheridan Bowie (- [REDACTED])
Comment ID	PSLP_2134
Response Date	04/06/21 11:15
Consultation Point	Policy STR 1 The Development Strategy (View)
Status	Processed
Submission Type	Email
Version	0.8
Files	PSLP_2134_Lichfields for U+I & RSB Representation & Annex 1
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	U+I Group PLC & Robert Sheridan Bowie
Question 2	
Agent's Name and Organisation (if applicable)	Lichfields
Question 3	

To which part of the Local Plan does this representation relate?

Policy

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR 1 The Development Strategy

Paragraph No(s) 4.35 – 4.60

Policies Map (Inset Map No(s)) 1

Question 4

Do you consider that the Local Plan:

Is legally compliant Yes

Is sound No

Complies with the Duty to Cooperate Yes

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not justified
- . It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

Whilst U+I and RSB support the allocation of Land adjacent to Longfield Road (Policy AL/RTW 17) for employment use and Land at the former North Farm landfill site (Policy AL/RTW18) for recreational use, they have significant reservations about the overall development strategy for realistically meeting the required housing need of 12,204 dwellings over the plan period, and therefore formally object to the Plan. Please see letter of representations for further detail.

[TWBC: the following text is from the Letter of Representation - for the full representation, including Annex 1, please see supporting documents]

Tunbridge Wells Borough Council Pre-Submission Local Plan – Representations relating to Land South of Appletree and Devils Wood

On behalf of U+I Group PLC (U+I) and Robert Sheridan Bowie ('RSB'), we submit below representations in response to the Regulation 19 Tunbridge Wells Borough Council ('TWBC') Pre-Submission Local Plan issued for public consultation until 4 June 2021.

By way of background we have proactively engaged with the Council through the Local Plan preparation stages, including the submission of two sites at Land adjacent to Longfield Road and Land South of Appletree and Devils Wood in July 2016, in response to the Call for Sites for the Strategic Housing

and Economic Land Availability Assessment. We subsequently responded to the Issues and Options consultation and Call for Sites in June 2017, promoting these sites for development as a natural extension to the existing industrial area to the north of the city. In November 2019 we submitted further representations in response to the Regulation 18 Draft Local Plan public consultation, promoting Land South of Appletree and Devils Wood for future housing development.

Employment Land

U+I and RSB welcome the allocation of Land adjacent to Longfield Road for a new business park under Policy AL/RTW 17. U+I is committed to the delivery of this site to assist in meeting the Council's employment needs in the short to medium term. An application for outline planning permission for development was permitted on 12 March 2021 (ref. 19/02267/OUT).

Housing Land

U+I and RSB are aware of the wider development pressures and the need to accommodate considerable amounts of new housing development over the plan period to meet the needs of the Borough. The standard method housing need figure for the Borough is 678 dwellings per year; over the full plan period 2020-2038, this equates to a need of some 12,200 dwellings.

The proposed strategy for meeting this housing need is consolidated by Policy STR1, which sets out the quantum of development that will be allocated within or around settlements to meet the identified needs of the borough over the plan period. This strategy seeks to meet the majority of the Council's need via the delivery of a new Garden Village at Tudeley and through the strategic extension of Paddock Wood/East Capel, plus smaller sites distributed across the borough and limited Green Belt release.

It is noted that Land South of Appletree and Devils Wood has not been allocated in the Pre-Submission Local Plan. The site has previously been promoted by U+I and RSB as a sustainable option for future housing development and we consider that it can make a valuable contribution to meeting housing need. The site constitutes a parcel of land, under single ownership, to the north of Tunbridge Wells with an area of 53.95 ha. The site would form a natural extension to the existing residential development to the south west, with connections to Kingstanding business park, including new infrastructure and services to be delivered under outline permission 19/02267/OUT and has the potential to deliver circa 600 residential units.

Representations

U+I and RSB welcome the opportunity to comment on the Pre-Submission Local Plan and the Council's commitment to meeting the needs of the area. Whilst they support the allocation of Land adjacent to Longfield Road (Policy AL/RTW 17) for employment use and Land at the former North Farm landfill site (Policy AL/RTW18) for recreational use, they have significant reservations about the overall development strategy for realistically meeting the required housing need of 12,204 dwellings over the plan period, and therefore write to formally object to the Plan.

Development Strategy and Strategic Policy STR1

U+I and RSB's objections largely relate to the balance between strategic and non-strategic site allocations and the anticipated delivery trajectory. Of the new housing allocations (set out in Table 4 of the Pre-Submission Local Plan), 67% are to be delivered as part of the strategic extension to Paddock Wood (3,590 homes) and the new Garden Community at Tudeley (2,100 homes within the plan period). U+I and RSB have concerns that such a large proportion of the Borough's housing is concentrated in a small part of the Borough and on strategic sites. The development of both of these sites will require a fully master-planned approach, and the preparation of SPDs (see paras 5.193 and 5.229 of the Plan). These will need to be adopted before any planning permissions for substantial new development are granted and will therefore be a time-consuming process.

In relation to build-out rates, we would draw the Council's attention to Lichfields' 2020 research document – 'Start to Finish', which provides evidence pertaining to the speed and rate of delivery of large-scale housing, based on 180 assessed sites. It identifies that the average time taken from outline decision notice to first dwelling completion is 3 years on sites of 500+ homes. For larger scale sites (2,000+ homes) it estimates an average 8.4 years from validation of the first planning application to the first dwelling being completed.

The Housing Supply and Trajectory Topic Paper (HS&T) (2019) forecasts that the Tudeley Garden Community will begin to deliver homes from 2025/26 onward, with an initial build out rate of 150 dpa, rising to 200 dpa from year 6 onwards. Delivery of the site is expected to extend beyond the Plan

period (2036+). For the Paddock Wood extension, homes will start to be delivered in 2024/25 at an average build out rate of 333 dpa – which is over double the average rate for larger schemes identified in Lichfields' research (estimated 160 dpa for a scheme of 2,000+ dwellings). The higher build out trajectory is based on the fact that numerous house builders would be involved in the construction of different phases – although it is stated within the HS&T that TWBC cannot confirm how many housebuilders will deliver this site.

The Council appear to have underestimated the delivery/build-out rates of large strategic sites and Garden Communities. We refer to recent case law which comments on this matter - Inspector Roger Clews letter to the North Essex Authorities (15 May 2020) (IED/022) on the Examination of the Shared Strategic Section 1 Plan. The Inspector concludes that:

"I find there is no evidence to support the view that the proposed GC sites are capable of delivering at that level consistently (300 dpa)...over that timescale, the best evidence on likely delivery rates at the proposed GCs remains 'Start to Finish's' annual average figure of under 200dpa for greenfield sites of more than 2,000 dwellings." (para. 174 IED/022).

In relation to lead-in times, the Inspector states:

"In general terms, it is reasonable to assume that the planning approval process would allow housing delivery at any GC to start within four or five years from the adoption date of the plan (or plan revision) which establishes the GC in principle." (Para 176 of IED/022).

It is U+I and RSB's view the Council have applied an overly optimistic development trajectory for the delivery of these strategic sites, both in terms of the start date for completions and expected build out rates, disregarding the conclusions of the Lichfields' Start to Finish Report and the time it would take to masterplan and deliver the strategic sites. This fails to accord with para. 72 of the NPPF which requires strategic policy-making authorities to make a realistic assessment of likely rates of deliver, given the lead-in times for large scale sites.

TWBC's latest Five Year Housing Land Supply Statement (2019/20) identifies that the Council can currently demonstrate a housing land supply of 4.83 years. U+I and RSB are concerned that if the housing delivery slips beyond the trajectory identified in the HS&T, this result in less dwellings in the 5 year period, resulting in a fragile 5 year HLS. It is therefore considered that the Council should allocate more small-medium sized sites that could deliver homes in the short-medium term and help to bolster the 5 year HLS until Tudeley Village and Paddock Wood begin to delivery housing.

In addition, being overly reliant on a Garden Community, which does not benefit from existing infrastructure, to deliver the majority of the planned supply within the Plan period is not an appropriate strategy. The proposed infrastructure improvements to deliver Tudeley Village are significant and include:

- . On and off-line improvements to the A228 around Colts Hill;
- . The provision of a new highway which bypasses Five Oak Green;
- . Significant improvements to various local junctions;
- . Six-form entry secondary school, a three-form entry primary school; and
- . Cycling linkages to Paddock Wood.

Having reviewed the Infrastructure Delivery Schedule (Appendix 1 of the TWBC Infrastructure Delivery Plan, March 2021), the funding and delivery timetable of the above infrastructure is still relatively vague. It is also considered that the delivery of this significant infrastructure may prove highly vulnerable to obstacles to delivery, particularly given the Borough's environmental constraints. A greater proportion of development should therefore be directed towards the Borough's main settlement at Royal Tunbridge Wells, which is only allocated 18% of the total allocations (1,536 homes). This is a sustainable location for growth, already benefitting from significant infrastructure, which is to be further improved via the new plans under outline consent ref: 19/02267/OUT, and being the main settlement in the Borough, is a hub for employment, retail, education and public transport for the wider region.

Exceptional Circumstances for Green Belt Release

The Council has already identified that exceptional circumstances exist, in relation to meeting the Borough's housing need, to alter the boundaries of the Green Belt and to remove land from the designation for proposed development (para. 4.125). In essence, the Council have determined that there are no other reasonable alternatives other than releasing Green Belt land to meet the housing needs of TWBC. The NPPF (para. 138) indicates that when drawing up Green Belt Boundaries, the

Council should consider the need to promote a sustainable pattern of development, channelling development towards the urban area.

The Borough is heavily constrained with 74.5% of designated Green Belt land also within the AONB. Virtually any growth of the more sustainable parts of the Borough e.g. Royal Tunbridge Wells, would impact on the Green Belt and/or the AONB. Neighbouring local authorities have confirmed they are unable to meet any of TWBC's and therefore the release of Green Belt land is necessary to meet the identified development needs of the borough.

In addition to housing need, the following are considered to constitute exceptional circumstances that would justify releasing Land South of Appletree and Devils Wood from the Green Belt:

- . The allocation of the site would assist in the delivery of economic, social and environmental gains in accordance with the NPPF;
- . The site benefits from a sustainable location close to the Borough's main settlement, Royal Tunbridge Wells and in close proximity to local shops, services and employment opportunities within the Kingstanding Business Park;
- . There are sustainable modes of travel within close proximity to the site and there is also the opportunity to improve east to west pedestrian and cyclist connectivity;
- . The site can be delivered in the short to medium term; and
- . The entire site is under single ownership and is available for development.

For these reasons, it is considered that Land South of Appletree and Devils Wood could provide a natural extension to the existing urban area of Royal Tunbridge Wells and meets the exceptional circumstances test to be released from the Green Belt.

Site Suitability

Sustainable Location

Whilst the site falls outside of the boundary to Tunbridge Wells, it is considered suitable for residential development due to its close proximity to shops, other local services and employment opportunities located within the Kingstanding Business Park (allocated under Policy AL/RTW 17) and the existing employment area of North Farm.

There is a good level of sustainable modes of travel (bus and rail – High Brooms station is within close proximity) which connect the site to London, as well as other nearby facilities in Royal Tunbridge Wells centre. Significant improvements to cycling infrastructure and other sustainable and active modes are being provided through the development on the adjacent site (ref. 19/02267/OUT) and the site will benefit from this increased connectivity. The site also supports TWBC's aspirations to improve east to west pedestrian and cyclist connectivity, which could be achieved by utilising the existing bridleway/public right of way to the north of Land adjacent to Longfield Road, promoting routes through the site and providing a continuation of the development.

The site would integrate with the allocated adjacent site at North Farm (under Policy AL/RTW18), which is allocated for renewable or sustainable energy, sport, recreation, or leisure uses, and could provide an extension to this allocation. The proposed development would be led by a masterplan approach to ensure that the design is appropriate to its context and it is considered that through this approach supported by robust technical assessments site constraints can be responded to and mitigated as necessary.

Deliverability

The proposed allocation and development of the site will make a valuable contribution towards meeting the quantitative and qualitative needs of the community through delivering c. 600 residential dwellings. An illustrative masterplan for the site has been prepared and is included at Annex 1 of this letter.

The entire site is under single ownership and is available for development. It offers an opportunity for U+I to lend its significant technical knowledge and draw upon its longstanding track record of sensitive and successful delivery of development sites to help TWBC to meet their local housing needs. As is demonstrated by U+I's ongoing work to deliver employment land at Kingstanding, it is committed to high-quality design that responds to the sensitive site context.

The NPPF states that for a site to be both deliverable and developable, there should be a reasonable prospect that housing will be delivered on the land within five years. It is considered that the site presents a viable development opportunity with no abnormal site constraints on development anticipated at the site.

Accordingly, the site will be readily available and deliverable over the plan period and can make a substantial contribution to meeting housing need in TWBC as part of an appropriate strategy in the Local Plan. Given the TWBC's reliance on strategic sites to provide the majority of its housing requirement, this site could make an important contribution in the short-medium term and meet unmet need.

Whilst the site is located within the High Weald AONB, it is considered that its sustainability and early deliverability, as demonstrated above, provide the exceptional circumstances to justify its release from the Green Belt.

Concluding Remarks

These representations have been prepared by U+I and RSB in response to the Tunbridge Wells Borough Council Pre-Submission Local Plan Consultation. U+I and RSB has previously promoted Land South of Appletree and Devils Wood for residential redevelopment as part of the previous stages of the Local Plan review via the 'Call for Sites' process.

The purpose of these representations is to provide comment on the Council's proposed development strategy and specific proposals for allocated sites within the plan. In this respect, we consider the Local Plan strategy relies heavily on the delivery of strategic sites that would require the provision of supporting infrastructure. In addition, the Council have applied optimistic projections to the delivery of housing for the extension of Paddock Wood and the Tudeley Garden Village and as a result, will mean housing is delivered much later in the plan period.

We would therefore reiterate the importance of making efficient use of addition site available within the borough that are suitable for development. We consider that Land South of Appletree and Devils Wood meets the exceptional circumstances test to be released from the Green Belt and is suitable for residential development for the following reasons:

- . The entire site is under single ownership and is available for development.
- . It presents a natural, high quality extension to the north of Royal Tunbridge Wells in a sustainable location.
- . It presents a viable development opportunity with no abnormal site constraints on development anticipated at the site.
- . It could be delivered in the short to medium term.

It is U+I and RSB's view therefore that the site should be allocated. This will help to ensure that sufficient housing is brought forward early in the plan period avoiding the need to rely solely on the strategic sites.

We trust the contents of this representation are clear and we would welcome the opportunity to discuss further the real development potential of the site with TWBC.

Question 6

Please note: *In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.*

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan 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.

We consider that Land South of Appletree and Devils Wood meets the exceptional circumstances test to be released from the Green Belt and should be allocated for residential development. Please see letter of representations for further detail.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . Yes, I wish to participate in hearing session(s)

Question 7a

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If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

It is important the TWBC are able to meet their housing targets over the plan period. There will be important matters to discuss at the hearing sessions to ensure that the plan is sound in this regard.

If you would like to attach a file in support of your comments, please upload it here. [PSLP 2134 Lichfields for U+I & RSB Representation & Annex 1](#)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box: Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	James Vann [REDACTED]
Email Address	[REDACTED]
Address	- [REDACTED] Tunbridge Wells -
Event Name	Pre-Submission Local Plan
Comment by	James Vann [REDACTED]
Comment ID	PSLP_106
Response Date	09/05/21 23:49
Consultation Point	Policy AL/RTW 16 Land to the west of Eridge Road at Spratsbrook Farm (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	KJ
Question 1	
Respondent's Name and/or Organisation	James Vann
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy AL/RTW 16: Land to the west of Eridge Road at Spratsbrook Farm

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

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Hello,

I live on Broadwater Down along the road from the potential development site. I have spent many hours walking and wandering around the beautiful fields and forests surrounding the Ramslye fields since I moved here last year - its been one of the few things that keeps me sane in a world that is becoming more and more insane... Surprisingly, I've never walked across those fields and thought to myself "you know what James, the only thing that would make this walk better is if there were 120 poorly built houses that all look the same with the same terrible monotonous architecture that seem to be being built almost everywhere at the moment". It seems pretty criminal that developments like this are allowed to be built on green belt land when there are so many potential brown field sites available. Is England going to become one giant 1984 like Persimmon housing estate by 2050 - a continuous repetition of the exact same houses that cost £50,000 to build but get sold as 'affordable housing' for £400,000 because they've been built in the South East. Keeps the shareholders happy though.

The problem is, its not just the site that would be developed. The surrounding land will all suffer and become remarkably less wild due to the encroachment of humans and all the dross that follows. As I'm writing this I'm wondering if anyone has actually emailed this address and been for this development. I can't understand who is actually the driving force behind it. Perhaps we should start building development sites in the back gardens of every Conservative party members gardens because, lets face it, if you're in that club you've probably got a 50 acre garden and probably own the fields surrounded so no-one can build there. Alas, the rest of us have to grasp every slither of countryside that has a tiny bit of open access to escape from reality and the reality is, more and more of it is disappearing. Look at HS2 for example, a train line no one asked for, no one really wants at the enormous expense to the taxpayer and also a colossal impact to all the countryside and forest being churned up to save people 30 minutes of travelling across the UK from their home(which definitely has a computer) to sit in a cubicle in London to look at another computer. Its almost like a satire. Although satires are normally funny.

Kind regards

James Vann

Just say no to building on the Ramslye fields.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

For office use only

If responder hasn't ticked an option on this box, data inputter to tick 'not stated' box. Not Stated

Comment

Consultee	Graeme Veale [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] Tonbridge [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Graeme Veale [REDACTED]
Comment ID	PSLP_1184
Response Date	04/06/21 08:39
Consultation Point	Policy STR/SS 3 The Strategy for Tudeley Village (View)
Status	Processed
Submission Type	Web
Version	0.3
Question 1	
Respondent's Name and/or Organisation	Graeme Veale
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy STR / SS 3	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Don't know
Is sound	No
Complies with the Duty to Cooperate	Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not effective
- . It is not justified
- . It is not consistent with national policy

Question 5

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Have you ever run from Goldsmid Hall up to Somerhill and paused half way up to take in the spectacular views of the surrounding green belt countryside? Or run down from Half Moon Lane through the serenely pretty woods and fields to Tudeley church? This area is agonisingly beautiful.

I am a resident of nearby Postern Lane and have lived in the area for 3.5 years. I suffer the regular inconvenience of heavy rush hour traffic, mainly going in and out of Tonbridge, which is the town principally serving Tudeley.

Situating a new garden town next to Tonbridge will only increase the burden on Tonbridge and its infrastructure rather than burdening/benefitting Tunbridge Wells.

This is one of many puzzling outcomes of the TWBCs plan. Proposed new roads cutting a swathe through large sections of green belt would be a travesty to such a beautiful environment, not to mention the loss of biodiversity, night skies, flood run off etc.

I noted from the many hundreds of pages of plan documents reference to discussions with gas companies. This at a time when we should be fully considering renewable energy sources as opposed to fossil fuels. This again appears to fly in the face of other government initiatives.

Renewable energy and destructive infrastructure are just 2 examples of where the plan is badly thought through. This is then amplified when one of the initial proposals was to situate development close to the A21 corridor meaning better links to existing infrastructure and the other benefits this would bring.

The main argument for development appears to be a single landowner ready to cash in. This is lazy planning and such a legacy would be an unfortunate legacy for all involved if it went ahead.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

- . No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

- Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Lorna Veale [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] Tonbridge [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Lorna Veale [REDACTED]
Comment ID	PSLP_1185
Response Date	04/06/21 08:55
Consultation Point	Policy STR/SS 3 The Strategy for Tudeley Village (View)
Status	Processed
Submission Type	Web
Version	0.4
Question 1	
Respondent's Name and/or Organisation	Lorna Veale
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy STR/SS 3	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Don't know
Is sound	No
Complies with the Duty to Cooperate	Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

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I write again, to further object to your plans for the new town in the parish of Capel. You will no doubt have seen the outpouring of objection to this development with all the letters and documents that have been sent over.

It seems incredible to the residents of this area that our elective representatives have continued down the route of approval for the new town.

We bring, again, to your attention the very real concerns about further risk of flooding to our area, challenges with traffic on very fast and narrow roads and most importantly the destruction of a vast swathe of land in the green belt. Tudeley new town has been sighted on a very high piece of ground which will mean changing the far-reaching views for miles around. Currently this area of the landscape is punctuated by historic farmsteads which, if the proposals go ahead, will for ever be islands within a broader urban sprawl. It has been seen in other areas, that where developments like this occur, these farmsteads and historic buildings will fall into disuse and potentially disrepair. Leaving, in time, a blot on the landscape and a permanent loss of our historic environment.

The new bypass which will cut through land near Five Oak Green finishes up outside the local primary school. The parents regularly park on the current main road and so questions about the safety of the children are paramount when considering this proposal.

Another huge issue we have in this area is the education of a secondary school aged children. There is a huge local wish - to virtual fever pitch with multiple tutors employed, appeal processes etc - for parents to get their children into the grammar school system. This overarching ambition of local parents leads to many people moving to the area to take advantage of these lauded schools and despite the developers intention to build a new secondary school within the new town, it is obvious that parents will want to get their children into the grammar schools in Tonbridge and Tunbridge Wells. The traffic to reach the schools every morning puts huge pressure on the local roads already. By 8am traffic is already backing up to the new Tudeley town area and queuing all the way into Tonbridge and Tunbridge Wells. This has never been a problem for decades as I attended school in the area in 1980s and we crawled through traffic in our school bus then.

Put simply, I would ask that your legacy is not to approve this new town but to take a braver stance and look for alternative solutions. This new town will no doubt be a blot on a stunning landscape. Finally, and of particular concern, are conversations I had with councillors at the time of a recent council meeting when they voted for this new development. I was distressed to learn that some councillors were voting for it simply because it meant that they wouldn't then need development in their own wards. This surely isn't good due process as they were effectively being NIMBYs within their own council community. That is to say they did Not feel that this was a good plan or a plan with any merit, but that it simply mean their constituents would not have to deal with the concerns and issues that our parish is facing. This is not good for community spirit meaning that parishes are effectively fighting with each other to manage the future sustainable development of their own areas.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Future Notifications

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Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	David Vincent [REDACTED]
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	David Vincent [REDACTED]
Comment ID	PSLP_888
Response Date	02/06/21 11:13
Consultation Point	Policy STR/SS 1 The Strategy for Paddock Wood, including land at east Capel (View)
Status	Processed
Submission Type	Web
Version	0.3
Question 1	
Respondent's Name and/or Organisation	David Vincent
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

STR/SS 1 Paddock Wood inc land at East Capel

Question 4

Do you consider that the Local Plan:

Is legally compliant	Don't know
Is sound	No
Complies with the Duty to Cooperate	Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- ☐ It is not effective
- ☐ It is not justified
- ☐ It is not consistent with national policy

Question 5

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I've been a resident in Five Oak Green for 17 years, having moved here in 2004 with my wife, the rural location immediately appealed, with a village school and good, local amenities, it was the perfect place to start and raise our family whilst being able to commute easily to London for work. I have always been concerned about traffic increases, flood risk, noise increases, school place availability, access to good medical care and having access to green belt land for walking. These local plans seem to increase the risks of all my concerns, with no consideration to the current village residents and as such I believe the plans are unsound. With a young family, I do not want to be surrounded by extra traffic, noise/sound/light pollution and increased flood risk due to building on green belt land. There are other local sites such as Castle Hill that can cater for the increased housing demand much better. Destroying green belt land for housing which will be out of reach for younger locals seems illogical.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

- ☐ Yes, I wish to participate in hearing session(s)

Question 8

If you have any separate comments you wish to make on the accompanying Sustainability Appraisal, please make them here.

Losing farm land and flood plains - destroying green belt land for housing is unsound offers very little other than income for the property developers.

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

- ☐ Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	David Vincent [REDACTED]
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	David Vincent [REDACTED]
Comment ID	PSLP_907
Response Date	02/06/21 11:40
Consultation Point	Policy STR/SS 3 The Strategy for Tudeley Village (View)
Status	Processed
Submission Type	Web
Version	0.3
Question 1	
Respondent's Name and/or Organisation	David Vincent
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
STR/SS3 Tudeley Village	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Don't know
Is sound	No
Complies with the Duty to Cooperate	Don't know
Question 4a	

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not effective
- . It is not justified
- . It is not consistent with national policy

Question 7

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- . Yes, I wish to participate in hearing session(s)

Question 8

If you have any separate comments you wish to make on the accompanying Sustainability Appraisal, please make them here.

Destroying green belt land, removing farming and flood plans purely for commercial gain of the developers seems at odds with Govt policy and will have a huge detrimental impact on the local community - it can't be seen as sound.

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

- . Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	jenny vincent ()
Email Address	
Address	
Event Name	Pre-Submission Local Plan
Comment by	jenny vincent ()
Comment ID	PSLP_1306
Response Date	04/06/21 14:42
Consultation Point	Policy STR/SS 1 The Strategy for Paddock Wood, including land at east Capel (View)
Status	Processed
Submission Type	Web
Version	0.3
Question 1	
Respondent's Name and/or Organisation	Jenny Vincent
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy STR/SS 1 Strategy for Paddock Wood, including land at east Capel	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Don't know
Is sound	No
Complies with the Duty to Cooperate	Don't know
Question 4a	

If you consider that the Local Plan is not sound, please answer this question.

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Question 5

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I have lived in Five Oak Green since 2004 and moved into the village newly married with my Husband. It is an lovely small community surrounded by amazing countryside that us and locals enjoy. We now have 2 daughters now 12 & 9 who also love their village location, they both attended the local Capel Primary and my eldest is now at Weald Grammar in Tonbridge, which is 3 miles away. The rush hour traffic (outside of covid restrictions) sees the traffic levels more than doubling the journey time for this short distance and it is not uncommon for the traffic jam to tailback right to FIVE OAK GREEN to the primary school. How can a proposal putting 4,000 houses into 1 location not have any impact on an area. Tonbridge & surrounding areas will just completely ground to a halt with over 4,000 extra cars on the roads. The parish will increase 500% in size and the infrastructure to supposedly help with the traffic (additional roads concreting yet more local fields/ local countryside) will never be in place before the volume of new houses are built. One proposed road would mean concreting farmers field which are home to cows & crops. My daughters have especially loved watching the different crops grow over lockdown and even written to local farmers and become friends with them and even been allowed to name the new calf's after showing such an interest. All this will be lost. With regards to infrastructure I am concerned also as to how sewerage system will cope with the 500% increase in homes in the area. It struggles to cope at the best of times and over the last few years Paddock wood have had sewerage collapses from the strain of new homes built in the area where with infrastructure not considered first. The water companies may suggest wonderful plans but will they be in place before any vast scale of building went ahead? I could continue on much more infrastructure problems, school oversubscriptions in the area as new primary & secondary schools will not be built again until xx amount of houses are built and places in the area are already oversubscribed. With 25+ years to build the housing to this scale you can see that the local problems will get far worse with not infrastructure happening before the plans start. Flooding is also another big issue for the proposed areas. The parish has suffered local flooding in recent years with excess water coming off of the fields that are proposed to be built on. Concreting these areas is just going to exacerbate these problems for the new homes and surrounding areas. How is this a plausible plan? Finally the local wildlife will be dramatically affected. We have seen recently on walks so many animals my daughters have never seen before, lizards, multiple butterflies, buzzards, herons and these are just to name a few. There will be so many animal habitats affected by this vast proposal. Why could the plan not see other brown sites be considered including the Castlefield's area to reduce the impact of the whole area being placed on the boroughs boundary where it is out of site out of mind for the other 19 wards. The proposed housing needs (to which are questionable on them being the realistic 'true' figures) need to be spread amongst the ward in the borough and greatly reduce the size of the proposal in Tudeley. I am concerned that the supposed housing allowance for 'local people ' in these figures will never be truly met when greedy developers put a price tag on them. I can see my daughter's who love this area will never get to bring their families up in this area as it will be too expensive to live and who would want to live in a concrete city?

Five Oak green will just become a continued extension of the ever increasing housing in Paddock Wood & with the plan also for 1,000 houses by the hop farm through the Maidstone borough council will mean virtually any field left in the local area, these again are on flood plains. How big will these expanding plans get if all the boroughs keeps getting these plans passed

Question 6

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Why have other suitable sites not been considered within the borough?. there are other suitable brownfield sites that should be considered and haven't within the borough, there are now empty office buildings, such as AXA that are for sale, also the old cinema site and the main one at Castlefields site that have suitable land that is not an AONOB. I understand that there is a housing need but not to this level and certainly not to this scale in one area. If Tudeley is to be considered, if numbers are not met in other suitable locations, then this must be as an absolute minimum distribution to the greenbelt in terms of size and scale

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Question 8

If you have any separate comments you wish to make on the accompanying Sustainability Appraisal, please make them here.

Please come and visit our area when reviewing this plan and walk the areas to see how vast the scale and destruction will be to a local small ward of the borough. This needs to be considered in person to see the flaws in the plan not just looking at it on paper .
Thank you for your time in considering my response

Future Notifications

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Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	jenny vincent [REDACTED]
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	jenny vincent [REDACTED]
Comment ID	PSLP_1213
Response Date	04/06/21 12:01
Consultation Point	Policy STR/SS 3 The Strategy for Tudeley Village (View)
Status	Processed
Submission Type	Web
Version	0.3
Question 1	
Respondent's Name and/or Organisation	Jenny Vincent
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy STR/SS 3 Strategy for Tudeley Village	
Question 4	
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Is legally compliant	Don't know
Is sound	No
Complies with the Duty to Cooperate	Don't know
Question 4a	

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Question 8

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Yes, I wish to be notified of future stages of the Local Plan

Supporting Information File Ref No: SI_63

Comment

Agent	Mr Jonny Pickup [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Town and Country Planning Solutions
Address	- - -
Consultee	Mr M Sciberras [REDACTED]
Company / Organisation	VS LandPro Ltd.
Address	[REDACTED] Tunbridge Wells [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	VS LandPro Ltd [REDACTED]
Comment ID	PSLP_1074
Response Date	02/06/21 14:32
Consultation Point	Policy STR/HA 1 The Strategy for Hawkhurst parish (View)
Status	Processed
Submission Type	Email
Version	0.8
Files	PSLP_1074_TCPS for VS LandPro Ltd Representation and Appendices Redacted.pdf
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	VS LandPro Ltd
Question 2	
Agent's Name and Organisation (if applicable)	Town & Country Planning Solutions
Question 3	

To which part of the Local Plan does this representation relate?

Policy

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR/HA 1 The Strategy for Hawkhurst parish

Paragraph No(s) 5.351–5.359

Policies Map (Inset Map No) 10

Question 4

Do you consider that the Local Plan:

Is legally compliant Yes

Is sound No

Complies with the Duty to Cooperate Yes

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not positively prepared
- . It is not justified

Question 5

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These representations are made on behalf of VS LandPro and relate to a former housing site allocation, known as Santer's Yard, Gills Green, Hawkhurst. The site previously formed part of draft Policy AL/HA 9 of the Regulation 18 Consultation version of the draft Tunbridge Wells Local Plan.

However, this draft site allocation was removed as part of the Regulation 19 Consultation Version and these representations seek to demonstrate that its removal is unjustified.

This assessment is provided under separate cover, which has been appended to this form.

[TWBC: for full representation, please see supporting documents]

Representations on behalf of VS LandPro Ltd

1) Introduction

- 1 These representations are submitted on behalf of VS LandPro Ltd (the developer) in relation to a site known as Santer's Yard, Gills Green, Hawkhurst. The site previously comprised a site allocation under draft Policy AL/HA 9 (site assessment reference 422) of the draft Tunbridge Wells Local Plan (regulation 18 consultation), to provide up to 37 dwellings (including 35%

affordable housing) together with employment land falling under B1, B2 and B8 uses (see extract below).

[TWBC: for Site Plan, please see full representation attached as a supporting document]

- 1 However, the site has now been omitted, along with three other sites as part of the Regulation 19 submission version of the draft Plan. This represents a reduction from a housing target 731 dwellings for Hawkhurst down to just 170 dwellings, a reduction of over 75%.
- 2 It is the case of the developer that the removal of the Santer's Yard site is unjustified and as such the proposals for Hawkhurst the plan are unsound. As such, this objection related to draft Policy STR/HA1 and Inset Map 10 of the Submission Draft (i.e. Regulation 19) version of the Plan, which set out the strategic objectives for Hawkhurst over the plan period.

2) Objection to draft Policy STR/HA1 and Inset Map 10

- 1 The Site Assessment Sheet for site AL/HA 9 (reference 422) forming part of the background evidence for the Regulation 19 Submission Version of the Plan is contained in **Appendix 1** attached. Having previously been considered suitable as a housing and employment allocation in the Regulation 18 version of the Draft Plan, the site is considered unsuitable due to the perceived adverse impact upon the landscape character of the High Weald Area of Outstanding Natural Beauty (HWAONB) and the distance from Hawkhurst.

[TWBC: for Appendices, please see supporting documents]

- 1 In terms of the perceived impact upon the HWAONB, the Site Assessment Sheet states that the Council's Landscape and Visual Impact Assessment (LVIA) concluded that the development of the 'whole site would have a severe impact upon the AONB'. However, the relevant section of the Council's LVIA contained in **Appendix 2** suggests that instead of removing the whole site allocation, that the employment land at the northern part of the site should be removed and replaced with public open space and that the residential element at the southern part of the site could be retained without causing significant harm to the HWAONB, subject to the retention of the existing natural boundary features. The Assessment states that;

"The removal of the employment allocation from the site would reduce the potential harm to local landscape character as a result of the proposed development and would provide opportunities to implement enhancements within the site. This change would also protect the settlement pattern and character of Gill's Green. Approximately half of the site would be retained within open space land uses..."

...The proposed housing allocation is in keeping with the existing settlement pattern, however the proposed employment allocation to the north of the site is inconsistent. The proposals are likely to affect the connection to the countryside for a limited number of residents within Gill's Green

The measures set out within the draft allocation policy and additional GI prescriptions would protect the existing boundary vegetation of the site and protect the historic field pattern. It would allow for the introduction of new characteristic features within the proposed open space, which could further screen the settlement from the surrounding landscape.

The policy controls would ensure that the design of the proposals is well thought through and designed to minimise visual intrusion to the landscape.

Careful location of any vehicular access on the southern or south-western boundary, combined with the replacement planting of any lost hedgerow or trees, would maintain the rural character to the two routeways adjacent to the site.

These measures would reduce predicted effects on local landscape character, the amenity of the existing routeways and would protect key features that contribute to the positive character of the site. They would also provide opportunities to improve recreation and pedestrian and cycle connectivity within Gill's Green."

[TWBC: for Appendices, please see supporting documents]

- 1 Prior to the publication of the Council's LVIA, the Applicant submitted a preapplication consultation to the Borough Council, which sought to remove the employment land allocation and replace it with public open space, with an illustrative masterplan showing how the rest of the land might be develop for housing (provided overleaf and reproduced in Appendix 3).

[TWBC: for extract image, please see full representation attached as a supporting document]

[TWBC: for Appendices, please see supporting documents]

- 1 However, despite concluding that the residential allocation at the southern part of the site could be retained in principle, the Council elected to remove the whole site allocation from the submission version of the Plan, with concerns also being raised over the sustainability of the site location.
- 2 As such, VS LandPro have also undertaken a pre-application consultation with Kent County Council Highways, in order to determine whether the proposal would be likely to have a harmful impact upon the local highway network. The County Council's response suggested that a residential development in this location would raise 'some concern', but that this might be addressed through the provision of highway improvements, including the creation of a roadside pathway linking the site to local bus stops and vehicle passing points on Patchwork End.

Question 6

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Please see wording modifications within the attached document.

[TWBC: for full representation, please see supporting documents]

3) Suggested modifications to Policy STR/HA1 and Inset Map 10

- 1 The Council's own LVIA indicated that the southern part of the site could be allocated for residential uses without having a harmful visual impact upon with HWAONB. As such, the Applicant is proposing that the northern part of the site is retained for public amenity space and ecological enhancements, with the southern part only being allocated for residential uses.
- 2 The illustrative masterplan shows how this scheme might be delivered without having any harmful impact upon the HWAONB. The Applicant's pre-application consultation with ESCC Highways suggests that mitigation measures could be included within the scheme to ensure that the proposal would not have a harmful impact upon the local highway network.
- 3 As such, there was no justification for the removal of this site which would make a valuable contribution to the housing supply in the Borough and as such, this site should be reallocated as a housing site for up to 37 dwellings (including 35% affordable housing), together with the provision of public amenity and ecological enhancement land within the Tunbridge Wells Local Plan.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Question 8

If you have any separate comments you wish to make on the accompanying Sustainability Appraisal, please make them here.

N/A

If you would like to attach a file in support of your comments, please upload it here.

PSLP 1074 TCPS for VS LandPro
Ltd Representation and Appendices Redacted.pdf

Future Notifications

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Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Anne Waddingham [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] Tonbridge [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Anne Waddingham [REDACTED]
Comment ID	PSLP_1260
Response Date	04/06/21 12:25
Consultation Point	Policy STR/SS 3 The Strategy for Tudeley Village (View)
Status	Processed
Submission Type	Web
Version	0.3
Question 1	
Respondent's Name and/or Organisation	Anne Waddingham
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy STR/SS 3	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Don't know
Is sound	No
Complies with the Duty to Cooperate	Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not effective
- . It is not justified
- . It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

I am a resident of Golden Green, not far from the proposed new housing development at Tudeley (Policy STR/SS 3). I have lived here for 24 years. Our son attended Skinners School.

One of the crucial deciding factors in my decision to buy here was the fact that the house was built on the brownfield site of an old factory and no countryside was destroyed.

I walk extensively in the countryside around Golden Green and am particularly concerned with promoting biodiversity, being a member of several conservation organisations. I have won two Silver Awards for my wildlife garden in the Kent Wildlife Trust's Wildlife Garden annual awards. I have also conducted annual bird surveys locally for the British Trust for Ornithology for the past 15 years.

My objections to "The Strategy for Tudeley Village" (Policy STR/SS 3) are as follows.

- 1 Creating the proposed garden settlement at Tudeley will cause immense habitat destruction and be detrimental to residents of the Parish of Capel and Tonbridge. Green Belt woodland, hedgerows, meadows and farmland must be protected. Flora and fauna that is very special to the area will be destroyed or displaced, including rare species. We are very fortunate in this area to still have turtle doves, nightingales and cuckoos, species that are declining at an alarming rate. (See *State of Nature 2019* report <https://nbn.org.uk/stateofnature2019/>). Urbanisation, including road building, was identified as one of the main drivers of decline.
- 2 It has been acknowledged by the government, mental health charities and the scientific community that engaging with nature is beneficial to people with mental ill-health and it can contribute to a reduction in levels of anxiety, stress, and depression. As our countryside disappears under concrete, where will they go? Many don't have the means or ability to travel distances to national parks or country parks. This necessity for access to nature has been particularly highlighted by the lockdowns during the Covid-19 pandemic.
- 3 Covering farmed fields with houses and roads will make the Medway flood more often and increase flood risk not only in Tudeley but also in Golden Green, East Peckham, Tonbridge and Yalding. Flood risk mitigation and "betterment" could have disastrous consequences for all, as the measures being looked at are based on old data that does not fully consider the impact of climate change.
- 4 Pollution will inevitably occur – air quality will degrade, and noise and light pollution will increase. Most people living in the new garden settlements will drive privately owned cars and the traffic congestion in and around Tonbridge will become totally unacceptable. The proposed closure of Hartlake Road will only exacerbate this.
- 5 People living in Tudeley will use Tonbridge Station for commuting and the increased numbers of passengers on already packed commuter trains from Tonbridge Station – already the busiest station in the South East outside London - will be unsustainable. Parking in and around Tonbridge Station will be even more difficult. Network Rail have confirmed that a station at Tudeley is not viable at present and so will not be built in this plan period.

- 6 The costs of infrastructure on the Tonbridge & Malling side of the boundary will have to be carried by Tonbridge & Malling residents whilst Tunbridge Wells will receive council tax from the residents in the new dwellings. There will be an increase in pressure on Tonbridge health services, amenities and car parking because residents from the new garden settlement at Tudeley will use Tonbridge as their local town, not Tunbridge Wells, because Tonbridge is much closer and hence more convenient.
- 7 The housing need calculated by the government is based on erroneous and out-of-date calculations. Recent ONS figures show that population growth in the borough is slowing and does not take into account the effect of Brexit.
- 8 Finally, on a warm day last summer, I sat in the churchyard of All Saint's Church in Tudeley. The peace and quiet and the wonderful bucolic views were a balm to the soul. When it's surrounded by houses and busy roads, who will count the cost of what we have lost?

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Sean Waddingham [REDACTED]
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	Sean Waddingham [REDACTED]
Comment ID	PSLP_1256
Response Date	04/06/21 12:48
Consultation Point	Policy STR/SS 3 The Strategy for Tudeley Village (View)
Status	Processed
Submission Type	Web
Version	0.3
Question 1	
Respondent's Name and/or Organisation	Sean Waddingham
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
STR/SS 3	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Don't know
Is sound	No
Complies with the Duty to Cooperate	Don't know
Question 4a	

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:	.	It is not effective
	.	It is not justified
	.	It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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As a resident in Golden Green for over 20 years and living in the area supported by TMBC I strongly feel that the proposed development of Tudeley village is an ill thought-out and poorly considered attempt to plant an unsupported mass of housing on the very boundary of TWBC's area where it will depend and overstress Tonbridge's resources whilst contributing revenue to Tunbridge Wells' coffers. I do not consider there has been adequate effort in the "duty to co-operate".

At a time when Government policy is supposed to be above "levelling up" development across England the reinforcement of the natural economic attractiveness of the South-East by eroding the protection afforded by the "Green Belt" policy to allow large scale housing development, is surely insupportable. Protection under the Green Belt policy should not be waived for convenience. The current plan is based on obsolete information and policies, and should be rejected as unsound as it fails to comply with current national policies.

The Tudeley site is separated from any existing employment opportunities, and the nearest are all located in Tonbridge, since the proposed site is as far as possible from Tunbridge Wells central, creating huge pressure on local transport infrastructure. It may well be that a considerable part of the employed population will be London commuters, needing to use Tonbridge station which is already overstressed at rush hours, as it already has a large catchment area. None of the required infrastructure for employment, education and commercial activity is included in the plan, which is a "dormitory development" relying on an adjacent authority for all its support measures.

The creation of a huge new rainfall run-off paved area at Tudeley instead of remaining productive, absorbent farming land, and which can only exacerbate existing flooding problems downstream of the Leigh Barrier is incompatible with policy. New expenditure planned to enhance the Leigh Barrier's protection for Yalding and other potentially flooded areas including my own home at Golden Green will be wasted if a new source of run-off is created outflanking this defence.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?	.	No, I do not wish to participate in examination hearing session(s)
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Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Andrew Wadsworth [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] Benenden [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Andrew Wadsworth [REDACTED]
Comment ID	PSLP_125
Response Date	10/05/21 09:40
Consultation Point	Policy PSTR/BE 1 The Strategy for Benenden parish (View)
Status	Processed
Submission Type	Email
Version	0.3
Data inputter to enter their initials here	KJ
Question 1	
Respondent's Name and/or Organisation	Andrew Wadsworth
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Paragraph Nos. 5.410 to 5.470

Policy AL/BE 3: Land at Benenden Hospital (south of Goddards Green Road), East End and

Policy AL/BE 4: Land at Benenden Hospital (north of Goddards Green Road), East End

Inset Maps 17 & 18

[TWBC: this representation has been input against Policies PSTR/BE 1, AL/BE 3 and AL/BE 3 – see Comment Numbers PSLP_112, PSLP_113 and PSLP_125]

Question 4

Do you consider that the Local Plan:

Is legally compliant	No
Is sound	No
Complies with the Duty to Cooperate	No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

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Regulation 3(2) of the Town and Country Planning (Local Planning) (England) Regulations 2012, as amended provides:

“where within these Regulations a person may make representations on any matter or document, those representations may be made—(a) in writing, or

1 Regulation 3(2) of the Town and Country Planning (Local Planning) (England) Regulations 2012, as amended provides:

“where within these Regulations a person may make representations on any matter or document, those representations may be made—(a) in writing, or

(a) in writing, or

(b) by way of electronic communications”.

These options are not stated to be available on the website, except by using the Representation Form. The process of getting to download and complete this response form is unnecessarily convoluted, which has the effect, if not the intention, of making it difficult for the ordinary citizen without special IT skills. For example, we are asked to log in to an organisation to which this process has no doubt been outsourced, complete a separate form for each representation which we wish to make, and limit ourselves to specific areas of comment. This is unnecessarily laborious and does not meet the requirements of Regulation 3(2).

1 Paragraphs 5.421 and 5.422 state that in the event that the Benenden Neighbourhood Plan is adopted all the policies relating to Benenden AL/BE 1 to 4 will be omitted and the Neighbourhood Plan will be used instead. It is submitted that this is unlawful. Nowhere in the Act or in the Regulations is the Local Planning Authority given the power to delegate its statutory duty to another authority. Regulation 5 does not have this effect. Section 15 of the Planning and Compulsory Purchase Act 2004, as amended, requires the Local Planning Authority to prepare and maintain a local development scheme which must specify development plan documents. Section 19 (2) sets out the matters to which it must have regard. Nowhere is it given power to

pass the duty over to a parish council. This is important because the *merits* of a Local Plan must undergo an independent examination (see Section 20) whereas the merits of a Neighbourhood Plan do not. They are subject to independent scrutiny to see whether they comply with the rules, thus a Neighbourhood Plan may be adopted without any consideration of its merits. This amounts to a breach of the rules of Natural Justice (*delegatus non potest delegare*).

- 2 Under the Town and Country Planning (Local Planning) (England) Regulations 2012 as amended, regulation 18 (3), the Local Planning Authority *must* take into account any representation made in response to a representation made under Regulation 18 (1). The Local Authority has been told in the clearest terms in my previous submission of 30 October 2019 and that of many others at the same time, that there is no shop nor pre-school nursery at the East End. Yet paragraph 5.413 of the Plan perpetuates the myth that there is a shop in the hospital and nursery/pre-school facilities at the East End. This statement appears in the original versions of the Local Plan, to which its attention was drawn in many other earlier objections. There are no public amenities at the East End, there is an in-house café at the hospital, reserved for patients and staff, not open to the public. The Planning Authority should know this. This affects the sustainability of the proposals at AL/BE 3 and AL/BE 4.
- 3 Policy PSTR/BE1 item 3b and c requires that developers who acquire land in Benenden village will have to make contributions which will be used towards the provision of the expansion of Hawkhurst primary school (which does not serve Benenden since it has its own primary school) and library provision, adult learning and social care at a new Cranbrook Community Hub, which has nothing to do with Benenden. These items do not appear in the Benenden Neighbourhood Plan for obvious reasons. They cannot properly amount to proposals for Benenden.

4 **Soundness, consistency and correct evidence**

The Local Plan (LP) sets out a vision and strategies which are undermined by its allocations, particularly by its allocations to the East End of Benenden at the two hospital sites, AL/BE3 & 4, sites which are roughly 3 miles equidistant from both Benenden and Biddenden (but just in the parish of Benenden). The LP is not sound nor are its strategies consistent with its policies in relation to AL/BE 3 & 4.

1 **Vision**

Vision Objective 1: “to improve access to suitable, especially affordable housing, including for local young people and older households.”

- . Para 5.467 states of AL/BE3 “it is likely that residents of development in this location will rely heavily on private cars”. The same is said for AL/BE4.
- . The plan allocates affordable housing to an area with intrinsically higher living costs instead of to sites (such as 158 and 222 in the village centre or LS8 in Iden Green) which lie on bus routes or are within walking distance of the village centre
- . While the LP asks for 30% affordable housing, the Benenden Health Society (BHS) is asking, in its comments on the TWLP draft plan, to have this figure reduced
- . The sites will not be suitable for the elderly who will be unable to walk to shops or amenities, yet the LP states that the over 65s are an increasingly important part of the population. They are expected to increase, as a percentage of the total population, by 40% during the period of this plan.

The viability of the two sites depends almost entirely on the plan’s attempt to mitigate the problem of unsustainability. The mitigation proposals are unsound.

1 **Transport:**

- . The proposal is for public transport connections and active travel links, but the BHS in its response to the TW draft LP states (DLP_4956.3) that it not a transport provider and will not run a daily service into Benenden, nor a regular service to Tenterden. All it offers is some financial contribution towards such services. Who will bear financial and organisational responsibility for them? This proposal is based on conjecture and wishful thinking.
- . The LP does not map out any active travel links with the village because there are none. Establishing such links would require land purchase. Who will purchase the land and set up the links? The proposal is based on conjecture and wishful thinking. Even if such a link in the form of a cycle path is provided, it would only be used for leisure cycling, not for shopping or taking the children to school.

1 **Amenities:**

The SHELAA acknowledges that the hospital sites are unsustainable. It states they are “remote from a settlement centre”. The unsustainable nature of site AL/BE4 is demonstrated in Table 58 of the Sustainability Appraisal (page 163). AL/BE4 scores as being “very negative” to “negative” on the

sustainability topic of Services and Facilities, and as being “negative” on the sustainability topic of Travel. The same is true of AL/BE3. Sites 158 in the village, and LS8 in Iden Green, on the other hand, have no very negative scores, appendix L page 331.

The amenity problem is to be partly overcome, according to the LP, by establishing public access to the hospital shop and to its café, but this mitigation measure is wholly unsound because:

- . There is no hospital shop at present
- . The BHS states in its response to the TW draft LP that its facilities, including the café, have been designed solely for hospital use so even if there were a shop, it would not be available to the public.
- . The land at AL/BE 3 is currently up for sale. Once it has been sold, the BHS could not be bound by any planning conditions, which run with the land.

1 Strategies

The LP's policies on AL/BE 3 & 4 undermine the following Strategic Policies

Policy STR1, which calls for a focus on new development within LBDs and for a limit to development in the countryside.

Sites AL/BE 3 & 4 are almost three miles outside the LBD and in the countryside, midway between the villages of Benenden and Biddenden.

Policy STR 2

“The Council requires the use of master planning, including the use of design codes and sustainable design standards where appropriate, for strategic and larger-scale developments..”

This is undermined since no master plan has been produced for sites AL/BE 3 & 4

Policy STR 3 Calls for the use of brownfield sites “within settlements” and in “sustainable locations.”

AL/BE 3 & 4 are neither.

AL/BE 3 consists of disused medical buildings and 2 Local Wildlife Sites (LWS), one of them containing fine specimen trees and another an important collection of waxcap fungi. BHS plans for the site show houses built over the LWS and beyond the footprint of existing buildings.

There is no such plan for AL/BE 4 which is currently home to a large LWS and is the site of 18 habitable dwellings, almost all of the them currently in use and available to let. The proposal allows for these to be demolished and another 25 dwellings added to the site. The size of the area to be developed varies between the LP and the BNP, with the LP potentially including the LWS in the area to be developed. The BHS in its response to the LP has stated that its proposals for an additional 25 houses is based on the land allocated it in the LP, and not on the land allocated in the BNP. This implies that the BNP does not offer them sufficient hectareage. It is unsound to proceed with a plan when the developer's plans and the land that they are expecting to develop are not clearly stated, especially when an LWS is at stake. It is unsound to accept a proposal ‘on trust’. **The Benenden Neighbourhood Plan cannot be used as a substitute for AL/BE 3 or 4 when it is at variance with it.**

Policy STR 5 states that “New residential ... development will be supported if sufficient infrastructure capacity is either available or can be provided in time to serve the development.”

Developers themselves would have to provide the infrastructure at AL/BE 3&4, since no one else would. The LP proposes to take on trust suggestions that the BHS will avoid building on the LWS and will provide play-grounds, sports facilities and tennis courts. BHS suggests, in its response to the earlier draft LP (DLP_4956.3 3.14) that it may encroach on the LWS and it is unlikely to provide play-grounds, sports facilities and tennis courts. Since BHS has put part of the site up for sale, it is clear that, if it sells, it will no longer be bound by any planning conditions, and the purchaser will have no power to make use of facilities in the hospital itself. There is no provision in the published layout for any such facilities on site. The LP's approach is therefore unsound.

Policy STR 6

The LP proposes to “Deliver future development in accessible locations, normally within or in close proximity to existing towns and villages across the borough.”

In the case of the two isolated hospital sites, the LP contradicts its own strategic policy and fails to offer choices in transport and to prioritise active travel and public transport. The Benenden hospital

sites have no active travel link with the village, no existing daily bus route and neither the LP nor the BHS provide credible information on how these links are to be provided. As for the proposal to create links suitable for electrical personal vehicles, such as mobility scooters (as suggested under STR 6) it is difficult to see, when the only link with the village is a single-track lane, how it can be used by personal electric vehicles.

Policy STR 7

The LP proposes in dealing with TWBC's legally binding commitment to manage climate change, that all development in the borough will support the Council's target to achieve net zero emissions by 2030.

It is unsound with such a goal, to propose a major development on the parish periphery, 3 miles equidistant from two villages, where it is accepted that all journeys will be by motor car.

Policy STR 8

The LP states that development should contribute to and enhance ... rural landscapes with particular regard to the HW AONB and developers will have to demonstrate that they do this. The LP promotes nature conservation. Its biodiversity objective is to achieve net gains and where possible secure long-term managements of sites for biodiversity. The proposals for a suburban-style estate of 92 houses, plus a further 6 at Cleveland's Farm, if passed, produces the very opposite effect. No commercially viable scheme can produce net gains in a rural setting such as this. Sites AL/BE 3 and 4 are surrounded by the AONB, although this is not shown on the Inset map 18, in distinction to map 17, which does show it for the rest of the village. The sites are plainly land which affects the AONB, for the purposes of section 85(1) of the Countryside and Rights of Way Act 2000, which says: "In exercising or performing any functions in relation to, or so as to affect, land in an area of outstanding natural beauty, a relevant authority shall have regard to the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty." (my italics)

1 Irrelevant and misguided supporting document

Part of the LP's conclusions are based on supporting document *AONB Settings Study, Plans and Photos of Benenden Hospital*, by *Hankinson & Duckett*. This report is on the entire hospital site and not on sites AL/BE 3 & 4 on their own. Their conclusions that the north western car park might look better with houses on it may or may not be true, but since this area is not part of the site under consideration, the conclusion is irrelevant.

Its review of Green Lane to the south is relevant to AL/BE3 but the conclusions fail to impress. Green Lane is a rural lane which, according to TWBC's *Rural Lanes: Supplementary Planning Guidance*, scores very highly in terms of its landscape, recreational value, natural beauty and history. As such it is designated part of National Route 18, a 42-mile cycle ride between Ashford and Tunbridge Wells, running largely through unspoilt country lanes with wide grass verges and undisturbed rural scenery. AL/BE 3 proposes two major entrances onto this lane for a housing estate of up to 49 houses. Such a development would almost certainly entail a widening of the lane itself and the abolition of its grass verges which would be a contravention of Kent Structure Plan Policy ENV13: *Rural lanes which are of landscape, amenity, nature conservation, historic or archaeological importance will be protected from changes which would damage their character, and enhanced.*

1 Local Wildlife Sites (LWS)

There are 60 LWS in the entire borough and of these, 4 are situated in Benenden hospital grounds, with 3 in the grounds proposed for almost 100 new houses. One of these is in the northern site of AL/BE4 and two are in AL/BE3. A letter from Keith Nicholson, former Planning and Conservation officer for the Kent Wildlife Trust, dated 4 March 2013, to TWBC Development Control Officer, Ellen Gilbert states that the hospital LWS are of national importance, mainly for the large number of different varieties of waxcaps. He states that they could well have been designated SSSI.

The LP purports to protect the LWS but Para 3.21 of the BHS submission on the LP shows plans to remove one of the LWS.

"3.21. The Society supports the requirement for long-term management of the core areas of LWS associated with the hospital land. This includes all but the modest area within the SEQ adjoining Peek Lodge which is too constraining on the South East Quadrant redevelopment proposals. Accordingly, the soils in the area will be translocated to a nearby receptor site to try to ensure that the rare fungi can continue to thrive in this local area." This is ecologically illiterate. Moving a LWS

by digging it up and putting the earth somewhere else is unlikely to protect the rare waxcap fungi which are of national importance. Indeed, the LP now speaks of the LWS in AL/BE3 in the singular, (para 5.451) as if one of the sites had already been removed.

High value environmental area

Comment DLP_3458 from the High Weald AONB Unit states that the Benenden Hospital site *“includes rare and vulnerable acid grassland which should form a core area for unimproved grassland as part of a High Weald nature recovery network.”*

No respect for LWS

Although the LP claims building will only be within existing footprints, the developers, with whom the BNP Steering Committee is working closely, do not appear to reflect the same standards. Plans for 47 new houses in the SE Quadrant, presented to the village on 17th February 2020 by the hospital architects, show the buildings are not to be built within the footprint of previous buildings nor to respect LWS. The TW Local Plan has allocated sites originally allocated by the BNP (the only parish in the borough to allocate its own sites) and the hospital sites are the major target for all building in the parish.

Long-term Management plans

Long-term management plans of green spaces within housing estates are, unfortunately, no substitute for natural wild spaces of the kind you find in field hedgerows and shaws. A ‘managed’ and regularly mown green space set between tarmacked streets, lit housing estates and pavements is less likely to promote biodiversity and less likely to conserve wildlife than an ‘unmanaged’ green space of the kind you currently find along our country lanes. Net biodiversity gain from the construction of a housing estate in the countryside is a contradiction in terms.

1 The AONB

The LP claims that the hospital development “has the potential to improve the setting of the HW AONB through the delivery of a more sensitive redevelopment of existing buildings” (para 5.454) but the claim is not supported by the evidence (*Hankinson & Duckett*) and differs from the HW AONB unit’s own assessment of the plans.

See the comment on TW Draft Plan **DLP_3458 High Weald AONB Unit:** *“...In our view the development at Benenden Hospital will have a significant effect on the setting of the AONB and the purposes of its designation, and this issue has not been properly considered by the Plan.”*

1 Failure to hold consultations with stakeholders or to hold them in a timely fashion.

- . The BNP, on which the LP’s allocations are based, allocated sites in its first draft in February 2019. These are the same sites that appear today in the LP.
- . These sites were allocated before writing to the SEA requesting a review of sites.
- . The BNP steering committee did not ask the High Weald AONB Unit to review the hospital sites, although it asked them to review the other sites.
- . Heritage England was, we believe not invited to review the plan and was only able to make comments on publication of the draft TW LP

Question 6

Please note: *In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.*

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan 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 modifications needed are included in the submissions set out above. In summary, development on site AL/BE 3 should be limited to the existing, so far unused, planning permission for 24 houses,

preferably by adapting the Garland Wing, which is a building of historic value, either to a wellness centre, in accordance with its original intention, or to a row of up to 10 terraced houses. Site AL/BE 4 already has 18 semi-detached houses on it, and cannot support any more. It should therefore be excluded. Housing should be allocated to sites (such as 158 and 222 in the village centre or LS8 in Iden Green) which lie on bus routes or are within walking distance of the village centre and school.

Paragraphs 5.421 and 5.422 should be omitted.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . Yes, I wish to participate in hearing session(s)

Question 7a

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If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

In order to put over my case, and to answer those with vested interests who may seek to put forward arguments against it.

Question 8

If you have any separate comments you wish to make on the accompanying Sustainability Appraisal, please make them here.

In so far as Benenden is concerned, the sites were allocated before any sustainability appraisal was commissioned. It is not therefore a relevant factor in the allocation of sites for housing.

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box: Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Andrew Wadsworth [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] Benenden [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Andrew Wadsworth [REDACTED]
Comment ID	PSLP_112
Response Date	10/05/21 09:40
Consultation Point	Policy AL/BE 3 Land at Benenden Hospital (south of Goddards Green Road), East End (View)
Status	Processed
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Question 1	
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Paragraph Nos. 5.410 to 5.470

Policy AL/BE 3: Land at Benenden Hospital (south of Goddards Green Road), East End and

Policy AL/BE 4: Land at Benenden Hospital (north of Goddards Green Road), East End

Inset Maps 17 & 18

[TWBC: this representation has been input against Policies PSTR/BE 1, AL/BE 3 and AL/BE 3 – see Comment Numbers PSLP_112, PSLP_113 and PSLP_125]

Question 4

Do you consider that the Local Plan:

Is legally compliant	No
Is sound	No
Complies with the Duty to Cooperate	No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:	. It is not positively prepared
	. It is not effective
	. It is not justified
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Question 5

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4 **Soundness, consistency and correct evidence**

The Local Plan (LP) sets out a vision and strategies which are undermined by its allocations, particularly by its allocations to the East End of Benenden at the two hospital sites, AL/BE3 & 4, sites which are roughly 3 miles equidistant from both Benenden and Biddenden (but just in the parish of Benenden). The LP is not sound nor are its strategies consistent with its policies in relation to AL/BE 3 & 4.

1 **Vision**

Vision Objective 1: “to improve access to suitable, especially affordable housing, including for local young people and older households.”

- . Para 5.467 states of AL/BE3 “it is likely that residents of development in this location will rely heavily on private cars”. The same is said for AL/BE4.
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- . While the LP asks for 30% affordable housing, the Benenden Health Society (BHS) is asking, in its comments on the TWLP draft plan, to have this figure reduced
- . The sites will not be suitable for the elderly who will be unable to walk to shops or amenities, yet the LP states that the over 65s are an increasingly important part of the population. They are expected to increase, as a percentage of the total population, by 40% during the period of this plan.

The viability of the two sites depends almost entirely on the plan’s attempt to mitigate the problem of unsustainability. The mitigation proposals are unsound.

1 **Transport:**

- . The proposal is for public transport connections and active travel links, but the BHS in its response to the TW draft LP states (DLP_4956.3) that it not a transport provider and will not run a daily service into Benenden, nor a regular service to Tenterden. All it offers is some financial contribution towards such services. Who will bear financial and organisational responsibility for them? This proposal is based on conjecture and wishful thinking.
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1 **Amenities:**

The SHELAA acknowledges that the hospital sites are unsustainable. It states they are “remote from a settlement centre”. The unsustainable nature of site AL/BE4 is demonstrated in Table 58 of the Sustainability Appraisal (page 163). AL/BE4 scores as being “very negative” to “negative” on the

sustainability topic of Services and Facilities, and as being “negative” on the sustainability topic of Travel. The same is true of AL/BE3. Sites 158 in the village, and LS8 in Iden Green, on the other hand, have no very negative scores, appendix L page 331.

The amenity problem is to be partly overcome, according to the LP, by establishing public access to the hospital shop and to its café, but this mitigation measure is wholly unsound because:

- . There is no hospital shop at present
- . The BHS states in its response to the TW draft LP that its facilities, including the café, have been designed solely for hospital use so even if there were a shop, it would not be available to the public.
- . The land at AL/BE 3 is currently up for sale. Once it has been sold, the BHS could not be bound by any planning conditions, which run with the land.

1 Strategies

The LP's policies on AL/BE 3 & 4 undermine the following Strategic Policies

Policy STR1, which calls for a focus on new development within LBDs and for a limit to development in the countryside.

Sites AL/BE 3 & 4 are almost three miles outside the LBD and in the countryside, midway between the villages of Benenden and Biddenden.

Policy STR 2

“The Council requires the use of master planning, including the use of design codes and sustainable design standards where appropriate, for strategic and larger-scale developments..”

This is undermined since no master plan has been produced for sites AL/BE 3 & 4

Policy STR 3 Calls for the use of brownfield sites “within settlements” and in “sustainable locations.”

AL/BE 3 & 4 are neither.

AL/BE 3 consists of disused medical buildings and 2 Local Wildlife Sites (LWS), one of them containing fine specimen trees and another an important collection of waxcap fungi. BHS plans for the site show houses built over the LWS and beyond the footprint of existing buildings.

There is no such plan for AL/BE 4 which is currently home to a large LWS and is the site of 18 habitable dwellings, almost all of the them currently in use and available to let. The proposal allows for these to be demolished and another 25 dwellings added to the site. The size of the area to be developed varies between the LP and the BNP, with the LP potentially including the LWS in the area to be developed. The BHS in its response to the LP has stated that its proposals for an additional 25 houses is based on the land allocated it in the LP, and not on the land allocated in the BNP. This implies that the BNP does not offer them sufficient hectareage. It is unsound to proceed with a plan when the developer's plans and the land that they are expecting to develop are not clearly stated, especially when an LWS is at stake. It is unsound to accept a proposal ‘on trust’. **The Benenden Neighbourhood Plan cannot be used as a substitute for AL/BE 3 or 4 when it is at variance with it.**

Policy STR 5 states that “New residential ... development will be supported if sufficient infrastructure capacity is either available or can be provided in time to serve the development.”

Developers themselves would have to provide the infrastructure at AL/BE 3&4, since no one else would. The LP proposes to take on trust suggestions that the BHS will avoid building on the LWS and will provide play-grounds, sports facilities and tennis courts. BHS suggests, in its response to the earlier draft LP (DLP_4956.3 3.14) that it may encroach on the LWS and it is unlikely to provide play-grounds, sports facilities and tennis courts. Since BHS has put part of the site up for sale, it is clear that, if it sells, it will no longer be bound by any planning conditions, and the purchaser will have no power to make use of facilities in the hospital itself. There is no provision in the published layout for any such facilities on site. The LP's approach is therefore unsound.

Policy STR 6

The LP proposes to “Deliver future development in accessible locations, normally within or in close proximity to existing towns and villages across the borough.”

In the case of the two isolated hospital sites, the LP contradicts its own strategic policy and fails to offer choices in transport and to prioritise active travel and public transport. The Benenden hospital

sites have no active travel link with the village, no existing daily bus route and neither the LP nor the BHS provide credible information on how these links are to be provided. As for the proposal to create links suitable for electrical personal vehicles, such as mobility scooters (as suggested under STR 6) it is difficult to see, when the only link with the village is a single-track lane, how it can be used by personal electric vehicles.

Policy STR 7

The LP proposes in dealing with TWBC's legally binding commitment to manage climate change, that all development in the borough will support the Council's target to achieve net zero emissions by 2030.

It is unsound with such a goal, to propose a major development on the parish periphery, 3 miles equidistant from two villages, where it is accepted that all journeys will be by motor car.

Policy STR 8

The LP states that development should contribute to and enhance ... rural landscapes with particular regard to the HW AONB and developers will have to demonstrate that they do this. The LP promotes nature conservation. Its biodiversity objective is to achieve net gains and where possible secure long-term managements of sites for biodiversity. The proposals for a suburban-style estate of 92 houses, plus a further 6 at Cleveland's Farm, if passed, produces the very opposite effect. No commercially viable scheme can produce net gains in a rural setting such as this. Sites AL/BE 3 and 4 are surrounded by the AONB, although this is not shown on the Inset map 18, in distinction to map 17, which does show it for the rest of the village. The sites are plainly land which affects the AONB, for the purposes of section 85(1) of the Countryside and Rights of Way Act 2000, which says: "In exercising or performing any functions in relation to, or so as to affect, land in an area of outstanding natural beauty, a relevant authority shall have regard to the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty." (my italics)

1 Irrelevant and misguided supporting document

Part of the LP's conclusions are based on supporting document *AONB Settings Study, Plans and Photos of Benenden Hospital*, by *Hankinson & Duckett*. This report is on the entire hospital site and not on sites AL/BE 3 & 4 on their own. Their conclusions that the north western car park might look better with houses on it may or may not be true, but since this area is not part of the site under consideration, the conclusion is irrelevant.

Its review of Green Lane to the south is relevant to AL/BE3 but the conclusions fail to impress. Green Lane is a rural lane which, according to TWBC's *Rural Lanes: Supplementary Planning Guidance*, scores very highly in terms of its landscape, recreational value, natural beauty and history. As such it is designated part of National Route 18, a 42-mile cycle ride between Ashford and Tunbridge Wells, running largely through unspoilt country lanes with wide grass verges and undisturbed rural scenery. AL/BE 3 proposes two major entrances onto this lane for a housing estate of up to 49 houses. Such a development would almost certainly entail a widening of the lane itself and the abolition of its grass verges which would be a contravention of Kent Structure Plan Policy ENV13: *Rural lanes which are of landscape, amenity, nature conservation, historic or archaeological importance will be protected from changes which would damage their character, and enhanced.*

1 Local Wildlife Sites (LWS)

There are 60 LWS in the entire borough and of these, 4 are situated in Benenden hospital grounds, with 3 in the grounds proposed for almost 100 new houses. One of these is in the northern site of AL/BE4 and two are in AL/BE3. A letter from Keith Nicholson, former Planning and Conservation officer for the Kent Wildlife Trust, dated 4 March 2013, to TWBC Development Control Officer, Ellen Gilbert states that the hospital LWS are of national importance, mainly for the large number of different varieties of waxcaps. He states that they could well have been designated SSSI.

The LP purports to protect the LWS but Para 3.21 of the BHS submission on the LP shows plans to remove one of the LWS.

"3.21. The Society supports the requirement for long-term management of the core areas of LWS associated with the hospital land. This includes all but the modest area within the SEQ adjoining Peek Lodge which is too constraining on the South East Quadrant redevelopment proposals. Accordingly, the soils in the area will be translocated to a nearby receptor site to try to ensure that the rare fungi can continue to thrive in this local area." This is ecologically illiterate. Moving a LWS

by digging it up and putting the earth somewhere else is unlikely to protect the rare waxcap fungi which are of national importance. Indeed, the LP now speaks of the LWS in AL/BE3 in the singular, (para 5.451) as if one of the sites had already been removed.

High value environmental area

Comment DLP_3458 from the High Weald AONB Unit states that the Benenden Hospital site *“includes rare and vulnerable acid grassland which should form a core area for unimproved grassland as part of a High Weald nature recovery network.”*

No respect for LWS

Although the LP claims building will only be within existing footprints, the developers, with whom the BNP Steering Committee is working closely, do not appear to reflect the same standards. Plans for 47 new houses in the SE Quadrant, presented to the village on 17th February 2020 by the hospital architects, show the buildings are not to be built within the footprint of previous buildings nor to respect LWS. The TW Local Plan has allocated sites originally allocated by the BNP (the only parish in the borough to allocate its own sites) and the hospital sites are the major target for all building in the parish.

Long-term Management plans

Long-term management plans of green spaces within housing estates are, unfortunately, no substitute for natural wild spaces of the kind you find in field hedgerows and shaws. A ‘managed’ and regularly mown green space set between tarmacked streets, lit housing estates and pavements is less likely to promote biodiversity and less likely to conserve wildlife than an ‘unmanaged’ green space of the kind you currently find along our country lanes. Net biodiversity gain from the construction of a housing estate in the countryside is a contradiction in terms.

1 The AONB

The LP claims that the hospital development “has the potential to improve the setting of the HW AONB through the delivery of a more sensitive redevelopment of existing buildings” (para 5.454) but the claim is not supported by the evidence (*Hankinson & Duckett*) and differs from the HW AONB unit’s own assessment of the plans.

See the comment on TW Draft Plan **DLP_3458 High Weald AONB Unit:** *“...In our view the development at Benenden Hospital will have a significant effect on the setting of the AONB and the purposes of its designation, and this issue has not been properly considered by the Plan.”*

1 Failure to hold consultations with stakeholders or to hold them in a timely fashion.

- . The BNP, on which the LP’s allocations are based, allocated sites in its first draft in February 2019. These are the same sites that appear today in the LP.
- . These sites were allocated before writing to the SEA requesting a review of sites.
- . The BNP steering committee did not ask the High Weald AONB Unit to review the hospital sites, although it asked them to review the other sites.
- . Heritage England was, we believe not invited to review the plan and was only able to make comments on publication of the draft TW LP

Question 6

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After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan 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 modifications needed are included in the submissions set out above. In summary, development on site AL/BE 3 should be limited to the existing, so far unused, planning permission for 24 houses,

preferably by adapting the Garland Wing, which is a building of historic value, either to a wellness centre, in accordance with its original intention, or to a row of up to 10 terraced houses. Site AL/BE 4 already has 18 semi-detached houses on it, and cannot support any more. It should therefore be excluded. Housing should be allocated to sites (such as 158 and 222 in the village centre or LS8 in Iden Green) which lie on bus routes or are within walking distance of the village centre and school.

Paragraphs 5.421 and 5.422 should be omitted.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . Yes, I wish to participate in hearing session(s)

Question 7a

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If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

In order to put over my case, and to answer those with vested interests who may seek to put forward arguments against it.

Question 8

If you have any separate comments you wish to make on the accompanying Sustainability Appraisal, please make them here.

In so far as Benenden is concerned, the sites were allocated before any sustainability appraisal was commissioned. It is not therefore a relevant factor in the allocation of sites for housing.

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box: Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Andrew Wadsworth [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] Benenden [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Andrew Wadsworth [REDACTED]
Comment ID	PSLP_113
Response Date	10/05/21 09:40
Consultation Point	Policy AL/BE 4 Land at Benenden Hospital (north of Goddards Green Road), East End (View)
Status	Processed
Submission Type	Email
Version	0.3
Data inputter to enter their initials here	KJ
Question 1	
Respondent's Name and/or Organisation	Andrew Wadsworth
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Paragraph Nos. 5.410 to 5.470

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Developers themselves would have to provide the infrastructure at AL/BE 3&4, since no one else would. The LP proposes to take on trust suggestions that the BHS will avoid building on the LWS and will provide play-grounds, sports facilities and tennis courts. BHS suggests, in its response to the earlier draft LP (DLP_4956.3 3.14) that it may encroach on the LWS and it is unlikely to provide play-grounds, sports facilities and tennis courts. Since BHS has put part of the site up for sale, it is clear that, if it sells, it will no longer be bound by any planning conditions, and the purchaser will have no power to make use of facilities in the hospital itself. There is no provision in the published layout for any such facilities on site. The LP's approach is therefore unsound.

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If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

In order to put over my case, and to answer those with vested interests who may seek to put forward arguments against it.

Question 8

If you have any separate comments you wish to make on the accompanying Sustainability Appraisal, please make them here.

In so far as Benenden is concerned, the sites were allocated before any sustainability appraisal was commissioned. It is not therefore a relevant factor in the allocation of sites for housing.

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box: Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Ms Sophia Wadsworth [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] Benenden [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Ms Sophia Wadsworth [REDACTED]
Comment ID	PSLP_126
Response Date	10/05/21 09:50
Consultation Point	Policy PSTR/BE 1 The Strategy for Benenden parish (View)
Status	Processed
Submission Type	Email
Version	0.3
Data inputter to enter their initials here	KJ
Question 1	
Respondent's Name and/or Organisation	Sophia Wadsworth
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Paragraph Nos. 5.410 to 5.470

Policy AL/BE 3: Land at Benenden Hospital (south of Goddards Green Road), East End and

Policy AL/BE 4: Land at Benenden Hospital (north of Goddards Green Road), East End

Inset Maps 17 & 18

[TWBC: this representation has been input against Policies PSTR/BE 1, AL/BE 3 and AL/BE 3 – see Comment Numbers PSLP_114, PSLP_115 and PSLP_126]

Question 4

Do you consider that the Local Plan:

Is legally compliant	No
Is sound	No
Complies with the Duty to Cooperate	No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:	. It is not positively prepared
	. It is not effective
	. It is not justified
	. It is not consistent with national policy

Question 5

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Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

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(b) by way of electronic communications”.

These options are not stated to be available on the website, except by using the Representation Form. The process of getting to download and complete this response form is unnecessarily convoluted, which has the effect, if not the intention, of making it difficult for the ordinary citizen without special IT skills. For example, we are asked to log in to an organisation to which this process has no doubt been outsourced, complete a separate form for each representation which we wish to make, and limit ourselves to specific areas of comment. This is unnecessarily laborious and does not meet the requirements of Regulation 3(2).

1 Paragraphs 5.421 and 5.422 state that in the event that the Benenden Neighbourhood Plan is adopted all the policies relating to Benenden AL/BE 1 to 4 will be omitted and the Neighbourhood Plan will be used instead. It is submitted that this is unlawful. Nowhere in the Act or in the Regulations is the Local Planning Authority given the power to delegate its statutory duty to another authority. Regulation 5 does not have this effect. Section 15 of the Planning and Compulsory Purchase Act 2004, as amended, requires the Local Planning Authority to prepare and maintain a local development scheme which must specify development plan documents. Section 19 (2) sets out the matters to which it must have regard. Nowhere is it given power to

pass the duty over to a parish council. This is important because the *merits* of a Local Plan must undergo an independent examination (see Section 20) whereas the merits of a Neighbourhood Plan do not. They are subject to independent scrutiny to see whether they comply with the rules, thus a Neighbourhood Plan may be adopted without any consideration of its merits. This amounts to a breach of the rules of Natural Justice (*delegatus non potest delegare*).

- 2 Under the Town and Country Planning (Local Planning) (England) Regulations 2012 as amended, regulation 18 (3), the Local Planning Authority *must* take into account any representation made in response to a representation made under Regulation 18 (1). The Local Authority has been told in the clearest terms in my previous submission of 30 October 2019 and that of many others at the same time, that there is no shop nor pre-school nursery at the East End. Yet paragraph 5.413 of the Plan perpetuates the myth that there is a shop in the hospital and nursery/pre-school facilities at the East End. This statement appears in the original versions of the Local Plan, to which its attention was drawn in many other earlier objections. There are no public amenities at the East End, there is an in-house café at the hospital, reserved for patients and staff, not open to the public. The Planning Authority should know this. This affects the sustainability of the proposals at AL/BE 3 and AL/BE 4.
- 3 Policy PSTR/BE1 item 3b and c requires that developers who acquire land in Benenden village will have to make contributions which will be used towards the provision of the expansion of Hawkhurst primary school (which does not serve Benenden since it has its own primary school) and library provision, adult learning and social care at a new Cranbrook Community Hub, which has nothing to do with Benenden. These items do not appear in the Benenden Neighbourhood Plan for obvious reasons. They cannot properly amount to proposals for Benenden.

4 **Soundness, consistency and correct evidence**

The Local Plan (LP) sets out a vision and strategies which are undermined by its allocations, particularly by its allocations to the East End of Benenden at the two hospital sites, AL/BE3 & 4, sites which are roughly 3 miles equidistant from both Benenden and Biddenden (but just in the parish of Benenden). The LP is not sound nor are its strategies consistent with its policies in relation to AL/BE 3 & 4.

1 **Vision**

Vision Objective 1: “to improve access to suitable, especially affordable housing, including for local young people and older households.”

- . Para 5.467 states of AL/BE3 “it is likely that residents of development in this location will rely heavily on private cars”. The same is said for AL/BE4.
- . The plan allocates affordable housing to an area with intrinsically higher living costs instead of to sites (such as 158 and 222 in the village centre or LS8 in Iden Green) which lie on bus routes or are within walking distance of the village centre
- . While the LP asks for 30% affordable housing, the Benenden Health Society (BHS) is asking, in its comments on the TWLP draft plan, to have this figure reduced
- . The sites will not be suitable for the elderly who will be unable to walk to shops or amenities, yet the LP states that the over 65s are an increasingly important part of the population. They are expected to increase, as a percentage of the total population, by 40% during the period of this plan.

The viability of the two sites depends almost entirely on the plan’s attempt to mitigate the problem of unsustainability. The mitigation proposals are unsound.

1 **Transport:**

- . The proposal is for public transport connections and active travel links, but the BHS in its response to the TW draft LP states (DLP_4956.3) that it not a transport provider and will not run a daily service into Benenden, nor a regular service to Tenterden. All it offers is some financial contribution towards such services. Who will bear financial and organisational responsibility for them? This proposal is based on conjecture and wishful thinking.
- . The LP does not map out any active travel links with the village because there are none. Establishing such links would require land purchase. Who will purchase the land and set up the links? The proposal is based on conjecture and wishful thinking. Even if such a link in the form of a cycle path is provided, it would only be used for leisure cycling, not for shopping or taking the children to school.

1 **Amenities:**

The SHELAA acknowledges that the hospital sites are unsustainable. It states they are “remote from a settlement centre”. The unsustainable nature of site AL/BE4 is demonstrated in Table 58 of the Sustainability Appraisal (page 163). AL/BE4 scores as being “very negative” to “negative” on the

sustainability topic of Services and Facilities, and as being “negative” on the sustainability topic of Travel. The same is true of AL/BE3. Sites 158 in the village, and LS8 in Iden Green, on the other hand, have no very negative scores, appendix L page 331.

The amenity problem is to be partly overcome, according to the LP, by establishing public access to the hospital shop and to its café, but this mitigation measure is wholly unsound because:

- . There is no hospital shop at present
- . The BHS states in its response to the TW draft LP that its facilities, including the café, have been designed solely for hospital use so even if there were a shop, it would not be available to the public.
- . The land at AL/BE 3 is currently up for sale. Once it has been sold, the BHS could not be bound by any planning conditions, which run with the land.

1 Strategies

The LP's policies on AL/BE 3 & 4 undermine the following Strategic Policies

Policy STR1, which calls for a focus on new development within LBDs and for a limit to development in the countryside.

Sites AL/BE 3 & 4 are almost three miles outside the LBD and in the countryside, midway between the villages of Benenden and Biddenden.

Policy STR 2

“The Council requires the use of master planning, including the use of design codes and sustainable design standards where appropriate, for strategic and larger-scale developments..”

This is undermined since no master plan has been produced for sites AL/BE 3 & 4

Policy STR 3 Calls for the use of brownfield sites “within settlements” and in “sustainable locations.”

AL/BE 3 & 4 are neither.

AL/BE 3 consists of disused medical buildings and 2 Local Wildlife Sites (LWS), one of them containing fine specimen trees and another an important collection of waxcap fungi. BHS plans for the site show houses built over the LWS and beyond the footprint of existing buildings.

There is no such plan for AL/BE 4 which is currently home to a large LWS and is the site of 18 habitable dwellings, almost all of the them currently in use and available to let. The proposal allows for these to be demolished and another 25 dwellings added to the site. The size of the area to be developed varies between the LP and the BNP, with the LP potentially including the LWS in the area to be developed. The BHS in its response to the LP has stated that its proposals for an additional 25 houses is based on the land allocated it in the LP, and not on the land allocated in the BNP. This implies that the BNP does not offer them sufficient hectareage. It is unsound to proceed with a plan when the developer's plans and the land that they are expecting to develop are not clearly stated, especially when an LWS is at stake. It is unsound to accept a proposal ‘on trust’. **The Benenden Neighbourhood Plan cannot be used as a substitute for AL/BE 3 or 4 when it is at variance with it.**

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In order to put over my case, and to answer those with vested interests who may seek to put forward arguments against it.

Question 8

If you have any separate comments you wish to make on the accompanying Sustainability Appraisal, please make them here.

In so far as Benenden is concerned, the sites were allocated before any sustainability appraisal was commissioned. It is not therefore a relevant factor in the allocation of sites for housing.

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box: Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Ms Sophia Wadsworth [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] Benenden [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Ms Sophia Wadsworth [REDACTED]
Comment ID	PSLP_114
Response Date	10/05/21 09:50
Consultation Point	Policy AL/BE 3 Land at Benenden Hospital (south of Goddards Green Road), East End (View)
Status	Processed
Submission Type	Email
Version	0.5
Data inputter to enter their initials here	KJ
Question 1	
Respondent's Name and/or Organisation	Sophia Wadsworth
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Paragraph Nos. 5.410 to 5.470

Policy AL/BE 3: Land at Benenden Hospital (south of Goddards Green Road), East End and

Policy AL/BE 4: Land at Benenden Hospital (north of Goddards Green Road), East End

Inset Maps 17 & 18

[TWBC: this representation has been input against Policies PSTR/BE 1, AL/BE 3 and AL/BE 3 – see Comment Numbers PSLP_114, PSLP_115 and PSLP_126]

Question 4

Do you consider that the Local Plan:

Is legally compliant	No
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Complies with the Duty to Cooperate	No

Question 4a

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The Local Plan (LP) sets out a vision and strategies which are undermined by its allocations, particularly by its allocations to the East End of Benenden at the two hospital sites, AL/BE3 & 4, sites which are roughly 3 miles equidistant from both Benenden and Biddenden (but just in the parish of Benenden). The LP is not sound nor are its strategies consistent with its policies in relation to AL/BE 3 & 4.

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The viability of the two sites depends almost entirely on the plan’s attempt to mitigate the problem of unsustainability. The mitigation proposals are unsound.

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Policy STR 2

“The Council requires the use of master planning, including the use of design codes and sustainable design standards where appropriate, for strategic and larger-scale developments..”

This is undermined since no master plan has been produced for sites AL/BE 3 & 4

Policy STR 3 Calls for the use of brownfield sites “within settlements” and in “sustainable locations.”

AL/BE 3 & 4 are neither.

AL/BE 3 consists of disused medical buildings and 2 Local Wildlife Sites (LWS), one of them containing fine specimen trees and another an important collection of waxcap fungi. BHS plans for the site show houses built over the LWS and beyond the footprint of existing buildings.

There is no such plan for AL/BE 4 which is currently home to a large LWS and is the site of 18 habitable dwellings, almost all of the them currently in use and available to let. The proposal allows for these to be demolished and another 25 dwellings added to the site. The size of the area to be developed varies between the LP and the BNP, with the LP potentially including the LWS in the area to be developed. The BHS in its response to the LP has stated that its proposals for an additional 25 houses is based on the land allocated it in the LP, and not on the land allocated in the BNP. This implies that the BNP does not offer them sufficient hectareage. It is unsound to proceed with a plan when the developer's plans and the land that they are expecting to develop are not clearly stated, especially when an LWS is at stake. It is unsound to accept a proposal ‘on trust’. **The Benenden Neighbourhood Plan cannot be used as a substitute for AL/BE 3 or 4 when it is at variance with it.**

Policy STR 5 states that “New residential ... development will be supported if sufficient infrastructure capacity is either available or can be provided in time to serve the development.”

Developers themselves would have to provide the infrastructure at AL/BE 3&4, since no one else would. The LP proposes to take on trust suggestions that the BHS will avoid building on the LWS and will provide play-grounds, sports facilities and tennis courts. BHS suggests, in its response to the earlier draft LP (DLP_4956.3 3.14) that it may encroach on the LWS and it is unlikely to provide play-grounds, sports facilities and tennis courts. Since BHS has put part of the site up for sale, it is clear that, if it sells, it will no longer be bound by any planning conditions, and the purchaser will have no power to make use of facilities in the hospital itself. There is no provision in the published layout for any such facilities on site. The LP's approach is therefore unsound.

Policy STR 6

The LP proposes to “Deliver future development in accessible locations, normally within or in close proximity to existing towns and villages across the borough.”

In the case of the two isolated hospital sites, the LP contradicts its own strategic policy and fails to offer choices in transport and to prioritise active travel and public transport. The Benenden hospital

sites have no active travel link with the village, no existing daily bus route and neither the LP nor the BHS provide credible information on how these links are to be provided. As for the proposal to create links suitable for electrical personal vehicles, such as mobility scooters (as suggested under STR 6) it is difficult to see, when the only link with the village is a single-track lane, how it can be used by personal electric vehicles.

Policy STR 7

The LP proposes in dealing with TWBC's legally binding commitment to manage climate change, that all development in the borough will support the Council's target to achieve net zero emissions by 2030.

It is unsound with such a goal, to propose a major development on the parish periphery, 3 miles equidistant from two villages, where it is accepted that all journeys will be by motor car.

Policy STR 8

The LP states that development should contribute to and enhance ... rural landscapes with particular regard to the HW AONB and developers will have to demonstrate that they do this. The LP promotes nature conservation. Its biodiversity objective is to achieve net gains and where possible secure long-term managements of sites for biodiversity. The proposals for a suburban-style estate of 92 houses, plus a further 6 at Cleveland's Farm, if passed, produces the very opposite effect. No commercially viable scheme can produce net gains in a rural setting such as this. Sites AL/BE 3 and 4 are surrounded by the AONB, although this is not shown on the Inset map 18, in distinction to map 17, which does show it for the rest of the village. The sites are plainly land which affects the AONB, for the purposes of section 85(1) of the Countryside and Rights of Way Act 2000, which says: "In exercising or performing any functions in relation to, or so as to affect, land in an area of outstanding natural beauty, a relevant authority shall have regard to the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty." (my italics)

1 Irrelevant and misguided supporting document

Part of the LP's conclusions are based on supporting document *AONB Settings Study, Plans and Photos of Benenden Hospital*, by *Hankinson & Duckett*. This report is on the entire hospital site and not on sites AL/BE 3 & 4 on their own. Their conclusions that the north western car park might look better with houses on it may or may not be true, but since this area is not part of the site under consideration, the conclusion is irrelevant.

Its review of Green Lane to the south is relevant to AL/BE3 but the conclusions fail to impress. Green Lane is a rural lane which, according to TWBC's *Rural Lanes: Supplementary Planning Guidance*, scores very highly in terms of its landscape, recreational value, natural beauty and history. As such it is designated part of National Route 18, a 42-mile cycle ride between Ashford and Tunbridge Wells, running largely through unspoilt country lanes with wide grass verges and undisturbed rural scenery. AL/BE 3 proposes two major entrances onto this lane for a housing estate of up to 49 houses. Such a development would almost certainly entail a widening of the lane itself and the abolition of its grass verges which would be a contravention of Kent Structure Plan Policy ENV13: *Rural lanes which are of landscape, amenity, nature conservation, historic or archaeological importance will be protected from changes which would damage their character, and enhanced.*

1 Local Wildlife Sites (LWS)

There are 60 LWS in the entire borough and of these, 4 are situated in Benenden hospital grounds, with 3 in the grounds proposed for almost 100 new houses. One of these is in the northern site of AL/BE4 and two are in AL/BE3. A letter from Keith Nicholson, former Planning and Conservation officer for the Kent Wildlife Trust, dated 4 March 2013, to TWBC Development Control Officer, Ellen Gilbert states that the hospital LWS are of national importance, mainly for the large number of different varieties of waxcaps. He states that they could well have been designated SSSI.

The LP purports to protect the LWS but Para 3.21 of the BHS submission on the LP shows plans to remove one of the LWS.

"3.21. The Society supports the requirement for long-term management of the core areas of LWS associated with the hospital land. This includes all but the modest area within the SEQ adjoining Peek Lodge which is too constraining on the South East Quadrant redevelopment proposals. Accordingly, the soils in the area will be translocated to a nearby receptor site to try to ensure that the rare fungi can continue to thrive in this local area." This is ecologically illiterate. Moving a LWS

by digging it up and putting the earth somewhere else is unlikely to protect the rare waxcap fungi which are of national importance. Indeed, the LP now speaks of the LWS in AL/BE3 in the singular, (para 5.451) as if one of the sites had already been removed.

High value environmental area

Comment DLP_3458 from the High Weald AONB Unit states that the Benenden Hospital site *“includes rare and vulnerable acid grassland which should form a core area for unimproved grassland as part of a High Weald nature recovery network.”*

No respect for LWS

Although the LP claims building will only be within existing footprints, the developers, with whom the BNP Steering Committee is working closely, do not appear to reflect the same standards. Plans for 47 new houses in the SE Quadrant, presented to the village on 17th February 2020 by the hospital architects, show the buildings are not to be built within the footprint of previous buildings nor to respect LWS. The TW Local Plan has allocated sites originally allocated by the BNP (the only parish in the borough to allocate its own sites) and the hospital sites are the major target for all building in the parish.

Long-term Management plans

Long-term management plans of green spaces within housing estates are, unfortunately, no substitute for natural wild spaces of the kind you find in field hedgerows and shaws. A ‘managed’ and regularly mown green space set between tarmacked streets, lit housing estates and pavements is less likely to promote biodiversity and less likely to conserve wildlife than an ‘unmanaged’ green space of the kind you currently find along our country lanes. Net biodiversity gain from the construction of a housing estate in the countryside is a contradiction in terms.

1 The AONB

The LP claims that the hospital development “has the potential to improve the setting of the HW AONB through the delivery of a more sensitive redevelopment of existing buildings” (para 5.454) but the claim is not supported by the evidence (*Hankinson & Duckett*) and differs from the HW AONB unit’s own assessment of the plans.

See the comment on TW Draft Plan **DLP_3458 High Weald AONB Unit:** *“...In our view the development at Benenden Hospital will have a significant effect on the setting of the AONB and the purposes of its designation, and this issue has not been properly considered by the Plan.”*

1 Failure to hold consultations with stakeholders or to hold them in a timely fashion.

- . The BNP, on which the LP’s allocations are based, allocated sites in its first draft in February 2019. These are the same sites that appear today in the LP.
- . These sites were allocated before writing to the SEA requesting a review of sites.
- . The BNP steering committee did not ask the High Weald AONB Unit to review the hospital sites, although it asked them to review the other sites.
- . Heritage England was, we believe not invited to review the plan and was only able to make comments on publication of the draft TW LP

Question 6

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Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan 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 modifications needed are included in the submissions set out above. In summary, development on site AL/BE 3 should be limited to the existing, so far unused, planning permission for 24 houses,

preferably by adapting the Garland Wing, which is a building of historic value, either to a wellness centre, in accordance with its original intention, or to a row of up to 10 terraced houses. Site AL/BE 4 already has 18 semi-detached houses on it, and cannot support any more. It should therefore be excluded. Housing should be allocated to sites (such as 158 and 222 in the village centre or LS8 in Iden Green) which lie on bus routes or are within walking distance of the village centre and school.

Paragraphs 5.421 and 5.422 should be omitted.

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This is undermined since no master plan has been produced for sites AL/BE 3 & 4

Policy STR 3 Calls for the use of brownfield sites “within settlements” and in “sustainable locations.”

AL/BE 3 & 4 are neither.

AL/BE 3 consists of disused medical buildings and 2 Local Wildlife Sites (LWS), one of them containing fine specimen trees and another an important collection of waxcap fungi. BHS plans for the site show houses built over the LWS and beyond the footprint of existing buildings.

There is no such plan for AL/BE 4 which is currently home to a large LWS and is the site of 18 habitable dwellings, almost all of the them currently in use and available to let. The proposal allows for these to be demolished and another 25 dwellings added to the site. The size of the area to be developed varies between the LP and the BNP, with the LP potentially including the LWS in the area to be developed. The BHS in its response to the LP has stated that its proposals for an additional 25 houses is based on the land allocated it in the LP, and not on the land allocated in the BNP. This implies that the BNP does not offer them sufficient hectareage. It is unsound to proceed with a plan when the developer's plans and the land that they are expecting to develop are not clearly stated, especially when an LWS is at stake. It is unsound to accept a proposal ‘on trust’. **The Benenden Neighbourhood Plan cannot be used as a substitute for AL/BE 3 or 4 when it is at variance with it.**

Policy STR 5 states that “New residential ... development will be supported if sufficient infrastructure capacity is either available or can be provided in time to serve the development.”

Developers themselves would have to provide the infrastructure at AL/BE 3&4, since no one else would. The LP proposes to take on trust suggestions that the BHS will avoid building on the LWS and will provide play-grounds, sports facilities and tennis courts. BHS suggests, in its response to the earlier draft LP (DLP_4956.3 3.14) that it may encroach on the LWS and it is unlikely to provide play-grounds, sports facilities and tennis courts. Since BHS has put part of the site up for sale, it is clear that, if it sells, it will no longer be bound by any planning conditions, and the purchaser will have no power to make use of facilities in the hospital itself. There is no provision in the published layout for any such facilities on site. The LP's approach is therefore unsound.

Policy STR 6

The LP proposes to “Deliver future development in accessible locations, normally within or in close proximity to existing towns and villages across the borough.”

In the case of the two isolated hospital sites, the LP contradicts its own strategic policy and fails to offer choices in transport and to prioritise active travel and public transport. The Benenden hospital

sites have no active travel link with the village, no existing daily bus route and neither the LP nor the BHS provide credible information on how these links are to be provided. As for the proposal to create links suitable for electrical personal vehicles, such as mobility scooters (as suggested under STR 6) it is difficult to see, when the only link with the village is a single-track lane, how it can be used by personal electric vehicles.

Policy STR 7

The LP proposes in dealing with TWBC's legally binding commitment to manage climate change, that all development in the borough will support the Council's target to achieve net zero emissions by 2030.

It is unsound with such a goal, to propose a major development on the parish periphery, 3 miles equidistant from two villages, where it is accepted that all journeys will be by motor car.

Policy STR 8

The LP states that development should contribute to and enhance ... rural landscapes with particular regard to the HW AONB and developers will have to demonstrate that they do this. The LP promotes nature conservation. Its biodiversity objective is to achieve net gains and where possible secure long-term managements of sites for biodiversity. The proposals for a suburban-style estate of 92 houses, plus a further 6 at Cleveland's Farm, if passed, produces the very opposite effect. No commercially viable scheme can produce net gains in a rural setting such as this. Sites AL/BE 3 and 4 are surrounded by the AONB, although this is not shown on the Inset map 18, in distinction to map 17, which does show it for the rest of the village. The sites are plainly land which affects the AONB, for the purposes of section 85(1) of the Countryside and Rights of Way Act 2000, which says: "In exercising or performing any functions in relation to, or so as to affect, land in an area of outstanding natural beauty, a relevant authority shall have regard to the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty." (my italics)

1 Irrelevant and misguided supporting document

Part of the LP's conclusions are based on supporting document *AONB Settings Study, Plans and Photos of Benenden Hospital*, by *Hankinson & Duckett*. This report is on the entire hospital site and not on sites AL/BE 3 & 4 on their own. Their conclusions that the north western car park might look better with houses on it may or may not be true, but since this area is not part of the site under consideration, the conclusion is irrelevant.

Its review of Green Lane to the south is relevant to AL/BE3 but the conclusions fail to impress. Green Lane is a rural lane which, according to TWBC's *Rural Lanes: Supplementary Planning Guidance*, scores very highly in terms of its landscape, recreational value, natural beauty and history. As such it is designated part of National Route 18, a 42-mile cycle ride between Ashford and Tunbridge Wells, running largely through unspoilt country lanes with wide grass verges and undisturbed rural scenery. AL/BE 3 proposes two major entrances onto this lane for a housing estate of up to 49 houses. Such a development would almost certainly entail a widening of the lane itself and the abolition of its grass verges which would be a contravention of Kent Structure Plan Policy ENV13: *Rural lanes which are of landscape, amenity, nature conservation, historic or archaeological importance will be protected from changes which would damage their character, and enhanced.*

1 Local Wildlife Sites (LWS)

There are 60 LWS in the entire borough and of these, 4 are situated in Benenden hospital grounds, with 3 in the grounds proposed for almost 100 new houses. One of these is in the northern site of AL/BE4 and two are in AL/BE3. A letter from Keith Nicholson, former Planning and Conservation officer for the Kent Wildlife Trust, dated 4 March 2013, to TWBC Development Control Officer, Ellen Gilbert states that the hospital LWS are of national importance, mainly for the large number of different varieties of waxcaps. He states that they could well have been designated SSSI.

The LP purports to protect the LWS but Para 3.21 of the BHS submission on the LP shows plans to remove one of the LWS.

"3.21. The Society supports the requirement for long-term management of the core areas of LWS associated with the hospital land. This includes all but the modest area within the SEQ adjoining Peek Lodge which is too constraining on the South East Quadrant redevelopment proposals. Accordingly, the soils in the area will be translocated to a nearby receptor site to try to ensure that the rare fungi can continue to thrive in this local area." This is ecologically illiterate. Moving a LWS

by digging it up and putting the earth somewhere else is unlikely to protect the rare waxcap fungi which are of national importance. Indeed, the LP now speaks of the LWS in AL/BE3 in the singular, (para 5.451) as if one of the sites had already been removed.

High value environmental area

Comment DLP_3458 from the High Weald AONB Unit states that the Benenden Hospital site *“includes rare and vulnerable acid grassland which should form a core area for unimproved grassland as part of a High Weald nature recovery network.”*

No respect for LWS

Although the LP claims building will only be within existing footprints, the developers, with whom the BNP Steering Committee is working closely, do not appear to reflect the same standards. Plans for 47 new houses in the SE Quadrant, presented to the village on 17th February 2020 by the hospital architects, show the buildings are not to be built within the footprint of previous buildings nor to respect LWS. The TW Local Plan has allocated sites originally allocated by the BNP (the only parish in the borough to allocate its own sites) and the hospital sites are the major target for all building in the parish.

Long-term Management plans

Long-term management plans of green spaces within housing estates are, unfortunately, no substitute for natural wild spaces of the kind you find in field hedgerows and shaws. A ‘managed’ and regularly mown green space set between tarmacked streets, lit housing estates and pavements is less likely to promote biodiversity and less likely to conserve wildlife than an ‘unmanaged’ green space of the kind you currently find along our country lanes. Net biodiversity gain from the construction of a housing estate in the countryside is a contradiction in terms.

1 The AONB

The LP claims that the hospital development “has the potential to improve the setting of the HW AONB through the delivery of a more sensitive redevelopment of existing buildings” (para 5.454) but the claim is not supported by the evidence (*Hankinson & Duckett*) and differs from the HW AONB unit’s own assessment of the plans.

See the comment on TW Draft Plan **DLP_3458 High Weald AONB Unit:** *“...In our view the development at Benenden Hospital will have a significant effect on the setting of the AONB and the purposes of its designation, and this issue has not been properly considered by the Plan.”*

1 Failure to hold consultations with stakeholders or to hold them in a timely fashion.

- . The BNP, on which the LP’s allocations are based, allocated sites in its first draft in February 2019. These are the same sites that appear today in the LP.
- . These sites were allocated before writing to the SEA requesting a review of sites.
- . The BNP steering committee did not ask the High Weald AONB Unit to review the hospital sites, although it asked them to review the other sites.
- . Heritage England was, we believe not invited to review the plan and was only able to make comments on publication of the draft TW LP

Question 6

Please note: *In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.*

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan 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 modifications needed are included in the submissions set out above. In summary, development on site AL/BE 3 should be limited to the existing, so far unused, planning permission for 24 houses,

preferably by adapting the Garland Wing, which is a building of historic value, either to a wellness centre, in accordance with its original intention, or to a row of up to 10 terraced houses. Site AL/BE 4 already has 18 semi-detached houses on it, and cannot support any more. It should therefore be excluded. Housing should be allocated to sites (such as 158 and 222 in the village centre or LS8 in Iden Green) which lie on bus routes or are within walking distance of the village centre and school.

Paragraphs 5.421 and 5.422 should be omitted.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . Yes, I wish to participate in hearing session(s)

Question 7a

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

In order to put over my case, and to answer those with vested interests who may seek to put forward arguments against it.

Question 8

If you have any separate comments you wish to make on the accompanying Sustainability Appraisal, please make them here.

In so far as Benenden is concerned, the sites were allocated before any sustainability appraisal was commissioned. It is not therefore a relevant factor in the allocation of sites for housing.

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box: Yes, I wish to be notified of future stages of the Local Plan

Comment

Agent	Mr Adam Bunn ([REDACTED])
Email Address	[REDACTED]
Company / Organisation	Firstplan
Address	Broadwall House 21 Broadwall London SE1 9PL
Consultee	([REDACTED])
Company / Organisation	Waitrose
Address	Partnership House Carlisle Place London SW1P 1BX
Event Name	Pre-Submission Local Plan
Comment by	Waitrose ([REDACTED])
Comment ID	PSLP_2261
Response Date	04/06/21 13:18
Consultation Point	Policy STR 1 The Development Strategy (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Waitrose & Partners
Question 2	
Agent's Name and Organisation (if applicable)	Firstplan
Question 3	
To which part of the Local Plan does this representation relate?	Policy

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR 1 The Development Strategy

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

TUNBRIDGE WELLS LOCAL PLAN PRE-SUBMISSION VERSION – REGULATION 19 CONSULTATION – REPRESENTATIONS ON BEHALF OF WAITROSE & PARTNERS

On behalf of our clients Waitrose & Partners, we wish to submit representations to the Pre-Submission (reg.19) consultation draft of the Tunbridge Wells Borough Local Plan. Our representations specifically relate to the robustness of the Council's proposed policy approach to accommodating the identified quantitative convenience (food) goods retail needs which the supporting evidence base to the new Local Plan has identified.

The Pre-Submission Draft Local Plan is supported by an up-to-date retail needs assessment, the 'Tunbridge Wells Retail, Commercial Leisure and Town Centre Uses Study Update 2021' ('the retail study'), which was prepared by Nexus Planning and published in February 2021. This study identifies a positive residual convenience goods spend in the Borough throughout the period of the new Local Plan, including a current (2021) surplus of £39.0m of convenience goods spend, which is available to support the development of new convenience goods floorspace. This surplus convenience spend will increase to £68.2m by the end of the new Local Plan period in 2038, a growth of £29.2m. It is considered that this represents a significant level of expenditure growth to leave unaccounted for from a spatial planning perspective.

The retail study identifies that the above levels of surplus convenience spend translates into a positive requirement for new convenience goods floorspace (i.e., new foodstore floorspace) At the retail study and Local Plan base year, 2021, this requirement for new convenience floorspace is identified by the retail study as being between 3,100 sq.m and 5,400 sq.m net of additional floorspace which is required in the Borough. It is important to emphasise that this represents a current requirement to serve the existing residential population of Tunbridge Wells Borough, before any increases in population and expenditure growth are factored in. Therefore, the capacity identified is not long-term, strategic needs predicated on potential levels of population growth - it is capacity which is required to serve the current population of the Borough. As set out above, this is a significant level of capacity which is, under the current proposed policy approach, not accounted for in a spatial planning perspective.

Convenience goods floorspace capacity will increase further in the future as population and expenditure growth comes forward, and the retail study identifies a floorspace capacity of between 5,300 and 9,300 sq.m net additional convenience goods floorspace by 2038 in Tunbridge Wells. This is a significant quantitative requirement which will need to be met through the provision of several new foodstores

across the Borough, both in existing urban areas such as Royal Tunbridge Wells, and to serve both new communities/growth areas and existing residents.

In the case of the Royal Tunbridge Wells urban area alone there is a growth in convenience goods spend of £8.4m over the Local Plan period. The Council's retail study identifies that the majority of convenience goods floorspace in the Borough, and particularly larger format 'supermarket' floorspace (i.e. stores which meet main/ weekly shopping trips e.g. Sainsbury's at Linden Park Road and Tesco at Pembury) is already trading at significantly above average levels, and this will become further pronounced as population growth (and thus additional retail spend) comes forward. It is well-established that overtrading of floorspace is an important qualitative consideration when considering the 'need' for new retail floorspace.

Notwithstanding this clear identified 'need', Para 4.30 of the Reg.19 Local Plan confirms the Council does not intend to allocate any sites to meet the requirements identified by up-to-date evidence. Referencing the findings of the retail study, para 4.30 of the Reg.19 Local Plan states that:

'Although it [the retail study] does identify a quantitative capacity for new convenience floorspace, it is not recommended that specific allocations should be made to meet this need, but rather this floorspace capacity should be achieved through the bolstering of existing or proposed stores within existing centres in the adopted retail hierarchy, given the substantial amount of vacant retail floorspace currently available, particularly in Royal Tunbridge Wells Town Centre.'

Given the significant levels of population and expenditure growth identified, coupled with the substantial over-trading of existing larger foodstores in the Royal Tunbridge Wells area, it is therefore not considered robust that the Local Plan does not seek to positively plan for accommodating the identified needs by up-to-date evidence.

Furthermore, the proposed policy approach of strengthening existing/proposed stores (as set out above) will not accommodate the needs identified. For example, in Royal Tunbridge Wells, existing town centre foodstores are small-scale and on sites which do not readily lend themselves to expansion. Similarly, whilst we do not dispute the fact that there is vacant floorspace in Royal Tunbridge Wells town centre, for the Local Plan to infer that this floorspace can accommodate the identified convenience goods capacity is considered to be inaccurate. The floorspace currently vacant in Royal Tunbridge Wells town centre is split across a large number of units, most of which are small-scale in nature and unsuitable for foodstore operations. It is imperative that any site allocated should be capable of accommodating a foodstore that can compete effectively with the existing larger-format supermarkets in terms of its size, range of goods sold and car parking facilities.

In instances where town centres cannot meet the levels of need identified, the Planning Practice Guidance 'Town Centres and Retail' (Online - Paragraph: 005 Reference ID: 2b-005-20190722) makes it clear that ***'planning authorities should plan positively to identify the most appropriate alternative strategy for meeting the identified need for these main town centre uses, having regard to the sequential and impact tests (our emphasis).*** Accordingly, in line with this guidance, the Council should consider alternative sites outside of the Town Centre to meet the identified need for convenience goods floorspace where they satisfy the sequential approach and impact tests. In tandem, this approach could also ensure that new convenience goods floorspace can be provided on sites well related to the proposed housing growth locations, particularly in the southern part of Royal Tunbridge Wells.

It is important to note there continues to be active retail operator demand for store representation from foodstore operators such as Waitrose & Partners in Royal Tunbridge Wells and the Local Plan should provide clear guidance on where new convenience retail can be accommodated in order to meet residents' needs in a sustainable manner. We therefore disagree with the assertion at para 5.23 of the Reg.19 Local Plan that *'In terms of convenience retail, although there is some need identified, it is not considered necessary to allocate sites to meet this need.'*

On the basis of the above, it is requested that the Council's current policy approach of not allocating sites to meet the significant convenience (food) goods needs which have been identified by up-to-date evidence is reconsidered.

Waitrose & Partners would welcome discussions with officers on the points made in these representations once they have had an opportunity to review. In the meantime we look forward to receiving confirmation of receipt and that the representations have been duly made

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

Comment

Consultee	Lesley Wakeling [REDACTED]
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	Lesley Wakeling [REDACTED]
Comment ID	PSLP_410
Response Date	26/05/21 09:20
Consultation Point	Policy STR/PW 1 The Strategy for Paddock Wood (View)
Status	Processed
Submission Type	Web
Version	0.1
Question 1	
Respondent's Name and/or Organisation	Lesley Wakeling
Question 2	
Agent's Name and Organisation (if applicable)	Lesley Wakeling
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Paragraph 1,2,3 - with reference mainly to these points as they form the basis of the plan.	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Don't know
Is sound	Don't know

Complies with the Duty to Cooperate

Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because: . It is not effective

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

I object to the plan of building so many houses in green belt area. I also object that the infrastructure is not being put in place prior to the consideration of starting building works. The impact on the current residents is terrible and frankly scary. I am aware that consideration is being made to close the railway bridge on Maidstone Road to through traffic which cuts the town in 2. You have defined that most people live in the south of the town and there is a massive employment opportunity in the North, yet the bridge is the link to the 2. The intended traffic flow to enter PW from the North would cause massive congestion at Badsell Road, Mascalls junction and into the town. This would in turn cause shoppers to not come to PW and the shops would close. Look at Tonbridge High Street. People do not walk or cycle as they have lives where the car is integral to work/childcare/schools etc. Please reconsider this crazy decision and stop trying to turn what was a country town, the place I chose to live into a concrete maze where I do not wish to remain. Please consider the current residents and not the future ones who may or may not work locally/commute to London due to the change in working trend. These plans were drawn up prior to Covid 19 and should be reviewed.

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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I would ask that you consider the programme for any work and put infrastructure in place first, then build accordingly with consideration for current residents and their current needs. To make alterations just to tick 'Green Policies' is wrong. Yes we consider the future but how can having to drive twice as far to get to and from work because of a major detour with the railway bridge closed be an effective benefit to the environment. All the traffic sitting in a queue with engines running.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Question 8

If you have any separate comments you wish to make on the accompanying Sustainability Appraisal, please make them here.

i do not support the long term plan for Paddock Wood. It is harmful to the environment and to my mind the infrastructure of the area is not being given priority. I think the plan needs a review following the change in lifestyles and work patterns due to Covid 19. Will people travel to London. Will people work locally, meaning 10-15 mile radius, therefore needing easy access to the full circumference of PW. If the retail area is to be encouraged then it needs to invite easy access for outsiders or it will close and die.

People rely on cars for their busy lives. Walking and cycling is a thing of the past for day to day living. Mum doesnt have time to walk the children to school, go home, get the car, go to work, drive home, walk to school etc and likewise with the shopping.

The railway bridge closure idea is mad and not a step forward at all.

I think TWBC is jut out to wreck Paddock Wood.

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Rex Wakeling D.C.M. [REDACTED]
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	Rex Wakeling D.C.M. [REDACTED]
Comment ID	PSLP_181
Response Date	18/05/21 11:10
Consultation Point	Policy STR/SS 1 The Strategy for Paddock Wood, including land at east Capel (View)
Status	Processed
Submission Type	Web
Version	0.2
Question 1	
Respondent's Name and/or Organisation	Rex Wakeling
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Paddock Wood: Totally against the Draft Plan for 4000 Houses for Paddock Wood, East Capel & Tudley Village.

We Need Social Housing in the Area, for People who Live In Paddock Wood and Capel. But before that we need infrastructure in place before any Houses are built! The mention Infrastructure is in the Draft Plan.

The Green Belt will be concrete over and lost of Wildlife, Trees Hedgerows as well as Farmland for Farmers to grow Food etc for the County and Nation. Instead of Garden Of England, it be called Concrete Of England.

I totally reject the Draft Plan for 4000 Houses in Paddock Wood & Capel.

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

Comment

Consultee	Rex Wakeling D.C.M. [REDACTED]
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	Rex Wakeling D.C.M. [REDACTED]
Comment ID	PSLP_183
Response Date	18/05/21 11:19
Consultation Point	Policy STR/PW 1 The Strategy for Paddock Wood (View)
Status	Processed
Submission Type	Web
Version	0.1
Question 1	
Respondent's Name and/or Organisation	Rex Wakeling
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	No
Is sound	No
Complies with the Duty to Cooperate	No
Question 4a	
If you consider that the Local Plan is not sound, please answer this question.	
Do you consider that the Local Plan is not sound because:	<ul style="list-style-type: none">. It is not positively prepared. It is not effective. It is not justified
Question 5	

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

Not enough Detailed Information given to Residents.

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan 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.

No. It is Biased against Paddock Wood & Capel For Dumping 4000 In this Area, But Tunbridge Wells has been Exempt.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Gail Watson [REDACTED]
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	Gail Watson [REDACTED]
Comment ID	PSLP_393
Response Date	25/05/21 16:11
Consultation Point	Policy STR/SS 1 The Strategy for Paddock Wood, including land at east Capel (View)
Status	Processed
Submission Type	Web
Version	0.3
Question 1	
Respondent's Name and/or Organisation	Gail Watson
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy STR/SS1	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Don't know
Is sound	No
Complies with the Duty to Cooperate	Don't know
Question 4a	

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- ☐ It is not effective
- ☐ It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

I have lived in Capel for more than 20 years, having moved to the area from Sevenoaks because of the peaceful countryside and to get away from traffic congestion and a built up area. We live on the outskirts of Five Oak Green and will be directly affected by the proposed link road which will run from Capel Primary School immediately in front of our house.

Since moving to the area the road traffic has become more of a problem, with cars racing down Church Lane and along the main road in Five Oak Green, where it is amazing that there have not been serious fatalities. There are times each day when we cannot go out by car because of cars parked on both sides of Church Lane, during term time. Occasional mobile speed cameras have no effect. Even today there are times when there are lengthy delays to get to/from Tonbridge because of the hold ups near the Somerhill schools, and having TGV next door will make this even worse. The area around the FOG shop is already very dangerous, with traffic constantly passing and no easy parking, with cars parked all around the green and on pavements and delivery lorries making it impossible to pass at certain times of the day. Increased traffic volumes will make all of this considerably worse.

The building plans are totally out of proportion to the local area, meaning that Capel will be swamped by a huge number of houses nearby. It is currently very difficult to get a doctor's appointment, meaning that thousands of families will be joining already stretched surgeries. There will be a similar knock on effect in respect of all other local services and transport.

The plans for the land East of Capel and surrounding Paddock Wood, together with TGV will almost all be built on farmland to the benefit of one already wealthy individual, and will make life a lot easier for TWBC as there is only one landowner to deal with. It was only a few years ago that TWBC turned down a modest planning application from the Poacher and Partridge pub saying that this would spoil the surrounding countryside, yet the same individuals are now happy to build 4000 houses literally next door.

The current proposals have taken no regard to alternative sites proposed, such as the Castle Hill proposal. Equally no consideration has been made to scaling down the proposals to a more manageable level. As such, I feel that the public consultation is a tick box exercise and a sham.

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at

examination). You will need to say why each modification will make the Local Plan 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 proposals do not take into account any alternative sites or the possibility of a scaled down version (ie far fewer houses)

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . Yes, I wish to participate in hearing session(s)

Question 7a

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Because having local people participate is the only way to stop this development taking place

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box: Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Gail Watson [REDACTED]
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	Gail Watson [REDACTED]
Comment ID	PSLP_395
Response Date	25/05/21 16:17
Consultation Point	Policy STR/SS 3 The Strategy for Tudeley Village (View)
Status	Processed
Submission Type	Web
Version	0.2
Question 1	
Respondent's Name and/or Organisation	Mrs Gail Watson
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy STR/SS3 Tudeley Village	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Don't know
Is sound	No
Complies with the Duty to Cooperate	Don't know
Question 4a	

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

.	It is not effective
.	It is not consistent with national policy

Question 5

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I have lived in Capel for more than 20 years, having moved to the area from Sevenoaks because of the peaceful countryside and to get away from traffic congestion and a built up area. We live on the outskirts of Five Oak Green and will be directly affected by the proposed link road which will run from Capel Primary School immediately in front of our house.

Since moving to the area the road traffic has become more of a problem, with cars racing down Church Lane and along the main road in Five Oak Green, where it is amazing that there have not been serious fatalities. There are times each day when we cannot go out by car because of cars parked on both sides of Church Lane, during term time. Occasional mobile speed cameras have no effect. Even today there are times when there are lengthy delays to get to/from Tonbridge because of the hold ups near the Somerhill schools, and having TGV next door will make this even worse. The area around the FOG shop is already very dangerous, with traffic constantly passing and no easy parking, with cars parked all around the green and on pavements and delivery lorries making it impossible to pass at certain times of the day. Increased traffic volumes will make all of this considerably worse.

The building plans are totally out of proportion to the local area, meaning that Capel will be swamped by a huge number of houses nearby. It is currently very difficult to get a doctor's appointment, meaning that thousands of families will be joining already stretched surgeries. There will be a similar knock on effect in respect of all other local services and transport.

The plans for the land East of Capel and surrounding Paddock Wood, together with TGV will almost all be built on farmland to the benefit of one already wealthy individual, and will make life a lot easier for TWBC as there is only one landowner to deal with. It was only a few years ago that TWBC turned down a modest planning application from the Poacher and Partridge pub saying that this would spoil the surrounding countryside, yet the same individuals are now happy to build 4000 houses literally next door.

The current proposals have taken no regard to alternative sites proposed, such as the Castle Hill proposal. Equally no consideration has been made to scaling down the proposals to a more manageable level. As such, I feel that the public consultation is a tick box exercise and a sham.

Question 6

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examination). You will need to say why each modification will make the Local Plan 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.

No serious consideration has been given to other sites such as Castle Hill and a smaller TGV.

Question 7

***Please note** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.*

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . Yes, I wish to participate in hearing session(s)

Question 7a

***Please note** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.*

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

To make my views known

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box: Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Rebecca Waugh [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] Tonbridge [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Rebecca Waugh [REDACTED]
Comment ID	PSLP_1390
Response Date	04/06/21 16:19
Consultation Point	Policy STR/SS 2 The Strategy for Paddock Wood Town Centre (View)
Status	Processed
Submission Type	Email
Version	0.3
Data inputter to enter their initials here	KH
Question 1	
Respondent's Name and/or Organisation	Mrs Rebecca Waugh
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR/SS 2 The Strategy for Paddock Wood Town Centre

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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I have been made aware recently that your new plans for the enormous development at Tudeley now includes closing Hartlake Road and I therefore address most of my comments to Policy STR/CA1 The Strategy for Capel Parish and Policy AL/CA1 Tudeley Village.

I have previously emailed to state my objects to the development based on the horrific impact it will have on the environment, the worrying impact it could have on an area which already struggles with flooding and the massive increase in traffic the development will cause.

The answer to reducing traffic cannot be to close the road. That is lazy and incompetent and simply moves the problem to other areas - namely the Hadlow road and Tonbridge town. I live in Golden Green - at one end of Hartlake road. My children (in Reception and Year 1) attend Bishop Chavassee - at the other end of Hartlake road. It currently takes me between 5 and 10 minutes to get there, and the same to get back, morning and afternoon for school drop off and collection. Is your plan for people in my situation that I now need to make a journey all the way through the already overcrowded Tonbridge town centre to the school? A trip which will take at least 45 minutes each way for the next 6 years?! This is not the answer to clearing congestion, you are simply moving the congestion to make it someone else's problem. You are negatively impacting many thousands of lives in the borough of Tonbridge, as well as destroying Kent's beautiful green belt in order to line the pockets of Tunbridge Wells borough council. It is a shameful and cowardly thing to do and I urge you to rethink your plans.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

For office use only

If responder hasn't ticked an option on this box, data inputter to tick 'not stated' box. Not Stated

Comment

Consultee	Steve Waugh [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] Tonbridge [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Steve Waugh [REDACTED]
Comment ID	PSLP_1439
Response Date	04/06/21 16:21
Consultation Point	Policy STR/SS 2 The Strategy for Paddock Wood Town Centre (View)
Status	Processed
Submission Type	Email
Version	0.3
Data inputter to enter their initials here	KH
Question 1	
Respondent's Name and/or Organisation	Mr Stephen Waugh
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR/SS 2 The Strategy for Paddock Wood Town Centre

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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I have very recently been made aware of new plans for the enormous development at Tudeley now including closing Hartlake Road and I therefore address most of my comments to Policy STR/CA1 The Strategy for Capel Parish and Policy AL/CA1 Tudeley Village.

I have emailed before stating my objections to the development. This is primarily based on the huge detrimental impact it will have on the environment, the flooding in the area and the massive increase in traffic.

Closing Hartlake Road is a dreadfully lazy and ill-considered idea. It reeks of incompetence. It does nothing more than move the traffic problem to other areas, ie, the Hadlow road and Tonbridge town. My family and I live in Golden Green - at one end of Hartlake road. Our children (in Reception and Year 1) attend Bishop Chavasse - at the other end of Hartlake Road. This is currently a 5 to 10 minutes journey. Do we now need to make a journey all the way through the already overcrowded Tonbridge town centre to the school? A trip which will take at least 45 minutes each way for the next 6 years?! This is not the answer to clearing congestion, you are simply moving the congestion to make it someone else's problem. You are negatively impacting many hundreds of lives in the borough of Tonbridge, as well as destroying Kent's beautiful green belt in order to line the pockets of Tunbridge Wells borough council.

Your plan is ill-considered and fundamentally flawed. It is shameful and cowardly and I urge you to rethink your plans.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

For office use only

If responder hasn't ticked an option on this box, data inputter to tick 'not stated' box. Not Stated

Comment

Consultee	Mr James Webster [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Wealden District Council
Address	Council Offices Vicarage Lane Hailsham BN27 2AX
Event Name	Pre-Submission Local Plan
Comment by	Wealden District Council [REDACTED] [REDACTED]
Comment ID	PSLP_1504
Response Date	03/06/21 09:53
Consultation Point	Pre-Submission Local Plan (View)
Status	Processed
Submission Type	Email
Version	0.4
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Wealden District Council
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

PSLP

[TWBC: the section of this representation relating to the Ashdown Forest Special Protection Area and Special Area of Conservation has also been inputted against Policy EN 11 - please see Comment Number PSLP_1506]

Question 4

Do you consider that the Local Plan:

Is legally compliant	Yes
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Is sound	Yes
Complies with the Duty to Cooperate	Yes

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

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With respect to legal compliance and specifically duty to cooperate matters, Wealden District Council and Tunbridge Wells Borough Council have signed a Statement of Common Ground (SoCG) in March 2021. The overall aim of the SoCG between the two parties is to demonstrate that ongoing and appropriate engagement and co-ordination is taking place between the parties that includes planning for identified cross-boundary strategic planning issues that exist and/or likely to arise resulting from the emerging Tunbridge Wells Borough Pre-Submission Local Plan that has now been published for its representation stage under regulation 19 of the Town and Country Planning (Local Planning) Regulations 2012 (as amended). This was agreed by Wealden District Council's Portfolio Holder for Planning and Development on 12th March 2021.

The SoCG confirms that effective cooperation is taking place between the parties in relation to matters that includes development on the administrative boundary between the two local planning authorities, housing provision, economic development, cross boundary infrastructure issues and matters relating to the natural environment, including the Ashdown Forest Special Area of Conservation (SAC) and Special Protection Area (SPA).

With respect to development on the administrative boundary between Tunbridge Wells Borough and Wealden District, the local authorities have agreed to work cooperatively on such issues and have agreed a protocol and set of principles for dealing with development on or close to the border between Royal Tunbridge Wells and Wealden District. These are set out in the SoCG under paragraph 2.6. It is noted that the emerging Tunbridge Wells Local Plan has allocated land under Policy AL/RTW 16 (named as Land to the west of Eridge Road at Spratsbrook Farm) for 120 dwellings. The Council is satisfied that the policy addresses the impacts on the adjacent land within the Wealden District Council area, and in terms of infrastructure provision with the relevant highway authority's.

In terms of housing provision, it is clear that the emerging Tunbridge Wells Borough Pre-Submission Local Plan sets out to at least meet its own need under the 'standard methodology', which equates to 678 dwellings per annum, or 12,204 homes over the plan period for 2020-2038. Indeed, the total supply expected from the emerging Local Plan ranges from 13,059-13,444 net dwellings, which allows for a buffer to either meet the unmet housing needs from neighbouring local authorities (most notably Sevenoaks District Council) or to ensure the deliverability of the Local Plan if certain housing allocations are delayed or do not come forward. The emerging Wealden District Council Local Plan, although at an earlier stage in the plan-making process, is also intending to meet its own housing needs that equates to 1,225 dwellings per annum under the 'standard methodology'. Wealden District Council will need to test this through the production of its new Local Plan.

It should be noted that Tunbridge Wells Borough Council formally wrote in early October 2020 to Wealden District Council (amongst other neighbouring local planning authorities) to ask what capacity

we would have to assist in delivering housing given the requirement for local planning authorities to look beyond the Green Belt first before releasing such land for development (paragraph 137 of the National Planning Policy Framework (NPPF)), as well as limiting major developments in Areas of Outstanding Natural Beauty (AONB) to where there are exceptional circumstances and in the public interest (paragraph 172 of the NPPF). The Council responded to this request and this is detailed within the SoCG at paragraph 3.2.8.

It should be noted that both authorities are intending to meet their own economic development needs, retail needs and gypsy and traveller accommodation needs through their respective Local Plans. There has been no request from Tunbridge Wells Borough Council or Wealden District Council at this stage to meet each other's needs in this regard. Both Councils will continue to operate existing joint working arrangements, as detailed in the SoCG, to ensure that suitable provision can be made as appropriate.

With respect to the Ashdown Forest Special Area of Conservation (SAC) and Special Protection Area (SPA), it is noted that the Habitats Regulation Assessment (HRA) accompanying the Tunbridge Wells Borough Pre-Submission Local Plan concludes that at this point in time, the Development Plan Document (DPD) does not present any potential risks to European Sites that it is considered are not capable of being mitigated. Both local authorities will continue to work as part of the Ashdown Forest working group for air quality and the Strategic Access Management and Monitoring Strategy (SAMMS) partnership to address visitor pressure in order to secure a common understanding and agreement on effects, avoidance, mitigation and monitoring and where possible to agree and cost share future studies or surveys.

It is considered that the Regulation 19 Tunbridge Wells Borough Pre-Submission Local Plan does not raise any new cross-boundary strategic issues in relation to matters identified above and therefore the Council is satisfied that the legal requirements of the duty to cooperate have been met with respect to Wealden District Council.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Mr James Webster [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Wealden District Council
Address	Council Offices Vicarage Lane Hailsham BN27 2AX
Event Name	Pre-Submission Local Plan
Comment by	Wealden District Council [REDACTED] [REDACTED]
Comment ID	PSLP_1506
Response Date	03/06/21 09:53
Consultation Point	Policy EN 11 Ashdown Forest Special Protection Area and Special Area of Conservation (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Wealden District Council
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy EN 11 Ashdown Forest Special Protection Area and Special Area of Conservation

[TWBC: for the full representation by Wealden District Council please see Comment Number PSLP_1504]

Question 4

Do you consider that the Local Plan:

Is legally compliant	Yes
Is sound	Yes
Complies with the Duty to Cooperate	Yes

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

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With respect to the Ashdown Forest Special Area of Conservation (SAC) and Special Protection Area (SPA), it is noted that the Habitats Regulation Assessment (HRA) accompanying the Tunbridge Wells Borough Pre-Submission Local Plan concludes that at this point in time, the Development Plan Document (DPD) does not present any potential risks to European Sites that it is considered are not capable of being mitigated. Both local authorities will continue to work as part of the Ashdown Forest working group for air quality and the Strategic Access Management and Monitoring Strategy (SAMMS) partnership to address visitor pressure in order to secure a common understanding and agreement on effects, avoidance, mitigation and monitoring and where possible to agree and cost share future studies or surveys.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?	<input type="checkbox"/> No, I do not wish to participate in examination hearing session(s)
---	---

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:	<input type="checkbox"/> Yes, I wish to be notified of future stages of the Local Plan
--	--

Supporting Information File Ref No: SI_113

Comment

Agent	Mr James Finn [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Barton Willmore
Address	26 Kings Hill Avenue Kings Hill West Malling ME19 4AE
Consultee	Barry Chamberlain [REDACTED]
Email Address	homes@wealdenhomes.co.uk
Company / Organisation	Wealden Homes
Address	Wealden Court Church Street, Teston, Maidstone ME18 5AG
Event Name	Pre-Submission Local Plan
Comment by	Wealden Homes (Barry Chamberlain [REDACTED])
Comment ID	PSLP_1871
Response Date	04/06/21 11:19
Consultation Point	Policy STR 1 The Development Strategy (View)
Status	Processed
Submission Type	Email
Version	0.7
Files	PSLP_1862 & 1871 Barton Willmore for Wealden Homes SI Full Representation with Appendices Redacted.pdf
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Wealden Homes
Question 2	
Agent's Name and Organisation (if applicable)	Barton Willmore

Question 3

To which part of the Local Plan does this representation relate? Policy

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR 1 The Development Strategy

[TWBC: for further comments by Wealden Homes on Policy STR/HA 1, please see Comment Number PSLP_1862]

Question 4

Do you consider that the Local Plan:

Is sound No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because: . It is not justified

Question 5

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Please refer to supporting submitted representations.

[TWBC: the below text is from relevant sections of the submitted representation, which has also been attached as a supporting document]

TUNBRIDGE WELLS BOROUGH - LOCAL PLAN

REGULATION 19 PRE-SUBMISSION CONSULTATION

LAND AT STREATLEY, HAWKHURST

REPRESENTATIONS SUBMITTED ON BEHALF OF WEALDEN HOMES

June 2021

1.0 INTRODUCTION

1.1 These representations are submitted on behalf of Wealden Homes in response to the Tunbridge Wells Borough Local Plan - Regulation 19 Consultation. The Consultation (26 March – 04 June 2021) comprises a "Pre-Submission" consultation document as part of the Local Plan process. It follows the earlier Reg 18 "Issues and Options" (May – June 2017) and Reg 18 "Draft Local Plan" (Sept – Nov 2019) stages of the Local Plan to which Wealden Homes has previously made representations to.

1.2 Wealden Homes is a local and SME housebuilder and has interests at land at the Streatley property on Horns Road, Hawkhurst (the “site”) which forms an omission site in the Local Plan. The site is assessed under site reference no. 52 as part of the Sustainability Appraisal (SA) and SHELAA processes.

1.3 Notwithstanding our client’s interests, these representations have been prepared in objective terms and assesses the Local Plan against the National Planning Policy Framework (NPPF) and National Planning Practice Guidance (NPPG). In this regard, we set out below the main aspects of these representations as follows:

a) Local Plan Strategy – Meeting Housing Need

- The Local Plan seeks to meet the Government’s Standard Method for new homes (678dpa) over an 18-year Plan period (2020 – 2038);
- This entails a need for 12,204 units over 18 years;
- The Local Plan seeks to provide 13,069 – 13,444 dwellings during the Plan period;
- Taking the mid-point of the above, this provides a buffer of 8.6%;
- We consider that a buffer closer to 20% would address previous shortfalls, affordability issues in the Borough, as well as the potential for unmet needs arising from Sevenoaks;
- We consider that the range of dwellings proposed provides uncertainty as to the extent of housing need being met.

b) Land at Streatley, Horns Road, Hawkhurst

- Our client’s site provides a “suitable”, “achievable”, “available” and “deliverable” site for development up to 40 dwellings;
- These representations object to assessments of the site set out in the SA and SHELAA;
- The proposals would respond positively towards meeting housing need in the Borough area;
- The proposals would make a meaningful contribution towards achieving a 20% buffer in the Local Plan;
- Development of the Site would secure a sensitive design response in the AONB in which the site is located. We note that the AONB washes over Hawkhurst and other settlements in the Borough and the Local Plan includes site allocations in other parts of the AONB. Our client’s site can be considered positively in this context.

1.4 In summary, we consider that the Local Plan should achieve a 20% buffer in order for it to be “Sound” in accordance with the NPPF. Our client’s site can make a meaningful contribution towards achieving a 20% buffer.

2.0 LOCAL PLAN STRATEGY – “MEETING HOUSING NEEDS”

2.1 This section sets out our representations on the Local Plan spatial strategy with regard to meeting housing need. This has particular reference to **Policy STR1 (The Development Strategy)** and its supporting paragraphs.

a) Housing Need

2.2 In line with the Government’s Standard Method for housing need, the Local Plan needs to plan for the delivery of 12,204 new homes during the Plan period 2020 – 2038. This amounts to 678 dwellings per annum.

2.3 The emerging Local Plan is seeking to provide for a “lower” and “upper” range in the quantum of development, as extending from 13,059 – 13,444 dwellings. This is made up of existing committed sites and proposed allocations as follows:

Table 1: Local Plan housing strategy

Housing Strategy

Lower Provision

Upper Provision

Existing commitments/allocations

4,983
4,983
Proposed allocations
8,076
8,461

Total

13,059

13,444

Requirement

12,204

12,204

Buffer

855 (7%)

1,240 (10%)

2.4 We support the ability of the Plan to seek to meet its own needs in full. However, the use of “lower” and “upper” ranges, as above, provides uncertainty in terms of the quantum of development to be achieved by the Local Plan. In this context, we note that the Local Plan seeks to achieve a 7 – 10% buffer and this range entails a difference 385 dwellings.

2.5 We consider that the Plan should be seeking to achieve a greater buffer of up to 20%. There are a number of factors underpinning this objective as set below.

i. Delivering a sufficient supply of homes

2.6 Tunbridge Wells Borough Council has not been able to demonstrate a 5-year supply of housing land for a number of years (c. 5 years+). TWBC’s stated supply currently stands at 4.83 years.

2.7 Equally, the Housing Delivery Test Measurement (2020) amounts to 85% delivery in Tunbridge Wells in the previous three measurement years as follows:

Table 2: Housing Delivery Test Measurement 2020 (as at Feb 2021)

2017-18

2018-19

2019-20

Total

No. of homes required

494

688

624

1,807

No. of homes delivered

519

553

474

1,540

Shortfall/Surplus

85%

Action required

Action Plan

2.8 It is evident from the above that there has been recent and continued under delivery of homes in TWBC. The NPPF (footnote 39) is clear in-so-far as a 20% buffer should be applied whereby the HDT falls below 85%. The objective of this is to redress previous shortages in supply and in this light, we consider that up to/in the region of a 20% buffer should be applied for the Local Plan. This will ensure that flexibility in supply is provided as well as securing choice and competition in the market for new homes.

ii. Addressing Affordability

2.9 The ability to afford a home is a problematic issue in TWBC. This is the result of many socioeconomic factors; one of which relates to housing demand and the shortfall in supply. Delivery over the past 10 years (2010/11 – 2019/20) has averaged 330dpa in TWBC. This is **half** the housing need determined by the Council's Objective Assessment of Housing Need (OAN) determined under the policies of the 2012 NPPF (648dpa). The 2019 NPPF introduced the 'Standard Method' for calculating **minimum** local housing need, replacing the OAN. The **minimum** need calculated by this method is higher than the OAN at 678dpa for Tunbridge Wells. However, it is important to note how this figure is 'capped' due to the acute affordability problems in the Borough. If the Standard Method were uncapped, it shows need of 764dpa in Tunbridge Wells. As the PPG (ID2a-007) states, "*The cap is applied to help ensure that the minimum local housing need figure calculated using the standard method is as deliverable as possible*" however it also states that "*The cap reduces the minimum number generated by the standard method, but **does not reduce housing need itself***" (our emphasis). The minimum that should be targeted by the Council is delivery of 678dpa, as **actual** housing need in Tunbridge Wells is higher at 764dpa.

2.10 To put the affordability issues in context, the median affordability ratio is used for the purposes of calculating the Standard Method minimum. The ratio in Tunbridge Wells is currently 13.27. This means a household earning a median salary would require 13.27 times that salary to afford a median priced home in the Borough. A median priced home costs £390,000 as of 2020. The median ratio compares to an average of only 7.84 nationally, 9.92 in the south-east, and 10.06 across Kent. This means the ratio in Tunbridge Wells is 69% higher than the national average, 34% higher than the regional average, and 32% higher than the Kent average. The ratio also increased most from the previous 2019 ratio in Kent, and is the 12th highest in the country outside of London.

2.11 It is clear that additional housing is required in the Borough to address the acute affordability problems inherent there, which have only been exacerbated by the lack of delivery over the past decade. This is needed to address both supply and demand, thereby driving down price. A 20% buffer is therefore considered appropriate having regard to the above market signals and the need to address affordability concerns. Such a buffer has been accepted at Examinations for other nearby local authority areas (with similar/lower affordability ratios) including Canterbury (2017), Mid Sussex (2017/18) and Guildford (2018). It is thereby recommended that the planned supply of homes is increased in the Plan in order to secure a 20% buffer.

iii Responding to potential unmet needs from Sevenoaks

2.12 TWBC shares a number of functional relationships with adjacent local authority areas. This includes migratory patterns for school, work, etc. with other authorities including Sevenoaks, Tonbridge and Malling, Maidstone, Ashford, Rother and Wealden.

2.13 Tunbridge Wells shares the “West Kent Housing Market Area” with Sevenoaks and Tonbridge and Malling. Para 4.12 of the Local Plan refers to potential/“unknown” unmet needs (c. 1,900 dwellings) arising from Sevenoaks. TWBC’s Duty-to-Cooperate Statement (March 2021) goes on to refer to a formal request from Sevenoaks (April 2019) in terms of assisting with unmet need. The issue of Sevenoaks unmet needs was also the subject of lengthy discussions at the recent (Oct 2020) Examination of the Tonbridge and Malling Local Plan.

2.14 The DtC Statement recognises the current uncertainty regarding the progress of the emerging SDC and TMBC Local Plans. It is therefore considered that the Tunbridge Wells Local Plan should provide the appropriate flexibility in seeking to positively grapple with the unmet needs arising from Sevenoaks.

2.15 This can be achieved through an uplifted buffer to 20% and it is considered that the uplift in need can be addressed across Tunbridge Wells Borough, as including Hawkhurst. In this context, we note that TWBC has direct functional relationships to Sevenoaks, including the shared mainline train services to London. It is therefore a good location for unmet needs arising from Sevenoaks to be met.

iv Summary

2.16 The Local Plan currently seeks to provide a buffer of 7 – 10% above the identified need for new homes. A buffer in the Plan is welcomed, however, the current proposals provide uncertainty as to what can be achieved. This is important given the context set out above (items *i – iii*) and it is considered that the Plan should be seeking to secure a definitive buffer of up to 20%. This can be achieved by identifying and allocating further sites in the Local Plan.

2.17 In the next section, we address our client’s site at Streatley in the context of the ability of the site to make a meaningful contribution towards achieving an uplifted 20% buffer in the Local Plan.

b) Small to Medium sized sites

2.18 Wealden Homes is a member of the Kent SME Developers Network and as referred in separate representations submitted by the Network, Wealden Homes is disappointed that the Local Plan fails to support or recognise the role of SME developers/housebuilders in the Plan.

2.19 In this regard, the NPPF sets out that small and medium sized sites can make an important contribution to meeting the housing requirement of an area and are often built-out relatively quickly. To promote the development of a good mix of sites local planning authorities should identify land to accommodate at least 10% of their housing requirement on small – medium sites (para 68). This amounts to 1,460 dwellings to be identified on small sites (having regard to a 20% buffer).

2.20 As referred in the Kent SME representations, TWBC’s evidence base confirms that only 290 dwellings across 9 sites are identified in the Local Plan that are yet to obtain a Planning Permission. Equally, even if the total number of small – medium sites (including those with a Planning Permission) are taken into account, this still amounts to only 641 dwellings across 17 sites – a shortfall of c. 800 small – medium sized sites. The Local Plan is thus considered unjustified in failing to meet its 10% target for small – medium sites.

i SME Small Sites Policy

2.21 Wealden Homes is concerned that the current Local Plan does not facilitate or support SMEs to bring forward housing in the Borough, particularly in rural areas, which in Tunbridge Wells is often covered by AONB.

2.22 Through its work with the Kent SME Network, it has sought to introduce a policy into emerging Local Plans that seeks to support small and medium sized developments, where there are limited opportunities through allocations in which the Council has made (i.e. on larger sites).

2.23 This recommended policy is set out below:

Table 3: Kent SME Network – Small Sites Policy

Policy [insert Policy Number] Small Sites

In order to recognise the value of SMEs and small sites, the council will support development of unallocated or windfall small scale housing (C3) and approve applications providing the harm does not demonstrably outweigh the benefits; and where:

- I. The site does not exceed 60 dwellings (net) and is of an appropriate scale to its location;
- II. The site is being brought forward by a recognised SME Developer and is not part of a larger site;
- III. The proposed development delivers;
 - a. A bespoke design approach;
 - b. A high quality design that is locally distinctive;
 - c. Is sympathetic to the character of its location;
- IV. All dwellings meet National Design Standards and endeavor to deliver a range of Carbon reduction build techniques;
- V. The proposed development preserves residential amenity, designated heritage assets and core environmental assets and increase net biodiversity.
- VI. A flexible approach will be encouraged to the delivery of Affordable Housing assessed on a site by site basis. When on site provision is demonstrated through evidence to be unviable or unattractive (less than 70% Open Market Value) to recognised Registered Providers, the Council will permit alternative levels of Affordable Housing or alternative forms of tenure, including First Homes, payment in-lieu of on site provision or another form of recognised Affordable Product as defined in the NPPF.

It is recognised that SMEs can deliver quickly and applicants are encouraged to explore if a reduced implementation period is appropriate.

2.24 A Small Sites policy can allow for SMEs to operate within the Plan Led system and will allow both small and medium sites to come forward (i.e. for sites up to 60 dwellings). Such a policy will allow an SME to come forward with a planning application that meets locally defined specific criteria, such as high-quality design, low carbon footprint, reduced time limits for implementation, etc and a flexible approach to the delivery of Affordable Housing.

2.25 Such a policy would provide for additional weight to be afforded to an SME application, and thus allow greater weight to be applied to the application in the overall planning balance. This would reduce risk to an SME and increase certainty at the planning stages, as the SME can tailor their scheme to meet the specific criteria. The policy would also secure development that meets the “building better, building beautiful” objectives and potentially addressing Climate Change issues.

2.26 The policy is designed to deliver up to 60 dwellings (and thus meet the M of SME as much as the S) but is worded in a way that seeks to ensure the development coming forward in any given location is consistent and respectful to the area that it is in i.e. a scheme of 60 dwellings may not be appropriate for a small village, but 20 maybe.

2.27 In addition, the 60 dwelling threshold is very much seen as the scale of developments where larger SME's start to compete with Volume housebuilders on sites. As volume housebuilder will tend not to drop below 60 dwellings and thus the Policy is designed to really assist SME delivery and support the delivery of bespoke high-quality development, but also directly respond to certain SME challenges, such as how to deliver small numbers of Affordable Housing on any given site.

2.28 The Network recognises that other Kent LPAs are seeking to introduce a Small sites policy¹ and a key aim for the policy is that there is a level of consistency in the wording across a number of LPAs, in order that the interpretation and understanding of the policy is also consistent on a cross boundary level – again seeking to reduce the risk at the planning stages to an SME. The above recommendations enable to Local Plan to be “sound” and the land at Streatley is able to make a meaningful contribution (40 dwellings) towards the small-medium sites quantum for the Local Plan.

[TWBC: Section 3 has been inputted against Policy STR/HA 1 (The Strategy for Hawkhurst Parish), please see Comment Number PSLP_1862]

4.0 CONCLUSION

4.1 These representations, as prepared on behalf of Wealden Homes, support the aspiration of the Local Plan to meet its housing needs in full. This should however be supplemented by a buffer closer to 20% rather than the current 7 – 10% buffer proposed in the Local Plan. This would address previous

shortfalls, affordability issues in the Borough, as well as the potential for unmet needs arising from Sevenoaks.

4.2 Our client's site provides a viable option for meeting uplifted housing needs in the Borough. Contrary to the SA and SHELAA assessments, development of the site would secure a sensitive design response in the AONB in which the site is located. We note that the AONB washes over Hawkhurst and other settlements in the Borough and the Local Plan includes site allocations in other parts of the AONB. Our client's site can be considered positively in this context.

4.3 The site is "suitable", "available", "achievable" and thus "deliverable" for development in the short-term and it is capable of delivering the following benefits:

- Up to 40no. dwellings (providing a range and mix of homes);
- The site could deliver a lesser extent of development in line with the objectives of the Hawkhurst Neighbourhood Plan;
- All units would be built to lifetimes homes standards and including provision for bungalows for older people;
- The site can offer a valuable contribution to the growth of Hawkhurst without expensive and challenging improvements to the infrastructure of the settlement. Equally the development of the site would lead to limited impacts upon the Hawkhurst crossroad as Horns Road offers an alternative route to the main A21 route to the west;
- Open space provision;
- New access road;
- Appropriate parking provision;
- On-site drainage/treatment facility placing no pressure on existing drainage system in Hawkhurst;
- Provision of 40% affordable housing; and
- Other obligations towards infrastructure provision (Incl. Community Hall).

4.4 In summary, we consider that the Local Plan should achieve a 20% buffer in order for it to be "Sound" in accordance with the NPPF. Our client's site can make a meaningful contribution towards achieving a 20% buffer in addition to the 10% requirement for small – medium sites.

1 Swale BC included such a policy in its Regulation 19 Local Plan Consultation.

2 Refer to Draft Local Plan (Reg 18 Consultation), Sept – Nov 2019

APPENDICES

APPENDIX 1 - Wealden Homes representations to Reg 18 Draft Local Plan (Sept - Nov 2019)

APPENDIX 2 - Wealden Homes – Landscape and Visual Impact Assessment

[TWBC: for appendices, please see supporting documents]

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan 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.

Please refer to supporting submitted representations.

[TWBC: the below text is from the submitted representation, which has also been attached as a supporting document]

b) Small to Medium sized sites

2.18 Wealden Homes is a member of the Kent SME Developers Network and as referred in separate representations submitted by the Network, Wealden Homes is disappointed that the Local Plan fails to support or recognise the role of SME developers/housebuilders in the Plan.

2.19 In this regard, the NPPF sets out that small and medium sized sites can make an important contribution to meeting the housing requirement of an area and are often built-out relatively quickly. To promote the development of a good mix of sites local planning authorities should identify land to accommodate at least 10% of their housing requirement on small – medium sites (para 68). This amounts to 1,460 dwellings to be identified on small sites (having regard to a 20% buffer).

2.20 As referred in the Kent SME representations, TWBC's evidence base confirms that only 290 dwellings across 9 sites are identified in the Local Plan that are yet to obtain a Planning Permission. Equally, even if the total number of small – medium sites (including those with a Planning Permission) are taken into account, this still amounts to only 641 dwellings across 17 sites – a shortfall of c. 800 small – medium sized sites. The Local Plan is thus considered unjustified in failing to meet its 10% target for small – medium sites.

i SME Small Sites Policy

2.21 Wealden Homes is concerned that the current Local Plan does not facilitate or support SMEs to bring forward housing in the Borough, particularly in rural areas, which in Tunbridge Wells is often covered by AONB.

2.22 Through its work with the Kent SME Network, it has sought to introduce a policy into emerging Local Plans that seeks to support small and medium sized developments, where there are limited opportunities through allocations in which the Council has made (i.e. on larger sites).

2.23 This recommended policy is set out below:

Table 3: Kent SME Network – Small Sites Policy

Policy [insert Policy Number] Small Sites

In order to recognise the value of SMEs and small sites, the council will support development of unallocated or windfall small scale housing (C3) and approve applications providing the harm does not demonstrably outweigh the benefits; and where:

- I. The site does not exceed 60 dwellings (net) and is of an appropriate scale to its location;
- II. The site is being brought forward by a recognised SME Developer and is not part of a larger site;
- III. The proposed development delivers;
 - a. A bespoke design approach;
 - b. A high quality design that is locally distinctive;
 - c. Is sympathetic to the character of its location;
- IV. All dwellings meet National Design Standards and endeavor to deliver a range of Carbon reduction build techniques;
- V. The proposed development preserves residential amenity, designated heritage assets and core environmental assets and increase net biodiversity.
- VI. A flexible approach will be encouraged to the delivery of Affordable Housing assessed on a site by site basis. When on site provision is demonstrated through evidence to be unviable or unattractive (less than 70% Open Market Value) to recognised Registered Providers, the Council will permit alternative levels of Affordable Housing or alternative forms of tenure, including First Homes, payment in-lieu of on site provision or another form of recognised Affordable Product as defined in the NPPF.

It is recognised that SMEs can deliver quickly and applicants are encouraged to explore if a reduced implementation period is appropriate.

2.24 A Small Sites policy can allow for SMEs to operate within the Plan Led system and will allow both small and medium sites to come forward (i.e. for sites up to 60 dwellings). Such a policy will allow an SME to come forward with a planning application that meets locally defined specific criteria, such as high-quality design, low carbon footprint, reduced time limits for implementation, etc and a flexible approach to the delivery of Affordable Housing.

2.25 Such a policy would provide for additional weight to be afforded to an SME application, and thus allow greater weight to be applied to the application in the overall planning balance. This would reduce risk to an SME and increase certainty at the planning stages, as the SME can tailor their scheme to meet the specific criteria. The policy would also secure development that meets the “building better, building beautiful” objectives and potentially addressing Climate Change issues.

2.26 The policy is designed to deliver up to 60 dwellings (and thus meet the M of SME as much as the S) but is worded in a way that seeks to ensure the development coming forward in any given location is consistent and respectful to the area that it is in i.e. a scheme of 60 dwellings may not be appropriate for a small village, but 20 maybe.

2.27 In addition, the 60 dwelling threshold is very much seen as the scale of developments where larger SME's start to compete with Volume housebuilders on sites. As volume housebuilder will tend not to drop below 60 dwellings and thus the Policy is designed to really assist SME delivery and support the delivery of bespoke high-quality development, but also directly respond to certain SME challenges, such as how to deliver small numbers of Affordable Housing on any given site.

2.28 The Network recognises that other Kent LPAs are seeking to introduce a Small sites policy¹ and a key aim for the policy is that there is a level of consistency in the wording across a number of LPAs, in order that the interpretation and understanding of the policy is also consistent on a cross boundary level – again seeking to reduce the risk at the planning stages to an SME. The above recommendations enable to Local Plan to be “sound” and the land at Streatley is able to make a meaningful contribution (40 dwellings) towards the small-medium sites quantum for the Local Plan.

4.0 CONCLUSION

4.1 These representations, as prepared on behalf of Wealden Homes, support the aspiration of the Local Plan to meet its housing needs in full. This should however be supplemented by a buffer closer to 20% rather than the current 7 – 10% buffer proposed in the Local Plan. This would address previous shortfalls, affordability issues in the Borough, as well as the potential for unmet needs arising from Sevenoaks.

4.4 In summary, we consider that the Local Plan should achieve a 20% buffer in order for it to be “Sound” in accordance with the NPPF. Our client's site can make a meaningful contribution towards achieving a 20% buffer in addition to the 10% requirement for small – medium sites.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . Yes, I wish to participate in hearing session(s)

Question 7a

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Wealden Homes considers that the Local Plan housing supply should be uplifted by c. 1,500 homes. Accordingly, it considers that its site at Streatley, Hawkhurst can make a meaningful contribution to the supply and should thus be allocated. The site can also positively address the shortfall in small-medium sites. Wealden Homes would accordingly seek to present its planning arguments at the relevant examination hearing sessions.

Question 8

If you have any separate comments you wish to make on the accompanying Sustainability Appraisal, please make them here.

Please refer to supporting submitted representations.

If you would like to attach a file in support of your comments, please upload it here.

[PSLP 1862 & 1871 Barton Willmore for Wealden Homes SI Full Representation with Appendices Redacted.pdf](#)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Supporting Information File Ref No: SI_113

Comment

Agent	Mr James Finn [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Barton Willmore
Address	[REDACTED] Kings Hill West Malling [REDACTED]
Consultee	Barry Chamberlain [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Wealden Homes
Address	Wealden Court Church Street, Teston, Maidstone ME18 5AG
Event Name	Pre-Submission Local Plan
Comment by	Wealden Homes [REDACTED]
Comment ID	PSLP_1862
Response Date	04/06/21 11:19
Consultation Point	Policy STR/HA 1 The Strategy for Hawkhurst parish (View)
Status	Processed
Submission Type	Email
Version	0.12
Files	PSLP_1862 & 1871 Barton Willmore for Wealden Homes SI Full Representation with Appendices Redacted.pdf
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Wealden Homes
Question 2	

Agent's Name and Organisation (if applicable) Barton Willmore

Question 3

To which part of the Local Plan does this representation relate? Policy

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR/HA 1 The Strategy for Hawkhurst parish

[TWBC: for further comments by Wealden Homes on Policy STR 1, please see Comment Number PSLP_1871]

Question 4

Do you consider that the Local Plan:

Is sound No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound . It is not justified because:

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

Please refer to supporting submitted representations.

[TWBC: the below text is from relevant sections of the submitted representation, which has also been attached as a supporting document]

TUNBRIDGE WELLS BOROUGH - LOCAL PLAN

REGULATION 19 PRE-SUBMISSION CONSULTATION

LAND AT STREATLEY, HAWKHURST

REPRESENTATIONS SUBMITTED ON BEHALF OF WEALDEN HOMES

June 2021

1.0 INTRODUCTION

1.1 These representations are submitted on behalf of Wealden Homes in response to the Tunbridge Wells Borough Local Plan - Regulation 19 Consultation. The Consultation (26 March – 04 June 2021) comprises a "Pre-Submission" consultation document as part of the Local Plan process. It follows the

earlier Reg 18 “Issues and Options” (May – June 2017) and Reg 18 “Draft Local Plan” (Sept – Nov 2019) stages of the Local Plan to which Wealden Homes has previously made representations to.

1.2 Wealden Homes is a local and SME housebuilder and has interests at land at the Streatley property on Horns Road, Hawkhurst (the “site”) which forms an omission site in the Local Plan. The site is assessed under site reference no. 52 as part of the Sustainability Appraisal (SA) and SHELAA processes.

1.3 Notwithstanding our client’s interests, these representations have been prepared in objective terms and assesses the Local Plan against the National Planning Policy Framework (NPPF) and National Planning Practice Guidance (NPPG). In this regard, we set out below the main aspects of these representations as follows:

a) Local Plan Strategy – Meeting Housing Need

- The Local Plan seeks to meet the Government’s Standard Method for new homes (678dpa) over an 18-year Plan period (2020 – 2038);
- This entails a need for 12,204 units over 18 years;
- The Local Plan seeks to provide 13,069 – 13,444 dwellings during the Plan period;
- Taking the mid-point of the above, this provides a buffer of 8.6%;
- We consider that a buffer closer to 20% would address previous shortfalls, affordability issues in the Borough, as well as the potential for unmet needs arising from Sevenoaks;
- We consider that the range of dwellings proposed provides uncertainty as to the extent of housing need being met.

b) Land at Streatley, Horns Road, Hawkhurst

- Our client’s site provides a “suitable”, “achievable”, “available” and “deliverable” site for development up to 40 dwellings;
- These representations object to assessments of the site set out in the SA and SHELAA;
- The proposals would respond positively towards meeting housing need in the Borough area;
- The proposals would make a meaningful contribution towards achieving a 20% buffer in the Local Plan;
- Development of the Site would secure a sensitive design response in the AONB in which the site is located. We note that the AONB washes over Hawkhurst and other settlements in the Borough and the Local Plan includes site allocations in other parts of the AONB. Our client’s site can be considered positively in this context.

1.4 In summary, we consider that the Local Plan should achieve a 20% buffer in order for it to be “Sound” in accordance with the NPPF. Our client’s site can make a meaningful contribution towards achieving a 20% buffer.

[TWBC: Section 2 has been inputted against Policy STR 1 (The Development Strategy), please see Comment Number PSLP_1871]

3.0 PROPOSED SPATIAL STRATEGY – HAWKHURST

3.1 In this section, we address the spatial strategy for Hawkhurst including the opportunity our client’s site presents as against the SA and SHELAA assessments of it.

a) Policy STR/ HA 1 – The Strategy for Hawkhurst Parish

3.2 The strategic framework for the Local Plan is broadly based on securing strategic development at Tunbridge Wells, Paddock Wood and Tudeley, as well as development dispersed across other settlements of the Borough.

3.3 The above policy identifies new development at Hawkhurst to provide 161 – 170no. new homes, as well as aligned infrastructure delivery. This includes the provision of a new community centre at King George V playing fields, medical facilities in Hawkhurst, as well as the proposed expansion at Hawkhurst Primary School.

3.4 We note that the previously allocated site at Hawkhurst Golf Club (and associated Relief Road from Cranbrook Road to High Street)2 has been removed from the Local Plan strategy. This (and other

factors) has resulted in a reduction on the growth earmarked to Hawkhurst from 681 – 731no. new homes (previous Reg 18 Local Plan) to 161 – 170no. homes (current Reg 19 Local Plan).

3.5 Wealden Homes considers that the Local Plan should seek to plan for an extra c. 1,500 new homes in order to reach the 20% buffer in the Plan (this makes provision for the already planned for 7% buffer). In this regard, Hawkhurst is a suitable location in the Borough for planned residential growth (and aligned infrastructure provision) and it is considered that the Local Plan should seek to aim for previous higher levels of growth earmarked to the settlement.

3.6 Wealden Homes acknowledges the importance placed in the Local Plan for much needed local facilities. This is supported through the Neighbourhood Plan for Hawkhurst (as modified – 2020) which seeks the provision of a new Community Hall (Policy CM2) in the settlement. To this extent, development of the site at Streatley could make a significant contribution towards the delivery of the Community Hall, in the form of a £1m contribution should the site be identified for up to 40 dwellings in the Local Plan.

3.7 Wealden Homes also recognises and supports the ambition of the Local Plan to secure a range of new homes including at Hawkhurst. This will include meeting the needs for both young families as well as for older people and in this regard, the Wealden Homes site is able to secure 1 and 2-bed flats, terraces and bungalows, in addition to 2, 3 and 4 bed bungalows and chalets for older people.

b) Site at Streatley, Horns Road, Hawkhurst

Sustainability Appraisal

[TWBC: for comments on the Sustainability Appraisal, please see Question 8]

c) Summary

3.22 Wealden Homes supports the Local Plan spatial strategy insofar as it earmarks growth to Hawkhurst. However, it considers that the extent of growth to the settlement should be uplifted given the need to achieve a 20% buffer in the Plan.

3.23 Wealden Homes does not consider that the evidence base assessments of the site are justified or sound. Rather, it considers that the site is “suitable”, “available”, “achievable” and thus “deliverable” for development in the short-term. The site is capable of delivering the following benefits:

- Up to 40no. dwellings (providing a range and mix of homes);
- The site could deliver a lesser extent of development in line with the objectives of the Hawkhurst Neighbourhood Plan;
- All units would be built to lifetimes homes standards and including provision for bungalows for older people;
- The site can offer a valuable contribution to the growth of Hawkhurst without expensive and challenging improvements to the infrastructure of the settlement. Equally the development of the site would lead to limited impacts upon the Hawkhurst crossroad as Horns Road offers an alternative route to the main A21 route to the west;
- Open space provision;
- New access road;
- Appropriate parking provision;
- On-site drainage/treatment facility placing no pressure on existing drainage system in Hawkhurst;
- Provision of 40% affordable housing; and
- Other obligations towards infrastructure provision (Incl. Community Hall).

4.0 CONCLUSION

4.1 These representations, as prepared on behalf of Wealden Homes, support the aspiration of the Local Plan to meet its housing needs in full. This should however be supplemented by a buffer closer to 20% rather than the current 7 – 10% buffer proposed in the Local Plan. This would address previous shortfalls, affordability issues in the Borough, as well as the potential for unmet needs arising from Sevenoaks.

4.2 Our client's site provides a viable option for meeting uplifted housing needs in the Borough. Contrary to the SA and SHELAA assessments, development of the site would secure a sensitive design response in the AONB in which the site is located. We note that the AONB washes over Hawkhurst and other settlements in the Borough and the Local Plan includes site allocations in other parts of the AONB. Our client's site can be considered positively in this context.

4.3 The site is "suitable", "available", "achievable" and thus "deliverable" for development in the short-term and it is capable of delivering the following benefits:

- Up to 40 no. dwellings (providing a range and mix of homes);
- The site could deliver a lesser extent of development in line with the objectives of the Hawkhurst Neighbourhood Plan;
- All units would be built to lifetimes homes standards and including provision for bungalows for older people;
- The site can offer a valuable contribution to the growth of Hawkhurst without expensive and challenging improvements to the infrastructure of the settlement. Equally the development of the site would lead to limited impacts upon the Hawkhurst crossroad as Horns Road offers an alternative route to the main A21 route to the west;
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- New access road;
- Appropriate parking provision;
- On-site drainage/treatment facility placing no pressure on existing drainage system in Hawkhurst;
- Provision of 40% affordable housing; and
- Other obligations towards infrastructure provision (Incl. Community Hall).

4.4 In summary, we consider that the Local Plan should achieve a 20% buffer in order for it to be "Sound" in accordance with the NPPF. Our client's site can make a meaningful contribution towards achieving a 20% buffer in addition to the 10% requirement for small – medium sites.

1 Swale BC included such a policy in its Regulation 19 Local Plan Consultation.

2 Refer to Draft Local Plan (Reg 18 Consultation), Sept – Nov 2019

APPENDICES

APPENDIX 1 - Wealden Homes representations to Reg 18 Draft Local Plan (Sept - Nov 2019)

APPENDIX 2 - Wealden Homes – Landscape and Visual Impact Assessment

[TWBC: for appendices, please see supporting documents]

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan 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.

Please refer to supporting submitted representations.

[TWBC: the below text is from relevant sections of the submitted representation, which has also been attached as a supporting document]

3.5 Wealden Homes considers that the Local Plan should seek to plan for an extra c. 1,500 new homes in order to reach the 20% buffer in the Plan (this makes provision for the already planned for 7% buffer). In this regard, Hawkhurst is a suitable location in the Borough for planned residential growth (and aligned infrastructure provision) and it is considered that the Local Plan should seek to aim for previous higher levels of growth earmarked to the settlement.

4.0 CONCLUSION

4.1 These representations, as prepared on behalf of Wealden Homes, support the aspiration of the Local Plan to meet its housing needs in full. This should however be supplemented by a buffer closer to 20% rather than the current 7 – 10% buffer proposed in the Local Plan. This would address previous shortfalls, affordability issues in the Borough, as well as the potential for unmet needs arising from Sevenoaks.

4.4 In summary, we consider that the Local Plan should achieve a 20% buffer in order for it to be “Sound” in accordance with the NPPF. Our client’s site can make a meaningful contribution towards achieving a 20% buffer in addition to the 10% requirement for small – medium sites.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . Yes, I wish to participate in hearing session(s)

Question 7a

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Wealden Homes considers that the Local Plan housing supply should be uplifted by c. 1,500 homes. Accordingly, it considers that its site at Streatley, Hawkhurst can make a meaningful contribution to the supply and should thus be allocated. The site can also positively address the shortfall in small-medium sites. Wealden Homes would accordingly seek to present its planning arguments at the relevant examination hearing sessions.

Question 8

If you have any separate comments you wish to make on the accompanying Sustainability Appraisal, please make them here.

Please refer to supporting submitted representations.

[TWBC: the below text is from the submitted representation, which has also been attached as a supporting document]

b) Site at Streatley, Horns Road, Hawkhurst
Sustainability Appraisal

3.8 The Site is assessed in the Sustainability Appraisal (as accompanying the Reg 19 Local Plan) on the basis of it being a “reasonable alternative” to the selected proposed allocations at Hawkhurst.

3.9 The assessment for the site (page 324 of the SA) largely aligns with the assessment undertaken in the Interim SA as part of the Reg 18 Draft Local Plan consultation. We therefore do not repeat the

full set of comments, instead we rely upon Wealden Homes' Reg 18 representations (Nov 2019) at Appendix 1.

3.10 We note that the SA scoring with regard to both "Air Quality" and "Biodiversity" has been downgraded since the previous Reg 18 Draft Local Plan from "Neutral" to "Slightly Negative" (Air Quality) and from "Neutral" to "Slightly Neutral/Negative" (Biodiversity).

3.11 The SA seeks to offer an explanation with regard to the downgrading on Air Quality, noting that this seeks "to better reflect high likelihood of private car use". The SA does not however explain the amendment to the "Biodiversity" scoring.

3.12 The rationale for the "Air Quality" scoring is unclear particularly given that scoring in relation to "Services and Facilities" and "Travel" remains unchanged from the previous Interim SA. Furthermore, this does not appear to have regard to future uplift in electric vehicle use and the Government's commitment for all new vehicles to be powered by electricity by 2030. Accordingly, we consider that the SA scoring for Air Quality should revert back to "Neutral".

3.13 Equally, we consider that Biodiversity Net Gains can be achieved across the site as demonstrated in previous planning submissions for the site. This is feasible through the provision of a broad package of landscape and ecological measures, including open space, SuDS, boundary hedgerow provision and linear ecological "corridors" running through the site. Accordingly, we consider that Biodiversity scoring should be "Neutral/Positive".

Strategic Housing and Economic Land Availability Assessment - SHELAA

3.14 The site is assessed in the SHELAA – Site Assessment Sheets for Hawkhurst Parish (pages 15 – 16). This provides a brief assessment of the site and confirms that the site is "available" and "achievable".

3.15 In terms of suitability, the SHELAA finds the site as "unsuitable" and the reason for this is as follows:

Development of this site on the edge of the settlement would have an adverse impact upon the landscape character and settlement pattern, located in the AONB.

3.16 Wealden Homes objects to this and considers that the SHELAA provides too simplistic a reasoning behind the suitability criteria for the site.

3.17 In this regard, we note that the Council's "Landscape and Visual Impact Assessment of Proposed Allocated Sites in the High Weald AONB (Nov 2020)" does not contain a detailed assessment of the site.

3.18 Instead, a comprehensive and robust Landscape Visual Impact Assessment (LVIA – Appendix 2) has been submitted by Wealden Homes as part of previous planning applications at the site. This identifies that the development on the site would not cause any significant or adverse effects upon landscape character or the visual amenity of the locality, with particular regard to the wider High Weald AONB. The LVIA identifies that the proposed development would have a minimal impact on the visual amenity of the surrounding landscape of Hawkhurst, as well as from existing residential properties.

3.19 The LVIA includes a package of landscape-led and biodiversity measures that ensure conservation of strategic green infrastructure, green links to the countryside and enhancement of habitats. The LVIA concludes there would only be some alteration of the land from the effects of the change from open pasture to built development, however the significance of this change would be negligible given the additional woodland and landscape buffer zones created. The LVIA confirms that with the proposed enhancements of landscape features, including green links, substantial planting and woodland extensions, the overall effect upon the landscape would be low and consequently not harmful to the AONB.

3.20 In summary, the LVIA confirms development on the Site would have a moderate effect upon built and historic character and a negligible effect upon all types of valued landscape features, including that of the High Weald AONB and the nearby Conservation Area of The Moor. The impact of the development would however be mitigated through enhanced landscape measures, as drawn from the conclusions of the LVIA.

3.21 In light of the above, we do not consider the SA or SHELAA assessments to be justified or sound in accordance with the NPPF.

If you would like to attach a file in support of your comments, please upload it here.

[PSLP 1862 & 1871 Barton Willmore for Wealden Homes SI Full Representation with Appendices Redacted.pdf](#)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Jon Webber ([REDACTED])
Email Address	[REDACTED]
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Jon Webber ([REDACTED])
Comment ID	PSLP_2262
Response Date	04/06/21 09:04
Consultation Point	Policy STR/SS 3 The Strategy for Tudeley Village (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Jon Webber
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR/SS 3 The Strategy for Tudeley Village

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

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Please accept this email as my formal objection to the plans to build the additional houses at Tudeley.
Regards, Jonathan Webber.

Objections to Capel plan

The Capel plan is ill conceived and is very likely, based on past experience, to be poorly executed.

The Capel plan is ill conceived for the following reasons:

1. The infrastructure in terms of roads, trains and other transport is insufficient to meet the needs of the current users, let alone a significant increase:
 - a. The B2017 is backed up for well over a mile most mornings between 8-9am from Somerhill up to and beyond Alders Road, and then along the road leading to the A21. Hartlake Road is insufficient for today's traffic, let alone the increased level and is constrained in terms of width by existing properties and the bridges, including the main line railway bridge. The updated proposal suggesting that Hartlake road is permanently closed will cause even more stress for local residents.
 - b. In pre-COVID times – and for our future of commuting, the trains from Tonbridge were already frequently overcrowded and standing room only and there is insufficient parking at the station to cope, leading to residential streets being clogged up
 - c. There is a real lack of decent secondary school places in the area and whilst I applaud your decision to build another school, it's position in terms of transport can only be described as woeful
 - d. The doctors surgeries are overflowing and are unable to cope with the existing patients that they have today. It is not possible to get a telephone appointment for a non-urgent case – as determined by the patient and therefore likely wrong – within one month
2. Flooding in the area is a real concern and you are deliberately putting residents in Hildenborough, Tonbridge and Yalding in higher risk of flooding
 - a. Hartlake Road is a flood plain and is managed, particularly during winter months with these towns in mind. By concreting over the local fields immediately adjacent and the hills that naturally run into the flood plain is a ridiculous idea creating higher water levels and creating danger for the housing already on the Hartlake Road itself
 - b. More of the gravel pits have been recently excavated suggested that there is a real lack of joined up thinking here; where exactly do you expect the water to go?
 - c. There seems to be a real lack of forethought regards water management as a result of “new town” Capel and I have yet to see any plans in this regard
3. Regeneration of Tonbridge may be seen as a result of these plans, although it is doubtful that this even features as a valid concern for Tunbridge Wells council. If regeneration is a thought here, then the “new town” will singly fail to provide an answer
 - a. The “new town” is in the wrong place and it's distance from Tonbridge will not provide easy access without additional buses along a congested road (see 1a)
 - b. The residents are most likely to see Tonbridge as a train station stop rather than a town in its own right and merely clog up the roads in parking (see 1b) creating resentment rather than regeneration
4. The location of the “new town” is utterly beautiful. Unlike Kings Hill, which was an old airfield, the fields surrounding Capel provide fresh air, walks and enjoyment not just for the local residents but

many from the wider area. COVID saw a huge increase to the numbers of people who have enjoyed the countryside. The views up to and from the hillside by Tudeley church provide huge well-being benefits which once lost will never be replaced

5. The local residents strongly object for a number of reasons. They have chosen to live outside of towns and find themselves being subjected to this issues of towns such as Tunbridge Wells, without much interest or limited and apathetic consultation merely for the wealth benefits of a few local, and likely wealthy landowners. There is a sensible alternative overcoming many of the transport issues linked above, namely Castle Hill.

The plan is, in my opinion, likely to be poorly executed for the following reasons:

- 1 Tunbridge Wells Borough Council have a long and poor history of infrastructure management. Tunbridge Wells itself has been clogged with traffic for well over 50 years with few access roads into and out of the town. In the past 50 years, this has not stopped the council enabling infills for additional housing in multiple locations around the town. Forest Road is a typical example of a residential road which used to have circa ½ the current residents and was much easier to get through. I have frequently travelled half of the distance of the M25 in a shorter time than I've got from one side of Tunbridge Wells to the other
- 2 Tunbridge Wells Borough Council is, in effect, outsourcing it's responsibility to the very edge of its district. In other words, having messed up the main town, it is now failing to learn from its infrastructure mistakes and looking to create the same traffic issues in Capel/Tudeley. By placing the town at the very edge of its border, it is adopting an "out of sight, out of mind mentality" whilst still collecting council tax, but really making amenities the responsibility of others
- 3 There seems to be a real disconnect between the building of multiple houses and the infrastructure. The building itself will create huge logistical issues for lorries, builders even before the level of traffic created by the residents increases significantly. If you are serious about this plan – and refuse to contemplate others – then you need to create a proper road network before any house building actually starts. This means building new roads between the site and directly to the A21, not repurposing the existing roads and hoping for the best
- 4 There were multiple advantages to the Kings Hill site, not least being a brownfield site, that are not repeatable for the chosen site for Capel. It did not create 97% objection from the existing residents because it had a decent road network which could be accessed, schools, doctors etc., were part of the plan and were defined within the body of the town itself.

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If responder hasn't ticked an option on this box, data inputter to tick 'not stated' box. Not Stated

Comment

Consultee	Kate Webber [REDACTED]
Email Address	[REDACTED]
Address	- Golden Green -
Event Name	Pre-Submission Local Plan
Comment by	Kate Webber [REDACTED]
Comment ID	PSLP_732
Response Date	01/06/21 08:44
Consultation Point	Policy STR/SS 3 The Strategy for Tudeley Village (View)
Status	Processed
Submission Type	Email
Version	0.7
Data inputter to enter their initials here	KH
Question 1	
Respondent's Name and/or Organisation	Kate Webber
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR/SS 3 The Strategy for Tudeley Village

Question 4a

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Question 5

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3. There seems to be a real disconnect between the building of multiple houses and the infrastructure. The building itself will create huge logistical issues for lorries, builders even before the level of traffic created by the residents increases significantly. If you are serious about this plan – and refuse to contemplate others – then you need to create a proper road network before any house building actually starts. This means building new roads between the site and directly to the A21, not repurposing the existing roads and hoping for the best
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If responder hasn't ticked an option on this box, data inputter to tick 'not stated' box. Not Stated

Supporting Information File Ref No: SI_104a-d

Comment

Agent	Christopher Sampson [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Kember Loudon Williams
Address	[REDACTED] [REDACTED] Tunbridge Wells [REDACTED]
Consultee	[REDACTED]
Company / Organisation	Wedgewood (New Homes) Ltd
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Wedgewood (New Homes) Ltd [REDACTED]
Comment ID	PSLP_1803
Response Date	04/06/21 14:36
Consultation Point	Policy STR 1 The Development Strategy (View)
Status	Processed
Submission Type	Email
Version	0.4
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Wedgewood (New Homes) Ltd
Question 2	
Agent's Name and Organisation (if applicable)	Kember Loudon Williams
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR 1 The Development Strategy

Question 4

Do you consider that the Local Plan:

Is legally compliant No

Is sound No

Complies with the Duty to Cooperate No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not positively prepared
- . It is not effective
- . It is not justified
- . It is not consistent with national policy

Question 5

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Objection to Policy STR1. The Plan is not legally compliant because insufficient consideration has been given towards the meeting of housing needs in adjoining authority areas. As such it has resulted in a Plan which is unsound and does not properly comply with the duty to cooperate. In addition, the reliance on large strategic sites is going to result in the trajectory not being able to deliver sufficient housing early in the Plan period and so additional smaller sites are necessary to ensure delivery and so make the Plan effective.

As a result of the lack of housing allocations (see below) the Plan cannot be said to be positively prepared, justified, effective or consistent with National Policy.

The housing need for the authority in the draft Local Plan is premised upon the standard method for the 15 year period which requires 678 dwellings per year, or 12,200 dwellings over the period. At the time of drafting this Plan the development plan situation in Sevenoaks District Council was unclear. However, following the failure of their High Court challenge, Sevenoaks District Council is now required to begin the preparation of their Local Plan again. Since NPPF expects any unmet housing needs within the adjoining Districts to be addressed by neighbouring authorities, it would be unreasonable for Tunbridge Wells not to accept that some additional housing must be found to alleviate the pressure for new homes within Sevenoaks District. Not to do so would be contrary to NPPF policy and in our view this suggests that additional sites must be identified.

Given the stage reached in the Tunbridge Wells Local Plan process, it would be unreasonable for this Council to not assist Sevenoaks District in meeting part of its housing need. Paragraph 4.16 of the draft Local Plan postulates that Sevenoaks may have an unmet need of 1900 dwellings. Paragraph 4.18 also notes that sites may need to be greater in size to enable delivery of the numbers predicted.

Paragraph 4.53-4.54 then explains that sites and other supply with sufficient capacity for 13,059 to 13,444 dwellings has been found. The mid point gives a buffer of 1,000 dwellings above the 12,200 requirement.

Notwithstanding the buffer and the situation in Sevenoaks, it is also the case that Wealden District Council has fallen short of providing its required housing need and is some way off producing a new Local Plan – having withdrawn its draft document. It is a neighbouring authority and subject to constraints relating to Ashdown Forest and the Habitat Regulations. Since it is within the same housing market area, it may be necessary for Tunbridge Wells to consider meeting some of its unmet housing need. In fact, following the rejection by the Local Plan Inspector of Wealden's Submission Plan, Wealden have re-wound their Plan preparation process and started from the beginning with an issues and options consultation. It is likely that this Plan is several years from fruition.

There is also sufficient uncertainty with Tonbridge and Malling's Local Plan and this Plan seems likely to follow in the footsteps of the Sevenoaks Plan. A shock to the local housing market seems likely with supply side constraint pushing up house prices. In the circumstances, it is considered that additional housing allocations are required to be identified within the Tunbridge Wells Local Plan area and these should go beyond the 1,000 dwelling buffer. Tunbridge Wells Borough Council cannot legitimately argue against this strategy having removed housing allocations from the Regulation 18 draft Local Plan that were perfectly acceptable.

In relation to delivery of new homes, we are of the view that additional medium sized housing sites are also required to ensure a sustainable delivery from early in the Plan period. The Council is relying on a number of very large strategic sites (Policy STR/SS1 and Policy STR/SS3). Together these total around 6,390 dwellings although it is acknowledged that delivery will spill beyond the Local Plan period. Such reliance upon strategic sites will inevitably take a long time to deliver the required housing and when they do start delivery, the housing market will only be able to sustain a certain volume of new homes per annum – otherwise the market is flooded in specific localities and homes take longer to sell. Consequently, additional smaller housing sites should be allocated in different locations – particularly focused on sustainable settlements, including villages, outside the AONB. Since NPPF seeks to boost the supply of housing and there is nothing preventing local authorities from providing more housing land than meets the standard methodology, it is entirely appropriate for additional sites to be identified.

Identifying additional sites should not be considered harmful where they are sustainable and the additional quantum will help meet a need early in the Plan period. This would mitigate risks of delays to delivery on the larger sites and/or lower overall yields should constraints emerge during the detailed planning process. If over provision were to occur, it will simply enable the Council to offset this against future calculated housing needs – this is delivery in front of the curve. Figure 9 of the draft Local Plan (page 477 of the draft Local Plan) sets out the Council's planned housing trajectory. However, the completions rate identified in Table 1 of the Housing Supply and Trajectory Topic Paper for Draft Local Plan (Reg 18) (September 2019, see extract below) explains that in a 3 year period (2016-19) 1552 dwellings were built or 517 per annum – much lower than the annual trajectory predictions of the draft Local Plan. Whilst it is accepted that more allocations may help improve this figure, in our view the historic trends do not suggest delivery will be as positive as the Council imagines.

Table 1: Housing Need 2016-2036 (as at 01 April 2019)

1

Housing need using the Standard Method (2014 household projections)

13,560

2

Completions April 2016 to March 2019

1,552

3

Extant planning permissions at 1 April 2019

3,127

4

Outstanding site allocations

588

5

Windfall allowance

700

50 per year for 14 years (2022-2036)

6

Minimum additional allocations (row 1 minus rows 2, 3, 4 and 5)

7,593

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan 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.

Modify STR1 to increase housing numbers to meet the unmet needs of Sevenoaks DC and other adjoining authorities. Alter the Policy to identify a need for additional smaller and medium sized sites (under 70 units in size). The policy may need to increase by a further 2-3,000 dwellings.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . Yes, I wish to participate in hearing session(s)

Question 7a

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

To be present to test/witness the Council's strategy regarding housing numbers, the trajectory and the delivery of sites.

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Supporting Information File Ref No: SI_104a-d

Comment

Agent	Christopher Sampson [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Kember Loudon Williams
Address	[REDACTED] [REDACTED] Tunbridge Wells [REDACTED]
Consultee	[REDACTED]
Company / Organisation	Wedgewood (New Homes) Ltd
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Wedgewood (New Homes) Ltd [REDACTED]
Comment ID	PSLP_1804
Response Date	04/06/21 14:36
Consultation Point	Policy PSTR/HO 1 The Strategy for Horsmonden parish (View)
Status	Processed
Submission Type	Email
Version	0.5
Files	PSLP_1803-1804_KLW_for_Wedgewood Ltd. SI-1_Appendix_1_Highways_Technical_Note.pdf PSLP_1803-1804_KLW_for_Wedgewood Ltd. SI-2_Appendix_2_Illustrative_Layout.pdf PSLP_1803-1804_KLW_for_Wedgewood Ltd. SI-3_Appendix_3_Heritage_Impact_Statement.pdf PSLP_1803-1804_KLW_for_Wedgewood Ltd. SI-4_Appendix_4_KLW_Reg_18_Report.pdf
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Wedgewood (New Homes) Ltd
Question 2	

Agent's Name and Organisation (if applicable) Kember Loudon Williams

Question 3

To which part of the Local Plan does this representation relate? Policy

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy PSTR/HO 1 The Strategy for Horsmonden parish

Policies Map (Inset Map No(s)) 26

Question 4

Do you consider that the Local Plan:

Is legally compliant No

Is sound No

Complies with the Duty to Cooperate No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not positively prepared
- . It is not effective
- . It is not justified
- . It is not consistent with national policy

Question 5

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Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

Objection to draft policy PSTR/HO1 for Horsmonden.

The Plan is not legally compliant because insufficient consideration has been given towards the meeting of housing needs in adjoining authority areas and delivering sufficient small and medium sites to ensure the housing trajectory can be delivered. As such it has in our view resulted in a Plan which is unsound and does not properly comply with the duty to cooperate. As a result of the lack of overall housing allocations as well as an over emphasis on large strategic sites, not maximising suitable smaller and medium sized sites that are available, the Plan cannot be said to be effective or consistent with National Policy. This explained in more detail in our representations on Policy STR1.

The overarching deficiencies have filtered down to the local level. Although a modest increase in housing numbers in Horsmonden has occurred, compared with the reg. 18 plan, this is below the

suggested uplift made in our reg. 18 representations on this site, and does not include this site within the proposed site allocations. Opportunities for suitable sites to be delivered outside of the AONB should be optimised, in order to help bolster overall delivery – especially on medium sized sites that can be delivered early in the plan period.

Furthermore, a large proportion of the overall provision under this Policy is dependent on one strategic site, AL/HO3, which is a very large scale site extending the form and extent of the village significantly eastwards. This is in contrast to the site at land south of Goudhurst Road, which represents a far more modest and natural rounding off of the village. A strategic site with landscape challenges and community and educational requirements is likely to have a longer lead time than more modestly sized sites.

Additionally, there is acknowledged landscape sensitivity at AL/HO3 (see para. 5.604 of the draft Local Plan) which means lower densities may need to be adopted at the fringes of the site, therefore the total quantum of housing delivery accruing from this proposed housing allocation is very uncertain – leading to a wide range of potential housing numbers delivered from AL/HO3 (115-165 units, a range of some 50 units). There is also a fairly wide range of potential housing numbers at site AL/HO2 (80-100 units), which is the other significant contributor to the housing numbers for Horsmonden within PSTR/HO1. The combined effect is that the overall range of housing numbers given for Horsmonden under PSTR/HO1 is very broad ranging from 240-320 housing units.

Accordingly, given these uncertainties on both quantum and timing, it is considered there is scope to increase the overall upper end of the range of housing delivery in Horsmonden by a further 35 units. This is a modest level of uplift which will optimise the opportunities to deliver housing outside of the AONB and MGB constrained areas, and at the same time mitigating the risk of delivery in the village towards the lower end of the identified ranges on the two larger sites suggested for allocation, as well as helping re-balance the larger sites with smaller allocations. This will help support a smooth housing trajectory, rather than a risk of ‘backloading’.

It is therefore submitted that the land south of Goudhurst Road site be included as an additional residential allocation, under a suggested new Policy reference AL/HO4, for approximately 35 units.

The Council's Sustainability Assessment and SHELAA report revealed that the site scored favourably in comparison to the great majority of the reasonable sites in the village, and the potential concerns raised concerning access and landscape impacts have been comprehensively dealt with in this and previous submissions.

The ADAS Landscape Statement confirms that the site has a low visual value and is of medium/low sensitivity to residential development. The regulation 18 site assessment prepared by ourselves is attached by way of information – with the Landscape and Transport information submitted at that stage enclosed. These representations should be read in conjunction with this information, which set out further context regarding the credentials of the site.

At the time of the reg. 18 representations, there were two potential alternative access solutions. The deliverability of the site has further improved as the site access from Goudhurst Road, along with the rest of the site, is now under the sole control of our client.

Additional feasibility work has been undertaken recently in order to confirm that access is achievable from Goudhurst Road – this removes the potential uncertainty regarding site access. A site access report / technical note has been prepared to support these regulation 19 submission – this has been prepared by GTA Civils and is attached herewith. In summary, this concludes:

- There is a low level of recorded accidents on the local highway network, with only 1 slight injury accident in the last 5 years within 200m of the site;
- The site is in a sustainable location – local retail, education, leisure and health facilities are all located within close proximity to the site;
- Visibility splays have been confirmed on an access drawing to the standard required in a 30mph speed limit area – the required splays being 2.4m x 43m
- A 2m wide footway will adjoin the site to the existing footway to the northern side of Goudhurst Road, via an uncontrolled crossing point with a dropped kerb and tactile paving. This will connect the site to the village centre.
- Vehicle trip generation has been calculated, and will be low during the A.M and P.M peaks (17 two way vehicle trips in each), which will not represent a severe impact on the local highway network.

- Overall, the report demonstrates access and internal circulation and vehicle parking can be achieved in accordance with relevant standards and that there are no unacceptable highway or transport impacts resulting from the proposed development.

In addition to the previous KLV site submission report and enclosed Landscape and Transport submission, we also attach the illustrative layout for the site. This has been prepared taking into account appropriate advice from the wider project team, including ecologists, landscape and transport consultants as well as a professional heritage specialist.

The layout takes account of the need to retain key views from the Conservation Area through to the surrounding landscape, and is assessed as having a cumulatively neutral impacts upon the Conservation Area and preserve the settings of nearby Listed Buildings (see conclusions of the attached Assessment of Significance and Heritage Statement prepared by DGC Architectural and Historic Building Consultants). This assessment takes account of the need to demolish the garage to Bucklers which is stated to be a modern addition.

The Heritage Assessment states, on page 20:

“Due to the low density of the proposed development on the southern half of the site and the proposed landscaping scheme with enhanced planting, any views looking north would result in sections of the built form interspersed with mature planting. This would create a sense of a semi-rural openness akin to the character of the conservation area, rather than a typical suburban development, and provide a transition between the village settlement and open countryside”.

It is therefore considered that the positive credentials of the site are very clear, and the site is suitable, available and deliverable.

[TWBC: the below text is from the covering email sent by KLV to TWBC; for appendices, please see supporting documents]

we also attach the following documents in support of the representations made in respect of PSTR/HO1 and in particular, demonstrate the deliverability and strong credentials of the site at Land south of Goudhurst Road, Horsmonden:

- . Appx 1: Highways Technical Note / Report (by GTA Civils)
- . Appx 2: Illustrative Site Layout drawing
- . Appx 3: DGC Heritage Assessment
- . Appx 4: KLV regulation 18 report which set out information regarding the site that remains relevant – with ADAS Landscape Report attached within the appendices

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan 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.

Modify PSTR/HO1 and inset map 26 as follows:

Criterion 1: Text to remain the same, but amend inset map 26 to include all but the south eastern corner of the site within the revised Limits to Built Development (LBD) for the village. The south-eastern corner of the site is to be left as an open space with landscaping.

Criterion 2: Amend the upper end of the range of units by 35 housing units, to 355 new dwellings and reference an additional allocation policy (AL/HO4) for Land South of Goudhurst Road, Horsmonden.

No changes to be made to criteria 3 and 4.

This is a modest level of uplift which will optimise the opportunities to deliver housing outside of the AONB and MGB constrained areas, and at the same time mitigating the risk of delivery in the village towards the lower end of the identified ranges on the two larger sites suggested for allocation, as well as helping re-balance the larger sites with smaller allocations. This will help support a smooth housing trajectory, rather than a risk of 'backloading'.

Policy AL/HO4 to be added to the plan for the provision of up to 35 residential dwellings which would include requirements as follows:

- To retain and enhance the existing landscape structure and retain the open view south from the site entrance at Goudhurst Road;
- The design and layout to give consideration to the edge of settlement location and the setting of the Conservation Area;
- The site to provide an area of open space at the south-eastern corner linking into the existing footpath network
- Incorporation of 40 per cent affordable housing on-site.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . Yes, I wish to participate in hearing session(s)

Question 7a

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Wedgewood New Homes and Kember Loudon Williams wish to preserve the right to participate in order to address the issues around soundness, overall housing numbers, and the balance of strategic and smaller sites, and furthermore to promote this additional site in order to help re-balance the Plan; optimising housing delivery outside of the AONB and on smaller sites.

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box: Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Amanda Wells [REDACTED]
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	Amanda Wells [REDACTED]
Comment ID	PSLP_1167
Response Date	03/06/21 21:45
Consultation Point	Policy STR 7 Climate Change (View)
Status	Processed
Submission Type	Web
Version	0.4

Question 1

Respondent's Name and/or Organisation	Amanda Wells
---------------------------------------	--------------

Question 3

To which part of the Local Plan does this representation relate?	Policy
--	--------

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR 7

Question 4

Do you consider that the Local Plan:

Is legally compliant	Don't know
Is sound	No
Complies with the Duty to Cooperate	Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not positively prepared
- . It is not effective
- . It is not justified

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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"Policy STR 7 Climate Change

All development within the borough will recognise the Climate Emergency and be supportive of the Council's ultimate target to achieve net zero emissions across the borough by 2030."

The Council has failed to produce a plan which demonstrates how it will contribute significantly to achieving net zero emissions across the borough by 2030. As an example, on page 79 section 3.178 states that Borough-wide, "New development will require new gas supply connections". Given that the provision of gas boilers in new builds is to be banned by the Government from 2025 and the Local Plan covers the period to 2038 this is a crucial inconsistency.

Restoration and reuse of existing buildings is recognised as less climate damaging in terms of resources and emissions than new building yet the Council is proposing to meet its exaggerated housing need by new developments mainly on good quality agricultural land with very little input from repurposing empty or underused buildings.

There is no qualitative analysis to demonstrate how the harm for all this new development is going to mitigate the impact on emissions and the environment.

The Plan is unsound as it fails to meet the Council's own commitment to achieving net zero emissions by 2030.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

- . No, I do not wish to participate in examination hearing session(s)

Comment

Consultee	Nicola Gibb [REDACTED]
Email Address	[REDACTED]
Company / Organisation	West Peckham Parish Council
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	West Peckham Parish Council [REDACTED] [REDACTED]
Comment ID	PSLP_1114
Response Date	03/06/21 15:14
Consultation Point	Policy STR/SS 1 The Strategy for Paddock Wood, including land at east Capel (View)
Status	Processed
Submission Type	Web
Version	0.2
Question 1	
Respondent's Name and/or Organisation	West Peckham Parish Council
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy STR/SS1	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Don't know
Is sound	No

Complies with the Duty to Cooperate

Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

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- . It is not justified
- . It is not consistent with national policy

Question 5

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This submission is from West Peckham Parish Council on behalf of the residents of West Peckham, a small village on the east side of Tonbridge and Malling Borough.

TWBC wish to put very a major housing allocation adjacent to the border with Tonbridge and Malling Borough Council area. This will have major effects on the local road and rail infrastructure for the residents of the local parishes. No mitigation of the effects are planned.

We are concerned that the proposed development will generate significant traffic on the roads connecting to the M20 as the limited junction between the A21 and the M26 does not encourage eastbound traffic to travel via the A21.

The B2016, Seven Mile Lane, already carries a heavy and increasing traffic load as does the A228, Kings Hill, currently making it difficult to leave West Peckham village across the dangerous junctions. The increase in traffic due to the proposed major development will increase the likelihood of serious accident at the Seven Mile Road crossroad with Mereworth Road, adjacent to Mereworth Primary School and at the junction with The Street and the A228.

Many local residents commute to London and the trains at Tonbridge are already full. The increase in numbers of commuters getting on at Paddock Wood will make these crowded trains unusable, potentially causing more people to travel by car.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

- . No, I do not wish to participate in examination hearing session(s)

Question 8

If you have any separate comments you wish to make on the accompanying Sustainability Appraisal, please make them here.

This submission is from West Peckham Parish Council on behalf of the residents of West Peckham, a small village on the east side of Tonbridge and Malling Borough.

TWBC wish to put very a major housing allocation adjacent to the border with Tonbridge and Malling Borough Council area. This will have major effects on the local road and rail infrastructure for the residents of the local parishes. No mitigation of the effects are planned.

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Future Notifications

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No, I do not wish to be notified of future stages of the Local Plan

Comment

Consultee	Nicola Gibb [REDACTED]
Email Address	[REDACTED]
Company / Organisation	West Peckham Parish Council
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	West Peckham Parish Council [REDACTED] [REDACTED]
Comment ID	PSLP_1115
Response Date	03/06/21 15:20
Consultation Point	Policy STR/SS 3 The Strategy for Tudeley Village (View)
Status	Processed
Submission Type	Web
Version	0.4
Question 1	
Respondent's Name and/or Organisation	West Peckham Parish Council
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy STR/SS3	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Don't know
Is sound	No

Complies with the Duty to Cooperate

Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

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Question 5

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

. No, I do not wish to participate in examination hearing session(s)

Question 8

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This submission is from West Peckham Parish Council on behalf of the residents of West Peckham, a small village on the east side of Tonbridge and Malling Borough.

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Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Ms Susan Westlake [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] ROYAL TUNBRIDGE WELLS [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Ms Susan Westlake [REDACTED]
Comment ID	PSLP_283
Response Date	03/06/21 23:28
Consultation Point	Policy AL/RTW 5 Land to the south of Speldhurst Road and west of Reynolds Lane at Caenwood Farm, Speldhurst Road (View)
Status	Processed
Submission Type	Web
Version	0.5
Question 1	
Respondent's Name and/or Organisation	Susan Westlake
Question 3	
To which part of the Local Plan does this representation relate?	Paragraph(s)
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Paragraph No(s)

4.125

5.47

Policy No.

AL/RTW 5

Policies Map (Inset Map No(s))

5

Question 4

Do you consider that the Local Plan:

Is legally compliant	Don't know
Is sound	No
Complies with the Duty to Cooperate	Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:	. It is not positively prepared
	. It is not justified
	. It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

It is not consistent with achieving sustainable development.

It will affect current and future generations in the locality. The A26 road already exceeds pollution limits. Speldhurst Road is already congested at peak times with parked cars causing jams and traffic extending all the way down past Kibbles Lane causing pollution.

Food should be produced on this farmland to help this country to be more self-sufficient instead of relying on imports and in view of the climate emergency.

This land has been promoted by landbankers for several years, hoping for a substantial profit. Greenfield land is more profitable for developers than brownfield. Will that profit be kept and spent locally, or end up in off-shore accounts?

Average house prices are currently at least 15 times average salaries in the area. The original plan referred to social rent homes. This plan refers to 'affordable housing' but it needs to be truly affordable for local people.

I question the manner in which the Caenwood Farm site was added to the PSLP, thus seriously prejudicing the democratic right of the residents in this area from making their arguments and opinions heard at the local level.

I strongly protest against the removal of the Green Belt status from the Caenwood Farm site and thus allow the progressive destruction of the last area of green belt. I protest against the resulting loss of a countryside buffer between Tunbridge Wells and Southborough and the consequent encroachment of urban sprawl that will result and which the current site at present prevents.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . No, I do not wish to participate in examination hearing session(s)

Question 8

If you have any separate comments you wish to make on the accompanying Sustainability Appraisal, please make them here.

This appraisal states 'scores for the environmental objectives ranged from – to 0. The air quality objective scores as mixed overall due to the likelihood that most development in Southborough will increase traffic in the AQMA. ... Noise and water are scored slightly negative. ... This site scores some neutrals and positives but is let down on its heritage, land use and landscape scores. The whole site has archaeological potential and is an historic field.

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box: Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Mr Martin Lord [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] Tunbridge Wells [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Mr Martin Lord [REDACTED]
Comment ID	PSLP_1914
Response Date	04/06/21 15:02
Consultation Point	Policy AL/RTW 22 Land at Bayham Sports Field West (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Martin Lord
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy AL/RTW 22 Land at Bayham Sports Field West	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Don't know
Is sound	No

Complies with the Duty to Cooperate

Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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I have no doubt the plan is strictly speaking – legal. But it's not sound from a moral or sense point of view because:

- 1 Overcrowding in the area – the locality is already overcrowded. There have been large and new substantial developments recently at nearby Hawkenbury and Benhall Mill Road. This is already placing a strain on the local infrastructure, including the roads.
- 2 Vehicle access to the new development will be via Bayham Road – which is served by Forest Road. Forest Road is already far too busy – and with a 40 mph speed limit. More traffic will put even more strain on the road. Incidentally, the 40 mph speed limit needs to be reviewed – this is out of touch with other speed limits in this residential area.
- 3 The pedestrian access via the crematorium is just not on – this needs to be a peaceful, reflective environment for families attending funerals etc – not a rat run for new housing.
- 4 More generally, the new development – and the continual movement in and out of it by people and vehicles - will defeat the need for a quiet and reflective environment at the adjoining crematorium. This must be preserved for families and friends to show their last respects to their loved ones. The development will also butt onto the cemetery and headstones – this is important for families who've lost loved ones – and who will want to visit and reflect at their graves regularly. This isn't the way to treat our deceased relatives and their friends and families.
- 5 It is difficult to see how vehicle access could be achieved as shown on the plan without taking away some of the land from the crematorium – and some of the memorials that are currently there – this isn't acceptable.
- 6 I note the development is contingent on finding alternative sports facilities – such alternative though must not lead to over-use/overcrowding at any new facility – for example, by simply cramming the Bayham Sports users at another, already well used, facility. This is likely if a new site isn't found.

Question 6

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Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at

examination). You will need to say why each modification will make the Local Plan 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.

NONE!

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Supporting Information File Ref No: SI_66

Comment

Agent	Mr Julian Black [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Kember Loudon Williams
Address	unknown unknown unknown
Consultee	Mr Anthony Whetstone [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED], [REDACTED] Five Oak Green Tonbridge [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Mr Anthony Whetstone [REDACTED]
Comment ID	PSLP_1129
Response Date	03/06/21 12:20
Consultation Point	Policy STR 4 Ensuring Comprehensive Development (View)
Status	Processed
Submission Type	Email
Version	0.4
Files	PSLP_1125, 1129, 1132_KLW for Mr and Mrs Whetstone_SI_Representations_redacted.pdf
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Mr & Mrs Whetstone
Question 2	
Agent's Name and Organisation (if applicable)	Kember Loudon Williams Ltd
Question 3	

To which part of the Local Plan does this representation relate?

Policy

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR 4 Ensuring Comprehensive Development

Question 4

Do you consider that the Local Plan:

Is sound

No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not positively prepared
- . It is not effective
- . It is not justified
- . It is not consistent with national policy

Question 5

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The guiding principles of Policy STR4, setting out the importance of adopting a comprehensive approach to the delivery of all development and that the allocated sites are delivered in complete accordance with policy provisions are sound: these are, after all, some of the founding principles of the planning system. However, as currently drafted, the policy wording is vague, imprecise and lacks the level of commitment from Tunbridge Wells Borough Council (TWBC) that is required to ensure that sites are brought forward in their entirety. This is completely envisaged by TWBC and, in the case of the large strategic sites, the Council's appointed/integrated master-planning/professional/technical consultant team. In this regard, Policy STR4 requires amendment to ensure compliance.

The National Planning Policy Framework (NPPF) establishes in Part d of Paragraph 16 that policies must be clearly written and unambiguous. Part f of the same paragraph requires that policies should serve a clear purpose. The policy as presently drafted does not fully meet these tests.

The draft wording of the policy states that where sites have several land use elements or are in multiple ownerships, comprehensive development will be secured by "an appropriate means of master planning". In broad terms this is supported, but the policy must go further to ensure that the masterplan vision is delivered in its entirety as envisaged/planned for particularly in circumstances where there are multiple or fractured land-owning interests.

Whilst a masterplan will generate the vision and guiding principles for the development of the site, the 'nuts and bolts' of its practical delivery must be supported and underpinned by a clear policy requirement that states:

- 1) TWBC will not support fractured or piecemeal forms of development aligned with land ownership;
- 2) That allocated sites must come forward in their entirety in fulfilment of the masterplan; and
- 3) That TWBC will require equalisation agreements between the various landowning/developer interests to ensure that the masterplan vision(s) are delivered comprehensively.

As currently drafted, these elements are lacking in the draft policy – it is considered ambiguous and therefore unsound.

The supporting text to the policy explains at Paragraph 4.80 that “*Different means of ensuring a comprehensive approach exist and will be case specific*”. Hence, the policy sets out the guiding principles to determine what would be most appropriate. We accept the sentiment but are concerned that the wording is not sufficiently clear and robust to ensure and support comprehensive project delivery.

The Strategic Sites Masterplanning and Infrastructure Study (February 2021), prepared by independent consultants David Lock Associates (DLA), supported by a wide ranging body of appointed professionals covering, inter alia, highway assessment, landscape and visual impact requirements, ecology, flooding and water management, has quite rightly an entire chapter dedicated solely to delivery (Chapter 7). After all, delivery is the fundamental premise of realising the development/housing/infrastructure needs of the Borough. Chapter 7 highlights that “*instances may arise where one developer is meeting the full cost of infrastructure shared by all, or one is disproportionately contributing in a different way such as by providing land*”. It then goes on to say that “*Developers should be invited to form their own collaboration agreement or alternative mechanism for the equal sharing of costs. Should this not occur, **TWBC should facilitate this process***”. The latter is key, as only with the direct and meaningful involvement of the Planning Authority can true parity and fairness occur to support the realisation of TWBC’s land-use vision.

TWBC’s own professional advisors have, therefore, clearly and correctly recommended that the TWBC must step in if it is becoming clear that an equalisation agreement is unachievable. Furthermore, they point out that this should be actioned in a timely fashion so that the delivery of the development is not delayed unnecessarily. Without the comprehensive realisation of the strategic sites as planned through collaborative working, we would question the validity and public benefit of adopting a master planning approach. This is, in our view, the correct approach, but it is reliant on being met in full.

It is therefore important that this land equalisation agreement be enshrined into the policy wording now to avoid unnecessary project suspension. The present wording contained within the draft policy (*It is highly likely the delivery of the development will require land equalisation agreements*) is weak and lacks clarity. The correct vehicle to drive through the development of Paddock Wood is through an equalisation agreement and it is critical that TWBC take charge of this process absent of private interests/agreements between the affected stakeholders. Moreover, the policy should include a clear statement that the Council will not support applications/schemes that do not meet and provide the full and comprehensive realisation of the strategic master planned sites.

It is inappropriate to defer this issue to a later stage in the development process (i.e. in a Supplementary Planning Document “SPD”). SPDs fall outside the examination process and are not, therefore, subject to full public scrutiny and the rigours of the examination. In view of this there is a real danger that in the absence of a policy requirement to fully address the land equalisation agreements and comprehensive delivery, this fundamental issue will be overlooked. Within this there is the potential and opportunity for the larger landowning and developer communities to work to their own agendas to the detriment of the wider comprehensive master planning approach.

We would respectfully ask TWBC to note that we have approached Crest Nicholson historically, and again very recently to explore collaborative working possibilities: linking in with Site DPC19. Regrettably, given the emphasis and need for comprehensiveness, these approaches have been rejected. So, despite our endeavours, at present there is no collaboration or agreement between landowners. Without TWBC’s support, there are concerns that our client’s land (and other smaller land holding interests) that form a legitimate and important part of the integrated masterplan vision will be marginalised to the detriment of the overall planned vision and interests of acknowledged importance including, amenity provision and open space, blue/green infrastructure, connectivity, ecology, bio diversity: all key and central planks of the masterplan/policy vision of the Paddock Wood expansion. Delivery is central to the soundness of the plan and it is clear that land equalisation is fundamental to this.

Put simply, this is a strategic matter which must be addressed now at the front end of the Local Plan and master planning processes. This will ensure that the planning objectives of collaboration and a comprehensive approach to development, elements that help contribute to place shaping and a good quality environment, are met in full. Failure to attend to this important component now will render the plan undeliverable and therefore unsound.

Question 6

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TWBC should adhere to their own independent consultant's advice (DLA) and commit to facilitating the process of land equalisation agreements in the absence of agreement between the affected stakeholders. The second paragraph to Policy STR4 should be replaced with the following:

"Where sites have several land use elements or are in multiple ownerships, Developers should be invited to form their own collaboration agreement or alternative mechanism for the equal sharing of costs. Should this not occur, TWBC will facilitate this process". And,

"The Council will not support piecemeal proposals that fall outside of or contradict the provisions of the policy and adopted masterplans and/or the principles of comprehensive development".

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . Yes, I wish to participate in hearing session(s)

Question 7a

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If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

In order to ensure that the Plan is found sound.

If you would like to attach a file in support of your comments, please upload it here. [PSLP 1125, 1129, 1132 KLV for Mr and Mrs Whetstone SI Representations redacted.pdf](#)

Future Notifications

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Yes, I wish to be notified of future stages of the Local Plan

Supporting Information File Ref No: SI_66

Comment

Agent	Mr Julian Black [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Kember Loudon Williams
Address	unknown unknown unknown
Consultee	Mr Anthony Whetstone [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED], Five Oak Green Tonbridge [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Mr Anthony Whetstone [REDACTED]
Comment ID	PSLP_1125
Response Date	03/06/21 12:20
Consultation Point	Policy STR/SS 1 The Strategy for Paddock Wood, including land at east Capel (View)
Status	Processed
Submission Type	Email
Version	0.6
Files	PSLP_1125, 1129, 1132_KLW for Mr and Mrs Whetstone SI Representations redacted.pdf
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Mr & Mrs Whetstone
Question 2	
Agent's Name and Organisation (if applicable)	Kember Loudon Williams Ltd
Question 3	

To which part of the Local Plan does this representation relate?

Policy

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR/SS 1 The Strategy for Paddock Wood, including land at east Capel

Policies Map (Inset Map No(s)) 27 & 28

Question 4

Do you consider that the Local Plan:

Is sound

No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not positively prepared
- . It is not effective
- . It is not justified
- . It is not consistent with national policy

Question 5

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Introduction and Background

Our client has land interest that forms part of Tunbridge Wells Borough Council's (TWBC) planned/proposed expansion area of Paddock Wood, which along with land at east Capel is proposed to deliver approximately 3,490 – 3,590 new houses.

Tudeley Brook Farm (the Site), is a private home with several outbuildings and set in extensive grounds which extend to approximately two hectares. The Site lies to the north of Paddock Wood directly south of Whetsted Road (A228). The full extent of the holding is identified in the Strategic Housing and Economic Land Availability Assessment (SHELAA) and referenced 'Site DPC19'. The land is also included within the masterplan vision, development strategy and draft policy allocation for the proposed extension of Paddock Wood: referenced as Local Plan Allocation STR/SS1 and identified as part of the 'Western Parcel' in Map 27 Masterplan Areas of the Local Plan.

The Site (DPC 19) was not included within the original call for sites process, during the Regulation 18 consultation stage. Following consultation, a series of strong and credible planning arguments were brought forward including, but not limited to, the beneficial relationship of the Site to Whetsted Road and Tudeley Brook presenting 'natural' tangible and defensible boundaries to the western parcel, the facility to contribute meaningfully to flood water/water management requirements to the benefit of the wider development, and with other interests, the provision of public open space/ country park, integrated

with land to the south and west for the benefit of new and planned communities: all supporting the inclusion and integration of the Site within the planned growth proposed at Paddock Wood.

The Site was then appraised by a team of highly regarded independent consultants covering amongst other disciplines, urban design and master planning, flood and water environments, transport and integration and ecology. The complete professional team, appointed by TWBC undertook the master planning work (based on garden settlement principles) to inform the proposed strategic growth at this location.

Following months of detailed assessment and appraisal across all technical disciplines, the appointed consultant team independently concurred with our view on the planning and environmental benefit of fully including the Site within the planned expansion of Paddock Wood. The land now forms part of the Western Parcel of Strategic Site STR/SS1 (as set out in Map 27 on page 148 of the Regulation 19 version of the Plan) and similarly features in the Structure Plan (as set out in Map 28 on page 149 of the Regulation 19 version of the Plan). The land has been removed from the Green Belt and is designated within the Structure Plan as land within a Green and Blue Strategic Landscape Corridor, with overarching visual/physical amenity, ecological, landscape, movement and connection benefits to manage flood waters and to support the well-being of the new communities.

Green and Blue Strategic Landscape Corridor

This green and blue infrastructure is a core component in the acceptability of the proposed development. The Site is an integral part of the masterplan vision adding real value to the wider strategic development planned around Paddock Wood and acts as a facilitator in the following ways:

- . With other land parcels adjoining to the south and west, the site provides a significant and necessary area of 'natural' public open space that will provide an appropriate quantum of amenity space for informal and formal play, whilst providing amenity value for the planned and existing houses;
- . The Site plays a crucial part in providing community infrastructure for the new and existing residents of Paddock Wood with an important green footpath running alongside the boundary;
- . The Site's northern and eastern boundaries are defined by Whetsted Road and Tudeley Brook respectively – the combination will form a strong and defensible new edge to the settlement expansion, thus protecting from future incursion into the Green Belt. Visibility to and from adjoining rural areas will be limited and cohesion between settlements will be maintained;
- . The Site will make a positive contribution to strengthening and restoring an integrated network of habitats for the benefit of nature – this is critical and is a direct response to the heightened importance of integrating biodiversity and ecological interest into new developments that is emerging through the Environment Bill, and which will receive Royal Assent shortly; and
- . Use of the Site provides an opportunity for meaningful improvement to the extant local flooding and drainage issues. It also an essential component of the wider flood alleviation measures that are so critical and necessary in this location to support the delivery of the new housing and, fundamentally, to protect the safety of future residents.

Whilst commendable, this green and blue infrastructure designation raises a requirement to facilitate land equalisation agreements for the benefit of landowners required to "give over" their land for the future benefit of the wider community. The merit and benefit that the Site brings should be acknowledged and properly accounted for in the Local Plan.

Comprehensive Masterplan

Section 3 of the Pre-Submission Local Plan reveals with visions and strategic objectives and sets out the main guiding factors for different parts of the Borough. For Paddock Wood the vision is *"to provide for **comprehensive planned strategic growth that is fully aligned with timely infrastructure provision and which delivers significant improvements** in local employment, town centre, leisure and other services/community facilities commensurate with its enhanced role, as well as ensuring that it is not vulnerable to flooding"*.

Paragraph 5.193 in the supporting text to Policy STR/SS1, also notes the vision for Paddock Wood and further comments that it is important to *"help develop the growth around Paddock Wood and east Capel **strategically and holistically**"*.

The Strategic Sites Topic Paper for Pre-Submission Local Plan (March 2021) explains that the appointed consultant team, led by David Lock Associates (DLA), correctly took an "ownership blind" approach to developing the master plan vision for the planned growth. Adopting this approach ensured that the

planned expansion fully maximised the development potential in terms of securing the important garden settlement principles, providing the key infrastructure in the right locations, without influence or favour on landowning interests.

This ownership blind approach to master planning has directly resulted in the Site being positively included within the wider strategic allocation for Paddock Wood in the Western Parcel of Strategic Site STR/SS1 (Map 27) and also in the Structure Plan (Map 28). We welcome the Site's allocation but have grave concerns that it does not feature nor is it discussed anywhere in written form in the Regulation 19 version of the plan. In other words, there is no commitment in the actual wording of any policies to support the Site and facilitate its wider integration. This is contrary to TWBC's adopted professional and independent advice from its advisors who have recommended its inclusion within the masterplan. It is essential now that TWBC commits fully to the entire masterplan vision, including the Site at Tudeley Brook Farm, to ensure that the full benefits of the masterplan are realised. Specific wording within the draft policy is required to ensure that the vision is comprehensively delivered.

TWBC's objectives for a collaborative landowner approach is reinforced in the Strategic Sites Topic Paper for Pre-Submission Local Plan (March 2021). This Topic Paper provides the background to the Strategic Sites Working Group forum and explains that all stakeholders were made aware of the requirement to deliver the growth around Paddock Wood and east Capel, and Tudeley Village, in line with garden settlement principles, *"acknowledging that these carry a higher infrastructure burden"*. Paragraph 3.5 states that site promoters were advised that they may need to *"prepare for the potential use of equalisation agreements in order to achieve ambition, but reasonable, objectives sought"*.

Chapter 7 of the same topic paper is concerned with deliverability and viability but throughout this chapter, reference is only made to the key site promoters. Regrettably, TWBC have focussed their attention on the four principal housebuilders: Crest Nicholson; Dandara; Redrow and Persimmon with little regard to the smaller site promoters. TWBC has failed to properly acknowledge that there are other important areas of land that, following independent review, now form viable and necessary component parts of the overall plan. This requires resolution in order for the plan to become effective and therefore sound.

The final paragraph to Policy STR/SS1 currently states: *"It is highly likely the delivery of the development will require land equalisation agreements. The Council will, if necessary, use its Compulsory Purchase Order powers to ensure the delivery of the appropriate master planned approach"*.

Given that TWBC have acknowledged that it is "highly likely" that the development will require land equalisation, in the interests of astute planning and deliverability, the local plan must address these land equalisation omissions now. Without the necessary controls to ensure the comprehensive delivery of the whole masterplan vision, the policy/plan is not effective and is, therefore, unsound.

Furthermore, the Strategic Sites Masterplanning and Infrastructure Study (February 2021), prepared by DLA, has a whole chapter dedicated to delivery (Chapter 7). It highlights that *"instances may arise where one developer is meeting the full cost of infrastructure shared by all, or one is disproportionately contributing in a different way such as by providing land"*. It concludes that *"Developers should be invited to form their own collaboration agreement or alternative mechanism for the equal sharing of costs. Should this not occur, **TWBC should facilitate this process**"*.

TWBC's own advisors have therefore recommended that TWBC must 'step in' if it is becoming clear that an equalisation agreement is unachievable. Furthermore, they point out that this should be actioned in a timely fashion so that the delivery of the development is not delayed.

It is therefore important that this land equalisation agreement is enshrined into the policy wording now for clarity and to avoid unnecessary delays in the delivery of the wider masterplan. The present wording contained within the draft policy (*It is highly likely the delivery of the development will require land equalisation agreements*) is vague and lacks the 'teeth' necessary to ensure that the scheme is delivered in its entirety, as envisaged. The correct vehicle to support the development of Paddock Wood is through an equalisation agreement. It is imperative that TWBC, as Planning Authority, take complete charge of this process in the public interest and absent of private agreements between the affected stakeholders.

We would respectfully ask TWBC to note that we approached Crest Nicholson, historically, and again very recently to explore collaborative working possibilities: linking in with Site DPC19. Regrettably, especially given the emphasis and need for comprehensiveness, these approaches have been rejected. So, despite our endeavours, at present there is no collaboration or agreement between landowners.

Without TWBC's support, there are concerns that our client's land (and other smaller land holding interests) that form a legitimate and important part of the integrated masterplan vision will be marginalised to the detriment of the overall planned vision and interests of acknowledged importance including: amenity provision and open space, blue/green infrastructure, connectivity, ecology and biodiversity, all of which are key and central planks to the masterplan/ policy vision of the Paddock Wood expansion. Delivery is central to the soundness of the plan and it is clear that land equalisation is fundamental to this.

Flooding

Throughout the Plan there is a stated ambition to ensure that the proposed growth strategy can be accommodated to provide betterment, without further harm and risk to areas that are vulnerable to flooding.

We have real concerns that this "betterment" will not materialise if the Site is left to stand in isolation and that the wider development will cause further harm to the Site which is already prone to flooding.

The Strategic Flood Risk Assessment "SFRA" (July 2019) shows that the Site is identified as being located in Flood Zone 2 but surrounded by land in Flood Zone 3a. The maps showing the flood zone of the site, taken from the SFRA, is provided below for reference.

[TWBC: for map, please see full representation attached as a supporting document]

Long dated on-site experience shows that following heavy rainfall, the culvert to the north west of the Site (which runs under the A228) is not fit for purposes. It has insufficient capacity even now to accommodate heavy rainfall and results in leeching from Tudeley Brook (which borders the subject site to the east) during inclement weather patterns. Our clients have funded their own flood defence strategy to ensure that the house itself remains protected during these periods but the garden areas become unusable during these weather conditions.

Flooding clearly presents a constraint that has to be managed through the masterplanning process and it is imperative that our client's land is included and used proactively to mitigate flood risk elsewhere in the wider development plans. Leaving the Site isolated will significantly increase the level of leeching to the detriment of our client's amenity.

There is a case to say that the whole of the Site (including the formal house) should be taken over and restored back into the functional flood plain. At present, there is for example a 600mm flood bunding barrier running the entirety of the Tudeley Brook elevation. Removing this bunding along with the other structures and hardstanding on the Site would significantly and materially extend the space available for flood storage. Restoring the functional floodplain would generate significant betterment and indeed this is a practice endorsed in the NPPF with Paragraph 157c.

A key objective for Paddock Wood is ensuring that the proposed growth strategy can be accommodated without further harm and risk to areas that are vulnerable to flooding, to provide betterment. If the Site is left to "row its own boat" there will be no betterment, only harm. The development scheme would go against the stated ambitions of the local plan. A mechanism for compensation needs to be put in place now in Policy STR1/SS1 and a properly conceived and managed land equalisation strategy will assist with this.

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan 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.

To ensure that the strategic allocation is deliverable and therefore sound, it is imperative that all the landowners are given due consideration and are fully involved in the plan making process.

The plan states at Paragraph 5.178 that site promoters have “indicated” their support for the proposals and so deliverability is “anticipated” to be achievable over the plan period. Our experience has shown that this is not the case.

In order for the plan to be effective and deliverable, stronger commitment and management from TWBC is required. The Council must take charge of this process (as advised by DLA) and we recommend that the Council seeks to ensure a land equalisation agreement is in place for the western parcel of land at Paddock Wood prior to submitting the draft Local Plan to the Secretary of State.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . Yes, I wish to participate in hearing session(s)

Question 7a

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If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

In order to ensure that the Plan is found sound.

If you would like to attach a file in support of your comments, please upload it here. [PSLP 1125, 1129, 1132 K LW for Mr and Mrs Whetstone SI Representations redacted.pdf](#)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box: Yes, I wish to be notified of future stages of the Local Plan

Supporting Information File Ref No: SI_66

Comment

Agent	Mr Julian Black [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Kember Loudon Williams
Address	unknown unknown unknown
Consultee	Mr Anthony Whetstone [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED], Five Oak Green Tonbridge [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Mr Anthony Whetstone [REDACTED]
Comment ID	PSLP_1132
Response Date	03/06/21 12:20
Consultation Point	Policy EN 14 Green, Grey, and Blue Infrastructure (View)
Status	Processed
Submission Type	Email
Version	0.4
Files	PSLP_1125, 1129, 1132_KLW for Mr and Mrs Whetstone_SI_Representations_redacted.pdf
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Mr & Mrs Whetstone
Question 2	
Agent's Name and Organisation (if applicable)	Kember Loudon Williams Ltd
Question 3	

To which part of the Local Plan does this representation relate?

Policy

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy EN 14 Green, Grey, and Blue Infrastructure

Question 4

Do you consider that the Local Plan:

Is sound

No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not positively prepared
- . It is not effective
- . It is not justified
- . It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

The guiding principles of Policy EN14 are considered sound and reflective of the significance and importance of protecting existing green, grey and blue infrastructure and integrating/maximising opportunities to support climate change, through a combination of enhanced biodiversity and restoring and providing 'integrated networks of habitats and green spaces'. These are all positive and laudable aims that link in with the aims and aspirations of the new Environment Bill. Whilst yet to receive Royal Assent, the new Bill is a clear and necessary statement of the direction of travel in the interest of climate change, biodiversity, and ecology interests – these aims are, and should be fundamental parts of all new development proposals.

It is disappointing, therefore, that the draft policy reads more as guidance than as a development plan policy. It is unclear on how its provision should be applied by the decision maker, Tunbridge Wells Borough Council (TWBC). In this regard, the National Planning Policy Framework (NPPF) establishes in Part d of Paragraph 16 that policies must be clearly written and unambiguous. Part f of the same paragraph requires that policies should serve a clear purpose. The policy as presently drafted does not fully meet these tests.

One of the main differences between the previous Regulation 18 version of the plan and the current Regulation 19 Pre-Submission Local Plan is that there is now a Structure Plan showing broad allocations associated with the Paddock Wood Strategic Site (as shown in Map 28 on page 149 of the Pre-Submission version of the Plan). The Structure Plan, developed in association with TWBC's appointed consultant team, quite rightly places the provision, creation and integration of Green and Blue Strategic Landscape Corridors/ networks at the centre of the masterplan vision for the delivery

of housing and mixed use facilities in this location. The integration of development and the new and existing populations, with the natural environment, underpinned by the principles of sustainability, biodiversity and design will ensure that a balanced, integrated mixed-use community is provided in line with the aims and principles established through the master planning process.

These objectives, including the necessary green, blue and grey infrastructure requirements are clearly stated in the Plan, with specific designations in the Structure Plan. Regrettably, the draft wording of Policy EN14 has not be updated to reflect this enhanced status and the emerging and future importance of integrating landscape, open space networks, biodiversity, amenity and water management with the provision of new housing and communities. Amendments are required to the policy wording to ensure that the Plan is effective and therefore sound.

Question 6

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After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

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It is not enough to just “identify and protect” existing green, grey and blue infrastructure, as presently drafted in the policy.

The policy should be reimagined to make it a firm requirement that the Green and Blue Strategic Landscape Corridors (as identified in the DLA Masterplan as set on page 149 of the Regulation 19 Version of the Plan) are comprehensively planned and integrated into new residential/mixed use schemes to ensure that the aims (biodiversity, water/flood management, sustainability, ecological interests, including movement corridors, and climate change) are fully met and developed as part of a comprehensive whole.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? Yes, I wish to participate in hearing session(s)

Question 7a

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If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

In order to ensure that the Plan is found sound.

If you would like to attach a file in support of your comments, please upload it here.

[PSLP 1125, 1129, 1132 K LW for Mr and Mrs Whetstone SI Representations redacted.pdf](#)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Simon Whitaker [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] Speldhurst [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Simon Whitaker [REDACTED]
Comment ID	PSLP_149
Response Date	12/05/21 17:59
Consultation Point	Policy AL/SP 1 Land to the west of Langton Road and south of Ferbies (View)
Status	Processed
Submission Type	Email
Version	0.7
Data inputter to enter their initials here	KH
Question 1	
Respondent's Name and/or Organisation	Mr Simon Whitaker
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
AL/SP 1: Land to the west of Langton Road and south of Ferbies	
Question 4	
Do you consider that the Local Plan:	
Is sound	No
Question 4a	

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound . It is not justified because:

Question 5

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No justification for more housing and expanding the village boundary. There are no jobs in Speldhurst so this will add more through traffic to the village. The village is already drowning in speeding through traffic avoiding Tunbridge Wells.

There is no effective public transport and no provision for cycle lanes to Tunbridge Wells.

Housing should be added to existing towns where people can access jobs with public transport.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box: Yes, I wish to be notified of future stages of the Local Plan

Supporting Information File Ref No: SI_35

Comment

Consultee	Dr P Whitbourn [REDACTED]
Address	[REDACTED] [REDACTED] ROYAL TUNBRIDGE WELLS [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Dr P Whitbourn [REDACTED]
Comment ID	PSLP_534
Response Date	27/05/21 09:59
Consultation Point	Vision and Strategic Objectives 1 Vision (View)
Status	Processed
Submission Type	Other
Version	0.5
Files	PSLP_534, 535, 540, 543, 546, 549, 551_Dr P Whitbourn_SI-1_Evidence supporting representation.pdf

Data inputter to enter their initials here HB

Question 1

Respondent's Name and/or Organisation Dr Philip Whitbourn

Question 3

To which part of the Local Plan does this representation relate? Paragraph(s)

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Paragraph number 3.13

Question 4

Do you consider that the Local Plan:

Is sound No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not positively prepared
- . It is not effective
- . It is not justified

Question 5

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To be sound, the Plan needs separate and worthwhile "Local Ambitions" for the historic town and regional centre of Royal Tunbridge Wells

Paragraph 3.6 recognises Royal Tunbridge Wells as the main commercial centre in the Borough, serving a wider catchment, reference also being made to its particular environmental qualities, and to its cultural role, while paragraph 3.7 refers to the distinctive character of Southborough, with its own services and facilities. Thus it is not sound for these two distinct towns, which differ greatly in size and nature, to be lumped together for the purposes of "local ambitions" within a shared and unworthy "vision" for their futures, and shared nebulous "local ambitions".

Royal Tunbridge Wells is a major historic town of national importance; it is a regional shopping centre; a tourist destination; and it is a transport node. Thus, its "local ambitions" should relate to those characteristics, and be separately set out from the probably rather different ambitions that may apply to the different characteristics of Southborough, a town that like Paddock wood has its own Town Council and, like Paddock Wood should be separately listed, rather than "dovetailing" with Royal Tunbridge Wells to form some amorphous sounding "main urban area" of mixed uses.. (For "Local ambitions" for Royal Tunbridge Wells, please see overleaf) [TWBC: For "Local ambitions" please see Question 6]

[TWBC: For evidence supporting this representation, please see pages 1-3 of the supporting document]

Question 6

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Local ambitions for Royal Tunbridge Wells should include:

- . a priority for the preservation and enhancement of the town's unique and nationally important historic centre when considering planning proposals

- . strengthening Royal Tunbridge Wells' role as a destination town, supporting its tourist industry, and increasing its cultural offering
- . maintaining its position as a regional shopping centre
- . improving its function as a transport node

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . Yes, I wish to participate in hearing session(s)

Question 7a

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If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

To assist the inspector concerning my evidence and representations, as necessary

If you would like to attach a file in support of your comments, please upload it here. [PSLP_534, 535, 540, 543, 546, 549, 551_Dr P Whitbourn SI-1 Evidence supporting representation.pdf](#)

Future Notifications

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Supporting Information File Ref No: SI_35

Comment

Consultee	Dr P Whitbourn [REDACTED]
Address	[REDACTED] [REDACTED] ROYAL TUNBRIDGE WELLS [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Dr P Whitbourn [REDACTED]
Comment ID	PSLP_540
Response Date	27/05/21 10:24
Consultation Point	Policy STR/RTW 1 The Strategy for Royal Tunbridge Wells (View)
Status	Processed
Submission Type	Other
Version	0.4
Files	PSLP_534, 535, 540, 543, 546, 549, 551 Dr P Whitbourn SI-1 Evidence supporting representation.pdf
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Dr Philip Whitbourn
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
	Policy STR/RTW 1 The Strategy for Royal Tunbridge Wells
Question 4	
Do you consider that the Local Plan:	

Is sound

No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not positively prepared
- . It is not effective
- . It is not justified

Question 5

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The need for a more enlightened strategy for the historic town and regional centre of Royal Tunbridge Wells

This Strategy is unsound in conservation terms, in that it places too much emphasis on “redevelopment and Intensification”, both of which can prove harmful to the character and appearance of the Conservation area.

[TWBC: For evidence supporting this representation, please see the supporting document]

Question 6

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Item 2 should be re-worded to read: Provide additional housing, which may be delivered through the development of allocated sites, and the sympathetic refurbishment of vacant properties in the Town Centre.

Item 3 should be amended to omit the words “by the intensification of uses/sites”.

Item 5 should read: Promote the retention and, where appropriate, the expansion of existing employment and leisure premises.

Item 6 should read: Develop a strategy for the Town Centre to provide a framework for a conservation based Town Centre Area Plan, to ensure the long term vitality and viability of the centre, and to secure the future of Royal Tunbridge Wells as a nationally important historic town that is a tourist and cultural destination.

Item 7 should be omitted

Item 9 should have the added words: including proper parking arrangements for school buses.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . Yes, I wish to participate in hearing session(s)

Question 7a

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If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

To assist the inspector concerning my evidence and representations, as necessary

If you would like to attach a file in support of your comments, please upload it here. [PSLP_534, 535, 540, 543, 546, 549, 551_Dr P Whitbourn SI-1 Evidence supporting representation.pdf](#)

Future Notifications

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Supporting Information File Ref No: SI_35

Comment

Consultee	Dr P Whitbourn [REDACTED]
Address	[REDACTED] [REDACTED] ROYAL TUNBRIDGE WELLS [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Dr P Whitbourn [REDACTED]
Comment ID	PSLP_535
Response Date	27/05/21 10:17
Consultation Point	Policy STR/RTW 1 The Strategy for Royal Tunbridge Wells (View)
Status	Processed
Submission Type	Other
Version	0.5
Files	PSLP_534, 535, 540, 543, 546, 549, 551_Dr P Whitbourn_SI-1_Evidence supporting representation.pdf
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Dr Philip Whitbourn
Question 3	
To which part of the Local Plan does this representation relate?	Paragraph(s)
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
	Paragraph number 5.14
Question 4	
Do you consider that the Local Plan:	

Is sound

No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not positively prepared
- . It is not effective
- . It is not justified

Question 5

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The need to avoid repetition of the appalling planning mistakes, in visual and conservation terms, of the Dandara and Cinema site schemes

The charm of the historic town of Royal Tunbridge Wells resides in its heritage of older buildings, and not in new developments which, like the Dandara scheme at The Pantiles, usually detract from the local scene, with their alien nature, scale and international modern style. Repeating the mistakes of the Dandara and Cinema Site schemes could soon seriously spoil the town, and new development therefore needs to be approached with a degree of caution. Paragraph 5.14 could be seen as an open invitation to property developers to move in with more such unsuitable schemes, and the paragraph should be omitted, apart from the pertinent last two lines.

[TWBC: For evidence supporting this representation, please see pages 8 and 17 of the supporting document]

Question 6

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Omit paragraph 5.14, except for the last lines concerning the local highway network, which might be added on to the previous paragraph 5.13.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . Yes, I wish to participate in hearing session(s)

Question 7a

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If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

To assist the inspector concerning my evidence and representations, as necessary

If you would like to attach a file in support of your comments, please upload it here. [PSLP 534, 535, 540, 543, 546, 549, 551 Dr P Whitbourn SI-1 Evidence supporting representation.pdf](#)

Future Notifications

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Supporting Information File Ref No: SI_35

Comment

Consultee	Dr P Whitbourn [REDACTED]
Address	[REDACTED] [REDACTED] ROYAL TUNBRIDGE WELLS [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Dr P Whitbourn [REDACTED]
Comment ID	PSLP_546
Response Date	27/05/21 10:43
Consultation Point	Policy STR/RTW 2 Royal Tunbridge Wells Town Centre (View)
Status	Processed
Submission Type	Other
Version	0.4
Files	PSLP_534, 535, 540, 543, 546, 549, 551_Dr P Whitbourn_SI-1_Evidence supporting representation.pdf
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Dr Philip Whitbourn
Question 3	
To which part of the Local Plan does this representation relate?	Paragraph(s)
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
	Paragraph number 5.28
Question 4	
Do you consider that the Local Plan:	

Is sound

No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not positively prepared
- . It is not effective
- . It is not justified

Question 5

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"Redevelopment" of the landmark, listed Civic Complex, and Great Hall car park unsound in conservation area terms

Paragraph 5.28 is seen as unsound in conservation terms, particularly with regard to the listed Civic Complex, and the Great Hall Car Park, and is in need of serious amendment.

[TWBC: For evidence supporting this representation, please see pages 10, 11, and 16 of the supporting document]

Question 6

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The paragraph should be amended to accord with the proposed revised wording at the end of Policy STR/RTW 2, and omit the words "redevelopment and" from the 2nd line of Paragraph 5.30.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

- . Yes, I wish to participate in hearing session(s)

Question 7a

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

To assist the inspector concerning my evidence and representations, as necessary

If you would like to attach a file in support of your comments, please upload it here. PSLP 534, 535, 540, 543, 546, 549, 551 Dr P Whitbourn SI-1 Evidence supporting representation.pdf

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box: Yes, I wish to be notified of future stages of the Local Plan

Supporting Information File Ref No: SI_35

Comment

Consultee	Dr P Whitbourn [REDACTED]
Address	[REDACTED] [REDACTED] ROYAL TUNBRIDGE WELLS [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Dr P Whitbourn [REDACTED]
Comment ID	PSLP_543
Response Date	27/05/21 10:36
Consultation Point	Policy STR/RTW 2 Royal Tunbridge Wells Town Centre (View)
Status	Processed
Submission Type	Other
Version	0.5
Files	PSLP_534, 535, 540, 543, 546, 549, 551 Dr P Whitbourn SI-1 Evidence supporting representation.pdf

Data inputter to enter their initials here HB

Question 1

Respondent's Name and/or Organisation Dr Philip Whitbourn

Question 3

To which part of the Local Plan does this representation relate? Paragraph(s)

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Paragraph number 5.25

Question 4

Do you consider that the Local Plan:

Is sound

No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not positively prepared
- . It is not effective
- . It is not justified

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

In considering the provision of additional housing in the town centre, the Plan should focus on the contribution that the sympathetic refurbishment of vacant properties can make, and not just on new build

Paragraph 5.25 speaks of the contribution “new residential development” could make to the vitality of the Town Centre. However, “new” residential development, such as the Dandara scheme, may be undesirable for other reasons, while the residential refurbishment of existing vacant properties may be highly desirable. The emphasis should, therefore not be just upon “new”.

[TWBC: For evidence supporting this representation, please see pages 8 and 9 of the supporting document]

Question 6

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On the 6th line of paragraph 5.25, replace the words “new residential development” with “additional residential use”.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . Yes, I wish to participate in hearing session(s)

Question 7a

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To assist the inspector concerning my evidence and representations, as necessary

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Future Notifications

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Supporting Information File Ref No: SI_35

Comment

Consultee Dr P Whitbourn [REDACTED]

Address [REDACTED]
[REDACTED]
ROYAL TUNBRIDGE WELLS
[REDACTED]

Event Name Pre-Submission Local Plan

Comment by Dr P Whitbourn [REDACTED]

Comment ID PSLP_549

Response Date 27/05/21 10:49

Consultation Point Policy STR/RTW 2 Royal Tunbridge Wells Town Centre ([View](#))

Status Processed

Submission Type Other

Version 0.4

Files [PSLP_534, 535, 540, 543, 546, 549, 551 Dr P Whitbourn SI-1 Evidence supporting representation.pdf](#)

Data inputter to enter their initials here HB

Question 1

Respondent's Name and/or Organisation Dr Philip Whitbourn

Question 3

To which part of the Local Plan does this representation relate? Paragraph(s)

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Paragraph number 5.30

Question 4

Do you consider that the Local Plan:

Is sound

No

Question 4a

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Do you consider that the Local Plan is not sound because:

- . It is not positively prepared
- . It is not effective
- . It is not justified

Question 5

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The word “redevelopment” should be omitted. And “public art” needs to be suitable, not a public eyesore, as at the Dandara scheme

In the 2nd line of paragraph 5.30 the word “redevelopment” is normally understood to mean demolishing the existing building and constructing a new one, which should certainly not come about in the case of the listed Civic Complex. The term “enhancement”, on the other hand, can be broad enough to embrace refurbishment, or perhaps some forms of reconstruction in particular circumstances, and would be better standing on its own, without the addition of the word redevelopment.

In the 2nd line of the paragraph, the “public art” could have the opposite effect to that intended, as with the Dandara scheme at The Pantiles. “Suitable” public art might well be desirable, but “elements of” public art might well not.

[TWBC: For evidence supporting this representation, please see page 15 of the supporting document]

Question 6

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Omit the words “redevelopment and” from the 2nd line of paragraph 5.30.

In the 2nd line up of paragraph 5.30, for “elements of public art” read “suitable public art”.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . Yes, I wish to participate in hearing session(s)

Question 7a

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Supporting Information File Ref No: SI_35

Comment

Consultee	Dr P Whitbourn [REDACTED]
Address	[REDACTED] [REDACTED] ROYAL TUNBRIDGE WELLS [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Dr P Whitbourn [REDACTED]
Comment ID	PSLP_551
Response Date	27/05/21 10:59
Consultation Point	Policy STR/RTW 2 Royal Tunbridge Wells Town Centre (View)
Status	Processed
Submission Type	Other
Version	0.4
Files	PSLP_534, 535, 540, 543, 546, 549, 551_Dr P Whitbourn_SI-1_Evidence supporting representation.pdf

Data inputter to enter their initials here HB

Question 1

Respondent's Name and/or Organisation Dr Philip Whitbourn

Question 3

To which part of the Local Plan does this representation relate? Policy

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR/RTW 2 Royal Tunbridge Wells Town Centre

Question 4

Do you consider that the Local Plan:

Is sound

No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not positively prepared
- . It is not effective
- . It is not justified

Question 5

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Vision for Town Centre, public realm, and Plan's unsound framework for the all-important Town Centre Area Plan

Items 1 and 3 of Policy STR/RTW 2 are seen as unsound in Conservation Area terms, as are the bullet points at the top of page 82, and are in need of amendment.

[TWBC: For evidence supporting this representation, please see pages 1-3, 4-15, and 18-20 of the supporting document]

Question 6

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Paragraph 1 of STR/RTW/2 (page 81) should be amended to read:

The overall vision for the Town Centre must be firmly based upon Royal Tunbridge Wells' recognised status as a historic town of national importance, and set out a conservation approach to ensure its preservation and enhancement as the culture centre of the Kent and Sussex Weald.

Paragraph 3 should be amended to read:

The sympathetic enhancement of the public realm, where this would improve the appearance of the historic centre, designed to minimise disruption, and subject to full consultation with traders and the wider public.

The bottom passage after paragraph 8 on page 81 should be amended to read:

The above will be delivered through a conservation based Town Centre Area Plan, and support for schemes and proposals that accord with that plan.

Three major properties are considered key to the realisation of the strategy, namely:

- The existing CIVIC COMPLEX, including the statutorily listed Town Hall, Amelia Centre, Assembly Hall, Police Station and Calverley Terrace, which are in urgent need of a sympathetic conservation scheme to form a vibrant Cultural, Community, and Civic Centre, remaining public buildings and open to the public.
- The ROYAL VICTORIA PLACE SHOPPING COMPLEX, which is in serious need of early rejuvenation, following a period of unfortunate actions by a previous owner, compounded by the recent national lock-down measures.
- THE PANTILES, which could benefit from a carefully prepared Conservation Area Plan, in close cooperation with property owners,, traders, and other interested parties.

In the longer term, the future of the Torrington and Vale Avenue area needs to be addressed, and better linked to the to the main centre.

The Cinema Site is the subject of Policy AL/RTW/1, where “high quality design” should reflect the existing architecture on the eastern side of the Mount Pleasant tree-lined boulevard.

There should be no redevelopment of Great Hall Car Park all reference to Great Hall should be deleted.

The words “and/or redevelopment” at the bottom of page 81 should be deleted.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . Yes, I wish to participate in hearing session(s)

Question 7a

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To assist the inspector concerning my evidence and representations, as necessary

If you would like to attach a file in support of your comments, please upload it here. [PSLP_534, 535, 540, 543, 546, 549, 551_Dr P Whitbourn SI-1 Evidence supporting representation.pdf](#)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box: Yes, I wish to be notified of future stages of the Local Plan

Comment

Agent	Darren White [REDACTED]
Email Address	[REDACTED]
Address	
Consultee	Darren White [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] Horsmonden [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Darren White [REDACTED]
Comment ID	PSLP_411
Response Date	26/05/21 08:58
Consultation Point	Policy STR/PW 1 The Strategy for Paddock Wood (View)
Status	Processed
Submission Type	Web
Version	0.2
Question 1	
Respondent's Name and/or Organisation	Darren White
Question 3	
To which part of the Local Plan does this representation relate?	Policy

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR/PW 1 The Strategy for Paddock Wood

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

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The proposed number for Paddock Wood and Capel is totally unrealistic, during normal conditions the station and trains are full from Paddock Wood, so how are all these people going to get to London etc for work as there isnt sufficient employment in the area to support them

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Question 7a

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

The proposed number for Paddock Wood and Capel is totally unrealistic, during normal conditions the station and trains are full from Paddock Wood, so how are all these people going to get to London etc for work as there isnt sufficient employment in the area to support them

Future Notifications

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Yes, I wish to be notified of future stages of the Local Plan

Comment

Agent	Darren White [REDACTED]
Email Address	[REDACTED]
Address	
Consultee	Darren White [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] Horsmonden [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Darren White [REDACTED]
Comment ID	PSLP_412
Response Date	26/05/21 09:05
Consultation Point	Policy PSTR/HO 1 The Strategy for Horsmonden parish (View)
Status	Processed
Submission Type	Web
Version	0.3
Question 1	
Respondent's Name and/or Organisation	Darren White
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy PSTR/HO 1 The Strategy for Horsmonden parish

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

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Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

The proposed numbers for Horsmonden will have a significant detrimental effect to the parish on a number of accounts: the loss of vital habitat and biodiversity due to the development on greenfield sites, the increase in traffic from the proposed 320 new properties, the endless construction impacts - both Horsmonden and Matfield have experienced developers breaching their construction management plans with regards to ecology and traffic. There also is insufficient infrastructure to support the proposed increase of properties. The site at Brenchley Road would be unsustainable as people cannot safely walk to the village centre, and the site at Bassetts Farm would be unsafe due to the high numbers of vehicles attempting to access Goudhurst Rd. Overall a number such as 100 would be realistic and acceptable.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . Yes, I wish to participate in hearing session(s)

Question 7a

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The proposed numbers for Horsmonden will have a significant detrimental effect to the parish on a number of accounts: the loss of vital habitat and biodiversity due to the development on greenfield sites, the increase in traffic from the proposed 320 new properties, the endless construction impacts - both Horsmonden and Matfield have experienced developers breaching their construction management plans with regards to ecology and traffic. There also is insufficient infrastructure to support the proposed increase of properties. The site at Brenchley Road would be unsustainable as people cannot safely walk to the village centre, and the site at Bassetts Farm would be unsafe due to the high numbers of vehicles attempting to access Goudhurst Rd. Overall a number such as 100 would be realistic and acceptable.

Comment

Consultee	Ian White [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] PEMBURY [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Ian White [REDACTED]
Comment ID	PSLP_985
Response Date	03/06/21 19:30
Consultation Point	Map 67 Site Layout Plan (View)
Status	Processed
Submission Type	Web
Version	0.1
Question 1	
Respondent's Name and/or Organisation	Ian white
Question 3	
To which part of the Local Plan does this representation relate?	Paragraph(s)
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
5.131	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Don't know
Is sound	No
Complies with the Duty to Cooperate	Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because: . It is not justified
. It is not consistent with national policy

Question 5

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As per my earlier submission, I fully accept the proposal that Safeguards land PE4 (Pink) for the future expansion of the Hospice In The Weald. I believe that the remaining land should not be further developed, rather that it should be preserved as 'Green Land' in order to provide tranquil views for the Hospice residents, in keeping with its 'In The Weald' title.

The Downingbury Farmstead comprises listed buildings and mature trees, which should be preserved and provides a 'soft entrance' to Pembury.

Question 6

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Currently, Downingbury Farm has a successful Farm Shop and a variety of apples and soft fruits are grown and sold on site, which I believe should be preserved to support and enhance village life, while reducing the burden of excessive 'food miles'.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

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Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	James Whitehorn [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] Pembury [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	James Whitehorn [REDACTED]
Comment ID	PSLP_1116
Response Date	03/06/21 13:35
Consultation Point	Policy PSTR/PE 1 The Strategy for Pembury parish (View)
Status	Processed
Submission Type	Email
Version	0.5
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	James Whitehorn
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy PSTR/PE 1 The Strategy for Pembury parish

Paragraph No(s) 5.659 & 5.664

Policies Map (Inset Map No(s)) 64

[TWBC: this representation has been input against Policies PSTR/PE 1 and AL/PE 1 - please see Comment Numbers PSLP_1116 and PSLP_1119]

Question 4

Do you consider that the Local Plan:

Is legally compliant	Yes
Is sound	No
Complies with the Duty to Cooperate	Yes

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because: . It is not justified

Question 5

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PSTR/PE1 & 5.659 – I do not accept that this is an appropriate strategy as there is no proven need for 389-417 new dwellings in the village of Pembury. These proposals should not outweigh the merits of preserving the Green Belt and AONB, especially on site AL/PE1 which is partly inside and more generally abutting the Conservation Area. The fact that the Chestnut Walk development was allowed on appeal should not afford an excuse to compound the problem with further development in this area. However in the event that this principle is not admitted I would make the following observations about site AL/PE1:

5.664 - The 2nd requirement for this policy re additional parking 'to serve the adjacent village hall and the wider public' is not justified. This new proposal for a facility to include public car parking was not mentioned in the Draft Local Plan. It is not an appropriate strategy for the following reasons:

1] The inclusion of a few public parking spaces on the site would not provide enough benefit to form a significant part of the required exceptional circumstances for construction of 50-60 houses on the Green Belt. 2] The site is in any case too far from the centre of Pembury to assist with the wider demand for public parking in the village. 3] It would be very difficult for the many different village hall users to find their way to a vehicular car park entrance via the development site.

If the car park was exclusively an overspill car park for village hall users this could be achieved far better with a one way system, IN from the existing village hall car park and OUT via the development access road. This would still achieve some wider benefit for the village as it would reduce the amount of on-street parking in the High Street when the village hall is busy.

If the car park was exclusively for village hall users it would be safe enough for them to share the relatively narrow vehicular entrance with pedestrians going to and from the entrance to the hall. Creating a pedestrian link for the wider public is an unnecessary complication with little benefit in terms of walking distance compared to using the proposed development access road.

In addition to the 40m deep landscape buffer adjacent to the A21, the scheme should incorporate a landscape buffer of approximately 10m deep between the existing Conservation Area boundary and the new housing. This would help mitigate the impact of the development on the existing properties within the Conservation Area.

Question 6

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Suggested revised wording of AL/PE1:

2] There shall be additional overspill parking provision of approximately 30 spaces within the design of the scheme, to serve the adjacent village hall, the area for which is shown indicatively on the site layout plan. Vehicular access to this shall be IN from the existing village hall car park and OUT via the development site itself.

6] The layout of the scheme shall include a landscape buffer of approximately 40m deep adjacent to the A21 (in addition to the existing vegetation along the A21) and a landscape buffer of approximately 10m deep between the existing East/West Conservation Area boundary and the new housing, as shown indicatively on the site layout plan.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box: Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	James Whitehorn [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] Pembury [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	James Whitehorn [REDACTED]
Comment ID	PSLP_1119
Response Date	03/06/21 13:35
Consultation Point	Policy AL/PE 1 Land rear of High Street and west of Chalket Lane (View)
Status	Processed
Submission Type	Email
Version	0.3
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	James Whitehorn
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy AL/PE 1 Land rear of High Street and west of Chalket Lane

Paragraph No(s) 5.659 & 5.664

Policies Map (Inset Map No(s)) 64

[TWBC: this representation has been input against Policies PSTR/PE 1 and AL/PE 1 - please see Comment Numbers PSLP_1116 and PSLP_1119]

Question 4

Do you consider that the Local Plan:

Is legally compliant	Yes
Is sound	No
Complies with the Duty to Cooperate	Yes

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because: . It is not justified

Question 5

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PSTR/PE1 & 5.659 – I do not accept that this is an appropriate strategy as there is no proven need for 389-417 new dwellings in the village of Pembury. These proposals should not outweigh the merits of preserving the Green Belt and AONB, especially on site AL/PE1 which is partly inside and more generally abutting the Conservation Area. The fact that the Chestnut Walk development was allowed on appeal should not afford an excuse to compound the problem with further development in this area. However in the event that this principle is not admitted I would make the following observations about site AL/PE1:

5.664 - The 2nd requirement for this policy re additional parking 'to serve the adjacent village hall and the wider public' is not justified. This new proposal for a facility to include public car parking was not mentioned in the Draft Local Plan. It is not an appropriate strategy for the following reasons:

1] The inclusion of a few public parking spaces on the site would not provide enough benefit to form a significant part of the required exceptional circumstances for construction of 50-60 houses on the Green Belt. 2] The site is in any case too far from the centre of Pembury to assist with the wider demand for public parking in the village. 3] It would be very difficult for the many different village hall users to find their way to a vehicular car park entrance via the development site.

If the car park was exclusively an overspill car park for village hall users this could be achieved far better with a one way system, IN from the existing village hall car park and OUT via the development access road. This would still achieve some wider benefit for the village as it would reduce the amount of on-street parking in the High Street when the village hall is busy.

If the car park was exclusively for village hall users it would be safe enough for them to share the relatively narrow vehicular entrance with pedestrians going to and from the entrance to the hall. Creating a pedestrian link for the wider public is an unnecessary complication with little benefit in terms of walking distance compared to using the proposed development access road.

In addition to the 40m deep landscape buffer adjacent to the A21, the scheme should incorporate a landscape buffer of approximately 10m deep between the existing Conservation Area boundary and the new housing. This would help mitigate the impact of the development on the existing properties within the Conservation Area.

Question 6

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Suggested revised wording of AL/PE1:

2] There shall be additional overspill parking provision of approximately 30 spaces within the design of the scheme, to serve the adjacent village hall, the area for which is shown indicatively on the site layout plan. Vehicular access to this shall be IN from the existing village hall car park and OUT via the development site itself.

6] The layout of the scheme shall include a landscape buffer of approximately 40m deep adjacent to the A21 (in addition to the existing vegetation along the A21) and a landscape buffer of approximately 10m deep between the existing East/West Conservation Area boundary and the new housing, as shown indicatively on the site layout plan.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box: Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	David Wildman [REDACTED]
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	David Wildman [REDACTED]
Comment ID	PSLP_863
Response Date	01/06/21 22:43
Consultation Point	Policy STR/SS 1 The Strategy for Paddock Wood, including land at east Capel (View)
Status	Processed
Submission Type	Web
Version	0.3
Question 1	
Respondent's Name and/or Organisation	David Wildman
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
STR/SS 1	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Don't know
Is sound	No
Complies with the Duty to Cooperate	Don't know
Question 4a	

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:	.	It is not effective
	.	It is not justified
	.	It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

I live adjacent to the A228 on the outskirts of Pembury. The area covered by the proposed development is therefore at some distance from the place where I live. although I do walk and otherwise visit and pass through that area frequently. Even though I do not live there, I feel strongly that the proposed development would destroy both the recreational value of significant areas of Green Belt, and also the character of a large area of immense charm that presently is enjoyed by far more people than just those who live close to the proposed development.

The local road infrastructure is already overloaded and certainly not capable of supporting 4000+ new homes from developments proposed for Tudeley and East Capel. In particular the A228 and the A264 will not support extra traffic into and out of Tunbridge Wells town centre. The A264 is already almost impassible at peak times. The A228 carries a great deal of ambulance traffic between Tunbridge Wells and Maidstone hospitals. I live adjacent to the A228, and already find it difficult and dangerous to join the road. Two large trucks can barely pass each other, and must slow to a crawl on the A228 between Pembury and the Five Oak Green roundabout.

A station at Tudely seems unlikely as an option to relieve pressure on road transport, but it is difficult to see how additional parking could be provided at either Paddock Wood or Tonbridge Stations where parking is already difficult.

The proposed development falls entirely within the Green Belt and an area considerably larger than the proposed development will inevitably be blighted. Associated necessary infrastructure such as new or wider roads will cause further blight. Other current infrastructure including schools, hospitals, libraries, gyms and other recreational facilities etc will be overloaded, and addition of new facilities will further blight the countryside.

The development itself would fall entirely within the Green Belt and would result in almost continuous development from Paddock Wood to Tonbridge. Apart from direct destruction of Green Belt on which the development would stand, it would serve to break apart two Green Belt areas thus substantially increasing its destructive effect.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?	.	No, I do not wish to participate in examination hearing session(s)
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Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	David Wildman [REDACTED]
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	David Wildman [REDACTED]
Comment ID	PSLP_147
Response Date	16/05/21 16:59
Consultation Point	Policy STR/SS 1 The Strategy for Paddock Wood, including land at east Capel (View)
Status	Processed
Submission Type	Web
Version	0.2
Question 1	
Respondent's Name and/or Organisation	David Wildman
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
STR/SS 1	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Don't know
Is sound	No
Complies with the Duty to Cooperate	Don't know
Question 4a	

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not effective
- . It is not justified
- . It is not consistent with national policy

Question 5

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The local road infrastructure is already overloaded and certainly not capable of supporting 4000+ new homes from developments proposed for Tudeley and East Capel. In particular the A228 and the A264 will not support extra traffic into and out of Tunbridge Wells town centre. The A264 is already almost impassible at peak times. The A228 carries a great deal of ambulance traffic between Tunbridge Wells and Maidstone hospitals. I live adjacent to the A228, and already find it difficult and dangerous to join the road.

A station at Tudely seems unlikely as an option to relieve pressure on road transport, but it is difficult to see how additional parking could be provided at either Paddock Wood or Tonbridge Stations where parking is already difficult.

The proposed development borders directly on to the High Weald AONB so that the latter will inevitably be blighted. Associated necessary infrastructure such as new or wider roads will cause further blight. Other current infrastructure including schools, hospitals, libraries, Gyms and other recreational facilities etc will be overloaded, and addition of new facilities will further blight the countryside.

The development itself would fall entirely within the Green Belt and would result in almost continuous development from Paddock Wood to Tonbridge. Apart from direct destruction of Greem Belt on which the development would stand, it would serve to break apart two Green Belt areas thus substantially increasing its destructive effect.

The settlement at Tudeley, which includes the historic church with its Chagall windows, has immense character immense character which contributes greatly to the surroundings. This character would be lost for ever if the development goes ahead.

Question 6

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I do not believe the planned development is capable of modifications which would make it acceptable.

Question 7

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Comment

Consultee	David Wildman [REDACTED]
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	David Wildman [REDACTED]
Comment ID	PSLP_148
Response Date	16/05/21 17:14
Consultation Point	Policy STR/SS 3 The Strategy for Tudeley Village (View)
Status	Processed
Submission Type	Web
Version	0.2
Question 1	
Respondent's Name and/or Organisation	David Wildman
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
STR/SS 3	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Don't know
Is sound	No
Complies with the Duty to Cooperate	Don't know
Question 4a	

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Question 5

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Question 6

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I do not believe the proposed development is capable of modification that would make it acceptable

Question 7

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Future Notifications

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Comment

Consultee	Ben Williams [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] Tunbridge Wells [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Ben Williams [REDACTED]
Comment ID	PSLP_31
Response Date	09/04/21 11:39
Consultation Point	Policy STR/RTW 1 The Strategy for Royal Tunbridge Wells (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	KJ
Question 1	
Respondent's Name and/or Organisation	Mr Ben Williams
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy STR/RTW 1: The Strategy for Royal Tunbridge Wells	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Don't know
Is sound	No

Complies with the Duty to Cooperate

Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because: . It is not justified

Question 5

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To take away 6% of the greenbelt in the borough is plain wrong. Green belt should be protected for future generations not turned into more housing.

The amount of construction (5 sites I believe) and increased traffic in the Broadwater Down area of Tunbridge Wells is far too high and to take away the AONB fields at Spratsbrook Farm next to Ramslye is an awful decision. Those fields and ancient woodlands need to be protected not have a housing estate rammed into the fields.

Question 6

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You need to reduce the destruction of the green belt afforded by the plan. It needs to be protected and not destroyed.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

For office use only

If responder hasn't ticked an option on this box, data inputter to tick 'not stated' box. Not Stated

Future Notifications

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Comment

Consultee	Peter Williams [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] Hawkhurst [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Peter Williams [REDACTED]
Comment ID	PSLP_943
Response Date	28/05/21 09:00
Consultation Point	Policy AL/CRS 1 Land at Brick Kiln Farm, Cranbrook Road (View)
Status	Processed
Submission Type	Email
Version	0.3
Data inputter to enter their initials here	KH
Question 1	
Respondent's Name and/or Organisation	Mr Peter Williams
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR/HA 1 The Strategy for Hawkhurst parish

Policy AL/HA1 - Land at the White House, Highgate Hill

Policy AL/HA2 - Brook House, Cranbrook Road

Policy AL/HA3 - Former site of Springfield Nurseries, Cranbrook Road, Hawkhurst

Policy AL/HA4 - Land off Copthall Avenue and Highgate Hill

Policy CRS1 - Land at Brick Kiln Farm, Cranbrook Road

Policy CRS3 - Turnden Farm, Hartley Road, Cranbrook

Sustainability Appraisal

[TWBC: this representation has been input against Policies STR/HA1, AL/HA1, AL/HA2, AL/HA 3, AL/HA4, AL/CRS1, AL/ CRS3 and Sustainability Appraisal – see Comment Numbers PSLP_922, PSLP_939, PSLP_940, PSLP_943, PSLP_]]

Question 4

Do you consider that the Local Plan:

Is legally compliant Yes

Is sound No

Complies with the Duty to Cooperate Yes

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not justified
- . It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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- . Failure to preserve or enhance AONB
- . Needs to be reduction in Hawkhurst Allocation - "enough is enough"
- . Removal of HH Golf Course site was sound and sensible decision
- . The impact of additional traffic @ Flimwell/ A21 junction will be considerable - there are already significant traffic build ups.

Question 6

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Revisit HA1 to reflect reduced overall housing numbers in Hawkhurst

Removal of HA4 (Cophall)

Revisit HA2 + HA3 to ensure area of landscape importance is retained

Modify HA1 to ensure no development at side limits of build

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Question 8

If you have any separate comments you wish to make on the accompanying Sustainability Appraisal, please make them here.

The constant "one step forward and one back" re housing development is a constant frustration - once a decision is made then stick with it. The demise of Hawkhurst Golf Club was due to the constant "developing not developing" which over many years meant attracting new members was impossible.

Comment

Consultee	Peter Williams [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] Hawkhurst [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Peter Williams [REDACTED]
Comment ID	PSLP_944
Response Date	28/05/21 09:00
Consultation Point	Policy AL/CRS 3 Turnden Farm, Hartley Road, Cranbrook (View)
Status	Processed
Submission Type	Email
Version	0.3
Data inputter to enter their initials here	KH
Question 1	
Respondent's Name and/or Organisation	Mr Peter Williams
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR/HA 1 The Strategy for Hawkhurst parish

Policy AL/HA1 - Land at the White House, Highgate Hill

Policy AL/HA2 - Brook House, Cranbrook Road

Policy AL/HA3 - Former site of Springfield Nurseries, Cranbrook Road, Hawkhurst

Policy AL/HA4 - Land off Copthall Avenue and Highgate Hill

Policy CRS1 - Land at Brick Kiln Farm, Cranbrook Road

Policy CRS3 - Turnden Farm, Hartley Road, Cranbrook

Sustainability Appraisal

[TWBC: this representation has been input against Policies STR/HA1, AL/HA1, AL/HA2, AL/HA 3, AL/HA4, AL/CRS1, AL/ CRS3 and Sustainability Appraisal – see Comment Numbers PSLP_922, PSLP_939, PSLP_940, PSLP_941, PSLP_942, PSLP_943 and PSLP_944]

Question 4

Do you consider that the Local Plan:

Is legally compliant Yes

Is sound No

Complies with the Duty to Cooperate Yes

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- It is not justified
- It is not consistent with national policy

Question 5

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Revisit HA1 to reflect reduced overall housing numbers in Hawkhurst

Removal of HA4 (Copthall)

Revisit HA2 + HA3 to ensure area of landscape importance is retained

Modify HA1 to ensure no development at side limits of build

Question 7

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Question 8

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The constant "one step forward and one back" re housing development is a constant frustration - once a decision is made then stick with it. The demise of Hawkhurst Golf Club was due to the constant "developing not developing" which over many years meant attracting new members was impossible.

Comment

Consultee	Peter Williams [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] Hawkhurst [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Peter Williams [REDACTED]
Comment ID	PSLP_922
Response Date	28/05/21 09:00
Consultation Point	Policy STR/HA 1 The Strategy for Hawkhurst parish (View)
Status	Processed
Submission Type	Email
Version	0.5
Data inputter to enter their initials here	KH
Question 1	
Respondent's Name and/or Organisation	Mr Peter Williams
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR/HA 1 The Strategy for Hawkhurst parish

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Policy AL/HA2 - Brook House, Cranbrook Road

Policy AL/HA3 - Former site of Springfield Nurseries, Cranbrook Road, Hawkhurst

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Policy CRS1 - Land at Brick Kiln Farm, Cranbrook Road

Policy CRS3 - Turnden Farm, Hartley Road, Cranbrook

Sustainability Appraisal

[TWBC: this representation has been input against Policies STR/HA1, AL/HA1, AL/HA2, AL/HA 3, AL/HA4, AL/CRS1, AL/ CRS3 and Sustainability Appraisal – see Comment Numbers PSLP_922, PSLP_939, PSLP_940, PSLP_941, PSLP_942, PSLP_943 and PSLP_944]

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Comment

Consultee	Peter Williams [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] Hawkhurst [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Peter Williams [REDACTED]
Comment ID	PSLP_939
Response Date	28/05/21 09:00
Consultation Point	Policy AL/HA 1 Land at the White House, Highgate Hill (View)
Status	Processed
Submission Type	Email
Version	0.6
Data inputter to enter their initials here	KH
Question 1	
Respondent's Name and/or Organisation	Mr Peter Williams
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

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Consultee	Peter Williams [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] Hawkhurst [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Peter Williams [REDACTED]
Comment ID	PSLP_940
Response Date	28/05/21 09:00
Consultation Point	Policy AL/HA 2 Brook House, Cranbrook Road (View)
Status	Processed
Submission Type	Email
Version	0.5
Data inputter to enter their initials here	KH
Question 1	
Respondent's Name and/or Organisation	Mr Peter Williams
Question 3	
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Consultee	Peter Williams [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] Hawkhurst [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Peter Williams [REDACTED]
Comment ID	PSLP_941
Response Date	28/05/21 09:00
Consultation Point	Policy AL/HA 3 Former site of Springfield Nurseries, Cranbrook Road, Hawkhurst (View)
Status	Processed
Submission Type	Email
Version	0.4
Data inputter to enter their initials here	KH
Question 1	
Respondent's Name and/or Organisation	Mr Peter Williams
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

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Consultee	Peter Williams [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] Hawkhurst [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Peter Williams [REDACTED]
Comment ID	PSLP_942
Response Date	28/05/21 09:00
Consultation Point	Policy AL/HA 4 Land off Copthall Avenue and Highgate Hill (View)
Status	Processed
Submission Type	Email
Version	0.3
Data inputter to enter their initials here	KH
Question 1	
Respondent's Name and/or Organisation	Mr Peter Williams
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

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Question 4a

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Comment

Consultee	Julian Wilson [REDACTED]
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	Julian Wilson [REDACTED]
Comment ID	PSLP_1808
Response Date	04/06/21 16:03
Consultation Point	Policy STR/SS 3 The Strategy for Tudeley Village (View)
Status	Processed
Submission Type	Web
Version	0.3
Question 1	
Respondent's Name and/or Organisation	Julian Wilson
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
STR/SS3 and STR/PW1	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Don't know
Is sound	Don't know
Complies with the Duty to Cooperate	Don't know
Question 4a	

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

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As a resident of Tonbridge I feel justified in raising my concerns about proposals in the Tunbridge Wells Borough Council area. Firstly the area is effectively a single area for employment, housing, retail and entertainment (I myself have in the past both lived and worked in Tunbridge Wells and often go there for entertainment and shopping). Secondly the proposals will have a very significant impact on Tonbridge, especially as the proposed 'garden village' at Tudeley will increase the amount of traffic in my town.

The wrong housing in the wrong place and the climate emergency

Unfortunately the construction of large numbers of homes based on building what is profitable will do nothing to bring down the cost of housing. Indeed there have been reports of buyers in the United States and China looking at purchasing new-build homes in Tunbridge Wells Borough for investment purposes, as well as an ever-growing buy-to-let sector fuelled by government policies. However things could be improved significantly were a much higher minimum density per hectare adopted. As the CPRE has noted, some developments would provide less than 15 homes a hectare. Setting a minimum for all sites of 30 homes a hectare – and much higher in or adjacent to larger settlements - would halve the amount of land required and bring the cost per home down. It is also clear that low-density 'executive-style' homes lock in car – and therefore carbon – dependency and are insufficient to support local businesses and services. In July 2019 Tunbridge Wells declared a climate emergency and any new housing or commercial developments should be forced to show how they will decrease the amount of carbon emitted, something which must include a shift from personal motorised transport to public and active transport. It is also worth noting that there is increasing concern about the effect on health of emissions of particulates from braking, which may be an even more significant issue with electric cars than petrol and diesel ones.

Route for future transport infrastructure at Paddock Wood and Capel – STR/SS3 and STR/PW1

Tunbridge Wells (town) is very poorly connected by rail to most of Kent, as has been acknowledged by Network Rail. There is a UK-wide acknowledgment that railways are becoming an ever-more significant part of our transport infrastructure and for many journeys are a better option than buses. Unfortunately there is limited scope to increase the number of trains on the railways in West Kent, due to capacity constraints such as the number of platforms at Tunbridge Wells and Tonbridge stations, the single-track tunnels between Tonbridge and Hastings and the pattern of fast and stopping services between Tonbridge and Orpington. There are, however, serious proposals to reinstate rail services between Tunbridge Wells, Lewes and Brighton and to improve Medway Valley Line services.

In the longer term (albeit many decades) it would be advantageous to directly link a future Brighton to Tunbridge Wells service with the existing Paddock Wood to Strood service, thereby avoiding a reversal at Tonbridge and the heavily congested existing Tunbridge Wells to Tonbridge section of line. However the proposals for Paddock Wood West and Capel Garden Village as they stand would impede this as they would lead to development of the most logical route for such a railway (which would run above ground between Paddock Wood and Five Oak Green before entering tunnelled sections for the remaining route beneath Pembury and Tunbridge Wells).

As the existing railways in our area have in several cases been in continuous use for 175 years it is clear that their planning should be for the longer term. Such a scheme would perhaps not be viable for many decades (although any significant expansion of Paddock Wood would make it more pressing), it would be logical to identify such a route and protect it from development. Many proposals to either reopen or to construct new railway lines have foundered on the fact that development has taken place on the optimum alignment, something which is causing very significant cost increases for the ongoing East – West Rail programme to the East of Cambridge and elsewhere. A relatively small amount of protected land would avoid the need for expensive and disruptive demolition.

Council housing

The clearest way to actually address the shortage of affordable homes is by Tunbridge Wells Borough Council again becoming a significant landlord. High quality modern council estates, such as the award-winning Goldsmiths Street development in Norwich, provide excellent homes at a level of rent affordable to those living and working in the local community. Any council-owned land which has been identified for sale to developers could be used to build similar housing to meet the needs of the local community.

Tudeley Garden Village – STR/SS 3

This proposal, while exceptionally profitable for the Hadlow Estate, should be rejected. Many of the points about car dependency and low density apply quite clearly to this. Housing in Tudeley and Capel is much more expensive than in much of the borough and the unspecified proportion of ‘affordable’ housing may therefore be more expensive than the average home in Tunbridge Wells, Tonbridge and Paddock Wood. There is no serious detail about how the ‘promotion’ of walking and cycling is to be enforced but short of a complete ban on motor vehicles it seems likely that the overwhelming majority of trips to neighbouring towns will be by car, something made even more significant by the apparent failure to include a railway station or frequent new shuttle bus service. Indeed this is admitted in the plan by recognising that this development will require the construction of a new bypass. It is also concerning to see the idea that the prejudices of the Prince of Wales about architecture are to be the guiding principles behind the aesthetics of the development. Their application at Poundbury, near Dorchester, has rightly been condemned by architects.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Julian Wilson ([REDACTED])
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	Julian Wilson ([REDACTED])
Comment ID	PSLP_1353
Response Date	04/06/21 16:03
Consultation Point	Policy STR/PW 1 The Strategy for Paddock Wood (View)
Status	Processed
Submission Type	Web
Version	0.5
Question 1	
Respondent's Name and/or Organisation	Julian Wilson
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
STR/SS3 and STR/PW1	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Don't know
Is sound	Don't know
Complies with the Duty to Cooperate	Don't know
Question 4a	

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

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As a resident of Tonbridge I feel justified in raising my concerns about proposals in the Tunbridge Wells Borough Council area. Firstly the area is effectively a single area for employment, housing, retail and entertainment (I myself have in the past both lived and worked in Tunbridge Wells and often go there for entertainment and shopping). Secondly the proposals will have a very significant impact on Tonbridge, especially as the proposed 'garden village' at Tudeley will increase the amount of traffic in my town.

The wrong housing in the wrong place and the climate emergency

Unfortunately the construction of large numbers of homes based on building what is profitable will do nothing to bring down the cost of housing. Indeed there have been reports of buyers in the United States and China looking at purchasing new-build homes in Tunbridge Wells Borough for investment purposes, as well as an ever-growing buy-to-let sector fuelled by government policies. However things could be improved significantly were a much higher minimum density per hectare adopted. As the CPRE has noted, some developments would provide less than 15 homes a hectare. Setting a minimum for all sites of 30 homes a hectare – and much higher in or adjacent to larger settlements - would halve the amount of land required and bring the cost per home down. It is also clear that low-density 'executive-style' homes lock in car – and therefore carbon – dependency and are insufficient to support local businesses and services. In July 2019 Tunbridge Wells declared a climate emergency and any new housing or commercial developments should be forced to show how they will decrease the amount of carbon emitted, something which must include a shift from personal motorised transport to public and active transport. It is also worth noting that there is increasing concern about the effect on health of emissions of particulates from braking, which may be an even more significant issue with electric cars than petrol and diesel ones.

Route for future transport infrastructure at Paddock Wood and Capel – STR/SS3 and STR/PW1

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This proposal, while exceptionally profitable for the Hadlow Estate, should be rejected. Many of the points about car dependency and low density apply quite clearly to this. Housing in Tudeley and Capel is much more expensive than in much of the borough and the unspecified proportion of ‘affordable’ housing may therefore be more expensive than the average home in Tunbridge Wells, Tonbridge and Paddock Wood. There is no serious detail about how the ‘promotion’ of walking and cycling is to be enforced but short of a complete ban on motor vehicles it seems likely that the overwhelming majority of trips to neighbouring towns will be by car, something made even more significant by the apparent failure to include a railway station or frequent new shuttle bus service. Indeed this is admitted in the plan by recognising that this development will require the construction of a new bypass. It is also concerning to see the idea that the prejudices of the Prince of Wales about architecture are to be the guiding principles behind the aesthetics of the development. Their application at Poundbury, near Dorchester, has rightly been condemned by architects.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Future Notifications

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Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Tracy Wilson [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] Southborough [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Tracy Wilson [REDACTED]
Comment ID	PSLP_519
Response Date	27/05/21 15:05
Consultation Point	Policy AL/RTW 5 Land to the south of Speldhurst Road and west of Reynolds Lane at Caenwood Farm, Speldhurst Road (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Tracy Wilson
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy AL/RTW 5 Land to the south of Speldhurst Road and west of Reynolds Lane at Caenwood Farm, Speldhurst Road

Question 4

Do you consider that the Local Plan:

Is legally compliant Don't know

Is sound Don't know

Complies with the Duty to Cooperate Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because: . It is not justified

Question 5

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Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

I am a resident of Rosemead flats which are on the corner of Speldhurst and Prospect Road with a lovely view across the fields opposite at present to the woodland area.

I am extremely unhappy with the proposed development for the following reasons:-

- a) I have lovely unobstructed views from my lounge and main bedroom across the road to the natural woodland and fields.
- b) Very concerned about environmental issues. At present, there is farmland with cows on, woods with deer, rabbits, birds etc, what will become of this.
- c) There is a large amount of woodland with trees to be cut down and woodland destroyed.
- d) Southborough is already extremely busy and congested with traffic especially during work and the school run times in the morning. Sometimes it is almost impossible to get up the traffic lights with the sheer weight of traffic.
- e) When not home working to which I am doing at present, I work in Tunbridge Wells and use Reynolds Lane as a cut through. Again, this is extremely busy with people double parking, people having to mount the pavement in their cars to get through the road. This will only exacerbate the problem with more houses built and obviously more cars.
- f) I do not think the infrastructure of Southborough and Tunbridge Wells can cope with more housing. The road infrastructure will not take it and it will be gridlocked, not enough schools and also I belong to St Andrews Medical Practice in Southborough which is already hugely over-subscribed with patients. Are they adding other services for the amount of houses they are planning on building.
- g) Also, I can see that there will be a huge amount of disruption for a number of years and very noisy with construction traffic.

To reiterate again, Southborough does not have the infrastructure in place for more houses. It is always gridlocked and will not be able to cope.

Unless there are plans to build some kind of bypass into Tunbridge Wells, the only routes in are either Reynolds Lane which is widely used as a "rat run" and already cannot cope and the main road into Tunbridge Wells which is always gridlocked. I don't think you comprehend the amount of excess traffic that there will be.

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan 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.

I do not wish this development to go ahead at all. It will spoil the village feel of Southborough which will not be able to cope.

You area already building a development further down Speldhurst Road as it is, nearby to the turning on the opposite side of the road to the Salomons.

I thought our goal going forward was to have less, traffic, congestion and be more away of green issues.

I am appalled this is going ahead and only for material gain for the developers.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . Yes, I wish to participate in hearing session(s)

Question 7a

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Also, I wish to know why you have released this site from being Green Belt to allow it to be built on bearing in mind it has loads of trees, woodland and wild animals including deer, badgers etc.

5.49 The site was released from the Green Belt, and the Development Strategy Topic Paper and Green Belt studies set out the exceptional circumstances and compensatory improvements to the remaining Green Belt to justify the changes to the boundary in this location.

5.50 There are areas of ancient woodland in proximity to the site, and trees with Tree Preservation Orders within the site itself

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box: Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	John Windeatt [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] Hawkhurst [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	John Windeatt [REDACTED]
Comment ID	PSLP_37
Response Date	13/04/21 08:04
Consultation Point	Policy STR/HA 1 The Strategy for Hawkhurst parish (View)
Status	Processed
Submission Type	Letter
Version	0.3
Data inputter to enter their initials here	KJ
Question 1	
Respondent's Name and/or Organisation	John Windeatt
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR/HA 1: The Strategy for Hawkhurst parish

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

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Thank you for your notification about the publication of the above.

The plan is very extensive and, if nothing else, I am sure will be seen as a historic record of our position and thoughts in future times.

Obviously my interest is mainly related to Hawkhurst. Am I correct in thinking that Hawkhurst has the sole "made" Neighbourhood Development Plan in the Borough. Importantly, it identified sufficient sites for future housing development to meet the Government's targets.

To me the main issues in Hawkhurst are the roads and the proposed golf club development. The housing numbers sought is clearly unsustainable for many reasons as has been well documented previously.

However, money talks _ _ _

With regards to the roads I have the following thoughts:-

I understand that KCC have now withdrawn their reservations concerning the relief road, closure of the south end of Cranbrook Road, and other proposals in the planning application. There must be some reason for them to have shifted their position. For the record I have written to Highways twice in the last year about traffic noise etc but have not received any reply.

Whilst there are periodic traffic holdups in Hawkhurst, I don't think the resultant delay is ever more than five to ten minutes, so let's get the issue into perspective. Hold ups at Flimwell can be longer.

It is disappointing to read that the plan makes a case for roadworks to alleviate the perceived problem at Hawkhurst - Clause 2.35 refers. Later Clause 5.357 states "potential to provide a relief road to the northwest of the village".

The comments about air quality along Cranbrook Road would again appear to support the relief road. We should remember that Government policy is the introduction of electric vehicles throughout this decade so the problem of poor air quality is likely to get considerably better. Clause 2.36 refers. Diverting traffic onto the High Street will simply bring the same problem to the residents along the High Street.

The fact remains that a substantial percentage of the vehicles coming into Hawkhurst along the Cranbrook Road that will be diverted along the relief road will turn left on the High Street to get to the shops, and to access The Moor, and most importantly to get onto the A2244 that provides a useful alternative route to the A21 down to Hastings

Clause 5.358 states "future planning applications must consider the traffic impact and that they will not have an unacceptable impact or result in severe residential cumulative impacts. There is no doubt in my mind that the possible changes to traffic flow will result in severe residential cumulative impacts along the High Street towards Hawkhurst and at the Flimwell junction.

More generally, is there some reason why Tunbridge Wells Golf Club is listed in Appendix 2 - Schedule of designated local green space sites, but Hawkhurst Golf Club is not? What a positive move it would be to keep the golf club as a green space.

[TWBC: the above paragraph on Local Green Space has also been entered under Appendix 2: Schedule of Local Green Space - see Comment Number PSLP_44].

It seems silly for Tunbridge Wells to make up for the shortfall in Sevenoak's future housing provision. As a sleeper town, Sevenoaks residents commute north to London so taking them farther south is illogical.

A couple of the fundamental statements should not be overlooked. Policy EN19 - High Weald Area of Outstanding Natural Beauty states "Planning permission will be refused for major development unless it is in the public interest and in accordance with national policy. Any further development in Hawkhurst should be refused on these grounds.

NPPF - Government Planning policy states" development must be sustainable"

I do hope that the Government keeps within its own guidelines and doesn't just ride roughshod over our well considered development plans.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

For office use only

If responder hasn't ticked an option on this box, data inputter to tick 'not stated' box. Not Stated

Comment

Consultee	John Windeatt [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] Hawkhurst [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	John Windeatt [REDACTED]
Comment ID	PSLP_44
Response Date	13/04/21 08:04
Consultation Point	Appendix 2: Schedule of designated Local Green Space sites within Tunbridge Wells borough (View)
Status	Processed
Submission Type	Letter
Version	0.4
Data inputter to enter their initials here	KJ
Question 1	
Respondent's Name and/or Organisation	John Windeatt
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Appendix 2: Schedule of designated Local Green Space sites within Tunbridge Wells borough

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

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[TWBC: the following comment has been duplicated from PSLP_37 on STR/HA 1 as it refers specifically to the Local Green Space Appendix 2]:

More generally, is there some reason why Tunbridge Wells Golf Club is listed in Appendix 2 - Schedule of designated local green space sites, but Hawkhurst Golf Club is not? What a positive move it would be to keep the golf club as a green space.

Question 7

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Comment

Consultee	Julia Winn [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] East Peckham [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Julia Winn [REDACTED]
Comment ID	PSLP_1415
Response Date	04/06/21 13:50
Consultation Point	Policy STR/SS 2 The Strategy for Paddock Wood Town Centre (View)
Status	Processed
Submission Type	Email
Version	0.3
Data inputter to enter their initials here	KH
Question 1	
Respondent's Name and/or Organisation	Julia Winn & Don Rossiter
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR/SS 2 The Strategy for Paddock Wood Town Centre

Question 4a

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Question 5

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Teething problems with a new computer means I am unable to download your forms so hope you will accept this email.

It has been brought to our notice that plans include closing the railway bridge at Paddock Wood to vehicles except buses. We live in East Peckham and use Paddock Wood for main shopping, for vets and dentist. The idea of closing the bridge seems preposterous. The diversion for traffic to get to the town will add to pollution and congestion. Many people here work in Paddock Wood and use the GP surgery. When I first heard this proposal I almost felt it was a joke. At a time when we are supposed to be reducing vehicle pollution this is going to add to it greatly and will especially affect the residents living on the proposed route.

We also feel it will have a detrimental effect on the businesses in Paddock Wood. There is very little that cannot be purchased in the town. It is small, friendly and the free hours parking plus free parking at Waitrose are a great attraction. PW is a much more attractive proposition for shopping than big towns but with the closure of the bridge there will be no incentive to go there rather than Tonbridge, especially for people even further away than East Peckham.

We are also concerned to hear that there are proposals to shut Hartlake Road due to occasional flooding. It is a popular route to by-pass Tonbridge congestion and the most straightforward to access the A21. Pubs and other businesses along there will suffer and most likely close. It does not get so busy it causes problems. It is the only place to cross the river between East Peckham and Tonbridge.

The proposal to put so many new houses in the area will also be detrimental to the area. So called 'affordable' housing will be a minimum and is not affordable to a lot of young people. I have a daughter who would love to live where she grew up and buy a house locally but she and her husband both work for charities and do not earn enough to buy anything within a reasonable distance of their work. My son and his wife are sadly looking to move to Scotland where housing is much cheaper. The majority of the new properties will be purchased by people wanting to move in to the local area and not by local people already resident who want to get on the property ladder, thus pushing property prices up again.

Kentish people are being priced out of Kent. More housing squashed in to an area without the infrastructure will not improve the situation. It will eventually make it more undesirable.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

For office use only

If responder hasn't ticked an option on this box, data inputter to tick 'not stated' box. Not Stated

Comment

Consultee	Mr Sebastian Winny [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] Benenden [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Mr Sebastian Winny [REDACTED]
Comment ID	PSLP_495
Response Date	27/05/21 10:01
Consultation Point	Policy AL/BE 3 Land at Benenden Hospital (south of Goddards Green Road), East End (View)
Status	Processed
Submission Type	Other
Version	0.9
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Sebastian Winny
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy AL/BE 3 Land at Benenden Hospital (south of Goddards Green Road), East End

Paragraph Numbers 5.420 and 5.421

Inset Map 18

[TWBC: This representation has been input against Policies AL/BE 3 and AL/BE 4 - please see Comment Numbers PSLP_495 and PSLP_499]

Question 4

Do you consider that the Local Plan:

Is legally compliant	No
Is sound	No
Complies with the Duty to Cooperate	No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:	. It is not positively prepared
	. It is not effective
	. It is not justified
	. It is not consistent with national policy

Question 5

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This representation relates to the Pre-submission Local Plan(PSLP) and its handling of the parish of Benenden

1. The plan is unsound because of inadequacies in the consultation process.

(i) Poor consultation between TWBC and other Borough Councils

A Statement of Common Ground (SoCG) between Maidstone and Tunbridge Wells Borough Councils (TWBC) is published, but nothing is apparently published in relation to Ashford Borough Council or Tonbridge and Malling Borough Council.

(ii) Poor consultation between TWBC, the parish of Benenden and the Benenden Healthcare Society (BHS), the single landowner of those sites in the East End of Benenden where most of Benenden's houses are allocated.

(iii) There is no Statement of Common Ground between TWBC and the Benenden Neighbourhood Plan (BNP) although a SoCG was listed as a supporting document to the BNP Reg 14. This is significant because the two plans, though identical in their choice of sites, show different areas within those sites for development at the East End, and both plans differ from the view of BHS. BHS's position is presented to the public through its comments on the first draft of the Local Plan (TWFDLP Comments) (see web link)

Looking at the issue in terms of its hectarage:

- . according to the PSLP the northern site (AL/BE4) is 3.72 ha and the South East Quadrant (SEQ or AL/BE3) is 3.07 ha;
- . according to the Benenden Neighbourhood Plan (BNP), the northern site (called LS41 in the BNP, see para 2.9.4.2.) is 1.9 ha and SEQ (called 424 plus LS40b, see para 2.9.3.2) is 4.24 ha.
- . according to BHS, the northern site is 3.7 ha and the southern site is 4.2 ha (see TWFDLP comments), Savills for BHS: DLP_4956)

The hectareage varies largely according to whether Local Wildlife Sites (LWS) are included in the development area. There are four LWS at the hospital. One of these lies in the northern area (AL/BE4) and two lie in the southern area (AL/BE3). The fourth is in an area not up for development.

- . For AL/BE3, the PSLP excludes the second and the most southerly of its two Local Wildlife Sites (LWS), while the BNP includes both LWS. *Currently, Strutt and Parker are advertising to developers the larger, BNP version of the site for sale, together with Cleveland Farm.* The PSLP states that in the event of the BNP passing a referendum, its own plans for Benenden will be superseded by the BNP (see para 5.421). Which means the plan presented in the PSLP for AL/BE3 is incorrect.
- . For AL/BE4, the PSLP *includes* all the LWS at the site, while the BNP includes only a small southerly section of it. The PSLP states that in the event of the BNP passing a referendum, its own plans for Benenden will be superseded by the BNP (see para 5.421). Which means the plan presented in the PSLP for AL/BE4 is incorrect.
- . For AL/BE4, Savills' comments on behalf of the BHS (see TWFDLP comments), propose 43 dwellings for the site, which will include the LWS (see TWFDLP Comments, item DLP_4956 para 3.6), "Unlike the BNP, the TWLP is broader in the site area by providing a boundary encompassing the entire hospital site, yet aside from the discrepancy addressed previously in this representation the two allocations align in terms of proposed numbers. The Society intends to bring forward the development on the two sites identified through the BNP and *within the boundary identified in the TWLP*. The Society welcomes the consistent approach to unit numbers, and the allocation of both parcels of land through the draft BNP and the TWLP."

In terms of boundaries:

- . BHS understands (see DLP_4956, para 2.8 in TWFDLP Comments) "The North East Quadrant occupies the North East of the site, bordered to the North and East by Mockbeggar Lane, to the south by Goddards Green Lane / Benenden Road and the West by existing hospital buildings." *In other words, it includes the entire LWS in its area.*
- . To the south, BHS understands (see DLP_4956, para 2.9 in TWFDLP comments), "The South East Quadrant occupies the South East of the site, bordered to the north by Goddards Green Lane / Benenden Road, to the West by Green Lane and to the South and East by agricultural land and the High Weald AONB boundary." *In other words, it includes the whole of the more southerly of the two LWS at the site.*

This means that PSLP's AL/BE3 is inaccurate because the larger BNP plan will likely prevail, while the PSLP's AL/BE4 could be challenged by the BNP (if successful in a referendum) (see PSLP para 5.421) and substantially reduced in size. The PSLP's plans for the two hospital plans are therefore both potentially inaccurate.

A failure to coordinate and effectively consult has produced unsound documents.

(iv) Poor consultation with stakeholders, the local community and the neighbouring parish (possibly even more affected by the plans than Benenden). These parties have either not been consulted, or consulted after the fact or consulted but not engaged with.

- . **The Friends of the East End (FEE)** are more affected by the plans than most in the parish but they were not consulted over the development of the BNP on which the PSLP is based. The FEE are mainly residents of the East End which covers about one third of the parish and is a wholly rural location of 76 scattered households. Because it is isolated, it was chosen as the site for an isolation hospital. This now makes up a small enclave close to the border with the neighbouring parish of Biddenden.
- . The BNP Steering Committee is the only one in the borough to have made its own site allocations and these allocations were published in an Informal Draft Plan in February 2019, before consultations with the High Weald -AONB and before inviting AECOM to produce a Strategic Environmental Assessment (SEA). (N.B. Even when the HW-AONB were invited to assess sites, they were NOT asked to assess the hospital sites).
- . The FEE object strongly to the proposal to site almost all the new housing in the East End, but the BNP Steering Committee never asked to meet the FEE nor engaged with them (See EN1 para 9 requiring the effective engagement of the local community, neighbours of sites and others).
- . The FEE submitted three petitions, two to the BNP and one in relation to the LP. A FEE submission with 127 signatures was submitted on April 4th 2019 in response the IDP (published on February 23, 2019), in which the allocations, later adopted by the PSLP were first set out. A second FEE submission with 164 signatures was submitted in October 2019 objecting to the TWFDLP, and

in the same month, a third FEE submission with 167 signatures was submitted in relation to the Reg 16 draft BNP. Instead of acknowledging the strength of these views and the number of people who held them, the chair of the BNP Steering Group, who wrote a regular column in the Parish Magazine about the BNP process, wrote in January 2020, that only “31 residents from the East End” had sent in “comments”. For the strength of today’s opposition to the BNP, see the FEE’s current online petition with over 450 signatures <https://www.change.org/EastEndFriends>

Instead of being consulted, the FEE were ignored and belittled. They were informed on 11th March 2019 by the editor of the Parish Magazine (PM), husband of the Chair of the Parish Council, that “I’m of the view that much of the uncertainty has passed since the presentation of the plan to the village - to a highly favourable reception. At least we no longer have to give polite credence to *uninformed views* that fly in the face of TWBC policy and advocate direct and *pointless confrontation* with TWBC, thereby running the risk of having the entire BNDP thrown back in our faces. *The ensuing chaos hardly bears thinking about.* At least it seems the opinions now being afforded most weight are those of *people who have worked hard for two years to understand the issues* and come up with a coherent way forward.”

Consultation also failed in relation to the neighbouring **parish of Biddenden**. The Clerk of Biddenden Council has repeatedly responded to Benenden Parish Council in the course of the BNP consultation process, but received only acknowledgments. A Kent County Councillor and Ashford Borough Councillor wrote an article about BNP’s mismanagement of consultations with the parish of Biddenden in the Biddenden Parish Magazine, February 2021.

2. The plan is unsound because of the untimely publication of site allocations

Pre-Submission Local Plan, para 5.420 reads “The BNP was submitted to TWBC in October 2020 and was consulted on between 30 October and 11 December 2020.” But the allocations had already been made and published by the BNP in February 2019 in its so called “Informal Draft Plan”. The 2019 February allocations are virtually identical to the PSLP 2021 allocations. Para 5.420 states “The BNP proposes to include site allocation policies that follow the approach of the site allocation policies for Benenden in this Local Plan.” How can the BNP follow the PSLP’s approach when its sites were already allocated? Because the PSLP is founded on site allocations made by the BNP, the unsoundness of the latter carries over and produces unsoundness in the former.

The LP is based on the BNP and BNP allocations were made before **consultations with stakeholders**. This is not consulting in a timely fashion. For example, the PSLP requires archaeological surveys of the hospital sites *after* the designation of the sites for development. Historic England (HE) asks for the surveys to be carried out *before* allocation (see TWFDLP Comments DLP_4556 - “we would expect the allocation of sites following on from this Strategy policy (STR1) to be subject to appropriately robust and detailed heritage impact assessment *prior to the allocations being adopted.*”

3. The plan is unsound because the evidence on which it is based is inaccurate or irrelevant

Supporting Documents

AONB Setting Analysis report: Main Report and AONB Study Plans and Photographs Benenden Hospital/Hankinson Duckett Associates. November 2020.

See para 4.4.2, the description of the hospital site is for the *entire built up-hospital area*, minus the southerly LWS in the SEQ. It is therefore a *report on an area not submitted in the PSLP*. As a result, it draws its conclusions from areas not included in the PSLP. The conclusions are therefore unsound.

The report:

- is concerned with adding 66-72 additional dwellings in addition to the 18 already extant on the northern site and presumably in addition to the 24 for which planning permission has been granted. That is between 108 and 114 new houses. The PSLP is talking about planning 43 houses for the northern sight and 49 for the south. A total of 92 new houses. The report muddies the waters, leaving no clarity.
- fails to note items of critical importance in any attempt to evaluate the landscape and historic importance of the site e.g.
- that the site is on an east-west ridge giving it a dominant position in relation to the AONB;

- the east-west Roman Road running over Benenden Healthcare Society (BHS) land a few yards to the south of the site, and the medieval drove road (Goddards Green Road - GGR) which divides the northern site from the southern one;
- the National Monument Register which lists a Bronze Age palstaff (SMR Number/Hob UID) found at the hospital site, (though, oddly, the report does note Scheduled Monuments in the village);
- that the SEQ development proposes two entrances on to Green Lane and two on to GGR, see Transport Planning Associates (tpa)- October 2019 Scoping note for BHS, 1907-038 under the section headed 'Access', para 4.4 "The consented vehicle access arrangements will be retained. Therefore, vehicle access to the Site will be taken from two access points along Goddards Green Road and two on Green Lane." (This and other documents were revealed to the FEE in May 2021 as a result of the BNP Independent Examiner's queries. In spite of the Examiner's request that all such material be published on-line, this document and the KCC Highways 13 Nov 2019 "Pre-App Response" have been not been published). Such entrances will seriously impact the AONB. Both Goddards Green and Green Lane are designated Rural Lanes, and, of the two, Green Lane is mentioned as a particularly high scoring lane (for its beauty and tranquillity) in TWBC's *Rural Lanes: Supplementary Planning Guidance*. Creating a series of broad entrances large enough so that an "11.4 m refuse vehicle can enter and leave the site in forward gear (see KCC Pre-App Response 13-11-19, a document revealed to the FEE as a result of the BNP Examiner's queries but not made public) would have a substantial effect on the AONB. Hankinson Duckett Associates ignore the issue (see Section 4 on Benenden in the main report and photos B1 and B2 in *Supporting Plans and Photographs*, Benenden).
- offers photos (B5 & B6) which are irrelevant to the site in question. These photos look south towards an area not up for development, and are taken from a point also not up for development. These omissions undermine the report's conclusion.

- Inset Map 18 (Benenden Hospital)**, unlike other maps attached as supporting documents to the PSLP, Inset Map 18 makes no reference to the AONB boundary. This is a significant omission because both the PSLP and the BNP claim that the hospital is outside the AONB and on this basis, largely justify placing most of Benenden's housing in the East End. Because AL/BE3&4 lie on a high ridge to the north of the parish and because the AONB boundary wraps tightly round the site which bulges, like a balloon, into the AONB, development at the East End significantly affects the AONB. While TWBC acknowledges this by requesting the Hankinson Duckett Report, by publishing Inset Map 18, which omits the AONB boundary, TWBC loses a critical opportunity to show the true relevance of AL/BE 3&4 to the AONB. It could even be said that by leaving out the boundary, there is an implication that the hospital sites are genuinely 'outside' the protected area.

- Previous Stages, Draft Local Plan, Benenden Overview**, p263, provides a basis for the PSLP but contains inaccuracies.
 - There is no "pre-school/nursery" as stated in the Overview
 - There is no "Small shop at hospital" as stated in the Overview
 - The statement that there are tennis courts and a café at the site is misleading. In TWFDLP Comments, Savills requests (see DLP_4956 para 3.14) that "the requirement to incorporate the tennis courts and retain the sports pavilion is removed". As for the café, BHS states in its comments on the LP that the café is for hospital use only - "the existing hospital buildings ... have only been designed for hospital use". See TWFDLP detailed additional submissions from Savills "*Representation to the TWBC Draft Local Plan Regulation 18*" 2- Sept- 1Nov 2019 para 3.18 and 3.19)

4. Sustainability Appraisal

As far as the East End of Benenden is concerned, the plan is unsound because the **Sustainability Appraisal**, which is the heart of the planning process, provides evidence that is often incorrect, sometimes inadequate, but always untimely because the evidence on which site allocation should depend, follows, instead of precedes, site allocation. This was first published February 2019 in the BNP's Informal Draft Plan. The allocations then made are identical (save for a few additional houses) to those now made in the PSLP. Site allocation cannot be supported in retrospect.

An examination of SA Table 58 pp 161-163 Sites AL/BE 3&4 and Appendix L pp 331-332 shows faults in the SA's evidence base.

Climate Change: AL/BE3&4 are not scored for climate change, nor are sites 158 & 222, yet, inexplicably, climate change is scored for AL/BE1&2 (Uphill and Feoffee) and for LS8. Where is the explanation for the failure to assess all sites, especially when sites 158, 222, AL/BE1&2 are all close to each other? The issue is particularly concerning in that sites AL/BE3&4 are both 3 miles distant from the village and without any amenities. Residents at these sites will be heavily car dependent and this was of concern even when only 24 houses were proposed for the site. "You will see from KCC's comments on the hybrid application (12/03130) that in consideration of this earlier application for 24 dwellings, the highways authority raised concern that all residents will be very heavily car dependent, which is contrary to a number of policy objectives, including the NPPF." (see KCC Pre-App Response, 13 Nov 2019, revealed in response to the BNP's Independent Examiner's queries and still not in the public arena).

Biodiversity: AL/BE3 is considered to be less at risk in terms of biodiversity than AL/BE4 though AL/BE 3 has two Local Wildlife Sites (LWS) while AL/BE 4 has only one. Where is the evidence to support the idea that the one is less important for biodiversity than the other?

The SA's scoring is not supported by evidence in a letter from Keith Nicholson of the Kent Wildlife Trust, former Planning and Conservation officer for the Kent Wildlife Trust (KWT), dated 4 March 2013, to TWBC Development Control Officer, Ellen Gilbert in which he states, "The 2012 survey has demonstrated that Benenden hospital LWS is more valuable than previously believed. The applicant's consultant is now more firmly of the belief that the Site would fulfil the criteria for it to be considered a Site of Special Scientific Interest (paragraph 4.3.6.). The waxcap community is of national importance when judged against both the Reid classification (para 4.3.4.) and the JNCC Guidelines (para 4.3.5.)."

Nor is it supported by the view of the HW-AONB as stated in TWFDLP Comments (see DLP_3458) that the hospital LWS *"includes rare and vulnerable acid grassland which should form a core area for unimproved grassland as part of a High Weald nature recovery network."* Neither the KWT nor the HW-AONB offer any indication that one or other of the LWS at the hospital is of less value than the rest. Further, we now know from (see web link),

Regulation 18 Representation made by Benenden Healthcare Society, November 2019, that BHS intends to abolish one of the two LWS in AL/BE3, see para 3.21. that "The Society supports the requirement for long-term management of the core areas of the LWS associated with the hospital land. This includes all but the modest area within the SEQ adjoining Peek Lodge which is too constraining on the South East Quadrant redevelopment proposals. Accordingly, the soils in the area will be translocated to a nearby receptor site to try to ensure that the rare fungi can continue to thrive in this local area."

In other words, far from supporting biodiversity, the BHS plan is to reduce it in AL/BE3 and the same is true of AL/BE4 see (in the same document) para 3.17. "In addition, as highlighted in paragraph 3.13 above, the Society do not intend to use the area in which the garage block is located as an extension to the Local Wildlife Site (LWS) or for additional sports provision. As such, the Society request that the requirement to specifically use the land occupied by the existing garage block and manage it in the long term for the benefit of the LWS and / or sports provision is removed from the policy requirement." Given this, biodiversity scoring in Table 58 of sites AL/BE3&4 is substantially overrated. Biodiversity at both sites is under threat.

Business Growth: AL/BE3&4 are scored as if they were more favourable to business growth than AL/BE1&2 and sites 158 and 222, but all four of these last-mentioned sites are in the heart of the village where residents will have ready access to local businesses as well as to daily bus services and other services and facilities. Residents at the East End, on the other hand, will have no access to local businesses except by car.

Education: All sites in this SA are scored equally for education, except for site 158 which scores less well. This SA report compares poorly with the SA which TWBC carried out on site 158 in 2006. 158 is parallel to and just north of the Street with its exit onto New Pond Road. In 2006 site 158 was chosen in a village referendum as the site for a new C of E primary school. It was the preferred site out of a choice of two, both of which were greenfield. TWBC's 2006 SA on 158 decided (see page 18 of the *Sustainability Appraisal Benenden Church of England Primary School Land Allocation DPD - Issues and Options report*), that 158 was one of two top sites. "Situated adjacent to an area of ancient woodland, the site provides the potential for habitat linkages and wildlife corridors. The site is not adjacent to the CA [Conservation Area] and does not form a significant role in its setting. There are no Listed Buildings on or adjacent to the site. The site is consistent with the surrounding landscape

character. There are limited views into the site and no public rights of way over the site.” On page 38, we read, “This site is anticipated to have a major beneficial effect on improving educational standards and travel choice/traffic levels”. In spite of the referendum result, the school was eventually built at the less preferred site and, since then, TWBC had been in consultation with 158’s owners to build houses there. If, in 2006, the SA offered site 158 as one of two top sites in the village for building the new primary school, where is the evidence that it’s appropriateness has somehow massively declined since then? Where is the evidence site 158 is less favourable to education than all the other sites mentioned, especially given that the hospital sites, so favoured for development, are three miles distant from the village school?

Table 58 states that “the education objective does not deteriorate when considering the cumulative effects as the schools in Tenterden will be a viable option for residents in East End.” Children from the East End will have priority over the between 70 and 75% of the existing pupils at the school who come from outside the parish. On what basis is the assumption made that East End parents will prefer to drive their children 6 miles into Tenterden than drive to the primary school in their own village?

Heritage: AL/BE 3 scores slightly less well in terms of its heritage value than AL/BE4 without supporting evidence. How were heritage issues assessed when there is no apparent knowledge of the historic importance of the site, for example: the PSLP makes no mention of the Roman road a few yards south of AL/BE3; the medieval droveway (GGR), which runs through the site and along the ridge; and the Bronze Age palstaff found at the hospital site (National Monument Register - SMR Number/Hob UID). How can a site be scored or evaluated without at least some knowledge of the sites historic significance? This is available at <https://www.benendenvillage.org.uk/History/benweb2006.pdf> and advertised on the Benenden village website.

Services and Facilities: How can sites which are in the heart of the village such as 158 and 222, score the same as sites which are 3 miles distant and isolated in the country? The village has a daily bus service, continuous pavements on both sides of the street, several shops, including a post office, a general store, a butcher and a florist, as well as a pub/restaurant, village green, recreation ground, children’s playground, church, memorial hall, village hall and a primary school. In spite of this, sites 158 and 222, both as close to the centre as AL/BE1&2, are described as lacking services and facilities including public transport (Appendix L pp 331-332) while the sites chosen for most houses are 3 miles out of the village where there are no amenities whatsoever. LS8 is also described as being remote, but it is only one mile from the village and connected to it by a paved footpath. It is close to a bus stop, a playground, tennis courts and a community hall and it is within walking distance of a pub/restaurant. How can its Services and Facilities be offered the same score as AL/BE3&4? These assessments are not understandable except if the sites were chosen before the SA (as is the case) and the SA had to be manipulated to support those original choices.

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan 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.

Many of the PSLP’s problems are associated with failure in the duty to co-operate and can therefore not be remedied.

Many are due to poor evidence or poor interpretation of evidence. This too cannot be remedied.

In summary, development on site AL/BE3 should be limited to the existing, so far unused, planning permission for 24 houses, preferably by adapting the Garland Wing, which is a building of historic value, either to a wellness centre, in accordance with its original intention, or to a row of up to 10

terraced houses. Site AL/BE4 already has 18 semi-detached houses on it, and cannot support any more. It should therefore be excluded. Housing should be allocated to sites such as 158 and 222 in the village centre, or to LS8 in Iden Green. These sites all lie within walking distance of shops, other amenities and the primary school. Paragraphs 5.421 and 5.422 should be omitted.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . Yes, I wish to participate in hearing session(s)

Question 7a

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

In order to present my case and to answer those with vested interests who may seek to put forward arguments against it.

Question 8

If you have any separate comments you wish to make on the accompanying Sustainability Appraisal, please make them here.

Sustainability Appraisal

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Services and Facilities: How can sites which are in the heart of the village such as 158 and 222, score the same as sites which are 3 miles distant and isolated in the country? The village has a daily bus service, continuous pavements on both sides of the street, several shops, including a post office, a general store, a butcher and a florist, as well as a pub/restaurant, village green, recreation ground, children's playground, church, memorial hall, village hall and a primary school. In spite of this, sites 158 and 222, both as close to the centre as AL/BE1&2, are described as lacking services and facilities including public transport (Appendix L pp 331-332) while the sites chosen for most houses are 3 miles out of the village where there are no amenities whatsoever. LS8 is also described as being remote, but it is only one mile from the village and connected to it by a paved footpath. It is close to a bus stop, a playground, tennis courts and a community hall and it is within walking distance of a pub/restaurant. How can its Services and Facilities be offered the same score as AL/BE3&4? These assessments are not understandable except if the sites were chosen before the SA (as is the case) and the SA had to be manipulated to support those original choices.

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

<input type="checkbox"/>	Yes, I wish to be notified of future stages of the Local Plan
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Comment

Consultee	Mr Sebastian Winny [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] Benenden [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Mr Sebastian Winny [REDACTED]
Comment ID	PSLP_499
Response Date	27/05/21 10:01
Consultation Point	Policy AL/BE 4 Land at Benenden Hospital (north of Goddards Green Road), East End (View)
Status	Processed
Submission Type	Other
Version	0.5
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Sebastian Winny
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy AL/BE 4 Land at Benenden Hospital (north of Goddards Green Road), East End

Paragraph Numbers 5.420 and 5.421

Inset Map 18

[TWBC: This representation has been input against Policies AL/BE 3 and AL/BE 4 - please see Comment Numbers PSLP_495 and PSLP_499]

Question 4

Do you consider that the Local Plan:

Is legally compliant	No
Is sound	No
Complies with the Duty to Cooperate	No

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:	. It is not positively prepared
	. It is not effective
	. It is not justified
	. It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

This representation relates to the Pre-submission Local Plan(PSLP) and its handling of the parish of Benenden

1. The plan is unsound because of inadequacies in the consultation process.

(i) Poor consultation between TWBC and other Borough Councils

A Statement of Common Ground (SoCG) between Maidstone and Tunbridge Wells Borough Councils (TWBC) is published, but nothing is apparently published in relation to Ashford Borough Council or Tonbridge and Malling Borough Council.

(ii) Poor consultation between TWBC, the parish of Benenden and the Benenden Healthcare Society (BHS), the single landowner of those sites in the East End of Benenden where most of Benenden's houses are allocated.

(iii) There is no Statement of Common Ground between TWBC and the Benenden Neighbourhood Plan (BNP) although a SoCG was listed as a supporting document to the BNP Reg 14. This is significant because the two plans, though identical in their choice of sites, show different areas within those sites for development at the East End, and both plans differ from the view of BHS. BHS's position is presented to the public through its comments on the first draft of the Local Plan (TWFDLP Comments) (see web link)

Looking at the issue in terms of its hectareage:

- . according to the PSLP the northern site (AL/BE4) is 3.72 ha and the South East Quadrant (SEQ or AL/BE3) is 3.07 ha;
- . according to the Benenden Neighbourhood Plan (BNP), the northern site (called LS41 in the BNP, see para 2.9.4.2.) is 1.9 ha and SEQ (called 424 plus LS40b, see para 2.9.3.2) is 4.24 ha.
- . according to BHS, the northern site is 3.7 ha and the southern site is 4.2 ha (see TWFDLP comments), Savills for BHS: DLP_4956)

The hectareage varies largely according to whether Local Wildlife Sites (LWS) are included in the development area. There are four LWS at the hospital. One of these lies in the northern area (AL/BE4) and two lie in the southern area (AL/BE3). The fourth is in an area not up for development.

- . For AL/BE3, the PSLP excludes the second and the most southerly of its two Local Wildlife Sites (LWS), while the BNP includes both LWS. *Currently, Strutt and Parker are advertising to developers the larger, BNP version of the site for sale, together with Cleveland Farm.* The PSLP states that in the event of the BNP passing a referendum, its own plans for Benenden will be superseded by the BNP (see para 5.421). Which means the plan presented in the PSLP for AL/BE3 is incorrect.
- . For AL/BE4, the PSLP *includes* all the LWS at the site, while the BNP includes only a small southerly section of it. The PSLP states that in the event of the BNP passing a referendum, its own plans for Benenden will be superseded by the BNP (see para 5.421). Which means the plan presented in the PSLP for AL/BE4 is incorrect.
- . For AL/BE4, Savills' comments on behalf of the BHS (see TWFDLP comments), propose 43 dwellings for the site, which will include the LWS (see TWFDLP Comments, item DLP_4956 para 3.6), "Unlike the BNP, the TWLP is broader in the site area by providing a boundary encompassing the entire hospital site, yet aside from the discrepancy addressed previously in this representation the two allocations align in terms of proposed numbers. The Society intends to bring forward the development on the two sites identified through the BNP and *within the boundary identified in the TWLP.* The Society welcomes the consistent approach to unit numbers, and the allocation of both parcels of land through the draft BNP and the TWLP."

In terms of boundaries:

- . BHS understands (see DLP_4956, para 2.8 in TWFDLP Comments) "The North East Quadrant occupies the North East of the site, bordered to the North and East by Mockbeggar Lane, to the south by Goddards Green Lane / Benenden Road and the West by existing hospital buildings." *In other words, it includes the entire LWS in its area.*
- . To the south, BHS understands (see DLP_4956, para 2.9 in TWFDLP comments), "The South East Quadrant occupies the South East of the site, bordered to the north by Goddards Green Lane / Benenden Road, to the West by Green Lane and to the South and East by agricultural land and the High Weald AONB boundary." *In other words, it includes the whole of the more southerly of the two LWS at the site.*

This means that PSLP's AL/BE3 is inaccurate because the larger BNP plan will likely prevail, while the PSLP's AL/BE4 could be challenged by the BNP (if successful in a referendum) (see PSLP para 5.421) and substantially reduced in size. The PSLP's plans for the two hospital plans are therefore both potentially inaccurate.

A failure to coordinate and effectively consult has produced unsound documents.

(iv) Poor consultation with stakeholders, the local community and the neighbouring

parish (possibly even more affected by the plans than Benenden). These parties have either not been consulted, or consulted after the fact or consulted but not engaged with.

- . **The Friends of the East End (FEE)** are more affected by the plans than most in the parish but they were not consulted over the development of the BNP on which the PSLP is based. The FEE are mainly residents of the East End which covers about one third of the parish and is a wholly rural location of 76 scattered households. Because it is isolated, it was chosen as the site for an isolation hospital. This now makes up a small enclave close to the border with the neighbouring parish of Biddenden.
- . The BNP Steering Committee is the only one in the borough to have made its own site allocations and these allocations were published in an Informal Draft Plan in February 2019, before consultations with the High Weald -AONB and before inviting AECOM to produce a Strategic Environmental Assessment (SEA). (N.B. Even when the HW-AONB were invited to assess sites, they were NOT asked to assess the hospital sites).
- . The FEE object strongly to the proposal to site almost all the new housing in the East End, but the BNP Steering Committee never asked to meet the FEE nor engaged with them (See EN1 para 9 requiring the effective engagement of the local community, neighbours of sites and others).
- . The FEE submitted three petitions, two to the BNP and one in relation to the LP. A FEE submission with 127 signatures was submitted on April 4th 2019 in response the IDP (published on February 23, 2019), in which the allocations, later adopted by the PSLP were first set out. A second FEE submission with 164 signatures was submitted in October 2019 objecting to the TWFDLP, and

in the same month, a third FEE submission with 167 signatures was submitted in relation to the Reg 16 draft BNP. Instead of acknowledging the strength of these views and the number of people who held them, the chair of the BNP Steering Group, who wrote a regular column in the Parish Magazine about the BNP process, wrote in January 2020, that only “31 residents from the East End” had sent in “comments”. For the strength of today’s opposition to the BNP, see the FEE’s current online petition with over 450 signatures <https://www.change.org/EastEndFriends>

Instead of being consulted, the FEE were ignored and belittled. They were informed on 11th March 2019 by the editor of the Parish Magazine (PM), husband of the Chair of the Parish Council, that “I’m of the view that much of the uncertainty has passed since the presentation of the plan to the village - to a highly favourable reception. At least we no longer have to give polite credence to *uninformed views* that fly in the face of TWBC policy and advocate direct and *pointless confrontation* with TWBC, thereby running the risk of having the entire BNDP thrown back in our faces. *The ensuing chaos hardly bears thinking about.* At least it seems the opinions now being afforded most weight are those of *people who have worked hard for two years to understand the issues* and come up with a coherent way forward.”

Consultation also failed in relation to the neighbouring **parish of Biddenden**. The Clerk of Biddenden Council has repeatedly responded to Benenden Parish Council in the course of the BNP consultation process, but received only acknowledgments. A Kent County Councillor and Ashford Borough Councillor wrote an article about BNP’s mismanagement of consultations with the parish of Biddenden in the Biddenden Parish Magazine, February 2021.

2. The plan is unsound because of the untimely publication of site allocations

Pre-Submission Local Plan, para 5.420 reads “The BNP was submitted to TWBC in October 2020 and was consulted on between 30 October and 11 December 2020.” But the allocations had already been made and published by the BNP in February 2019 in its so called “Informal Draft Plan”. The 2019 February allocations are virtually identical to the PSLP 2021 allocations. Para 5.420 states “The BNP proposes to include site allocation policies that follow the approach of the site allocation policies for Benenden in this Local Plan.” How can the BNP follow the PSLP’s approach when its sites were already allocated? Because the PSLP is founded on site allocations made by the BNP, the unsoundness of the latter carries over and produces unsoundness in the former.

The LP is based on the BNP and BNP allocations were made before **consultations with stakeholders**. This is not consulting in a timely fashion. For example, the PSLP requires archaeological surveys of the hospital sites *after* the designation of the sites for development. Historic England (HE) asks for the surveys to be carried out *before* allocation (see TWFDLP Comments DLP_4556 - “we would expect the allocation of sites following on from this Strategy policy (STR1) to be subject to appropriately robust and detailed heritage impact assessment *prior to the allocations being adopted.*”

3. The plan is unsound because the evidence on which it is based is inaccurate or irrelevant

Supporting Documents

AONB Setting Analysis report: Main Report and AONB Study Plans and Photographs Benenden Hospital/Hankinson Duckett Associates. November 2020.

See para 4.4.2, the description of the hospital site is for the *entire built up-hospital area*, minus the southerly LWS in the SEQ. It is therefore a *report on an area not submitted in the PSLP*. As a result, it draws its conclusions from areas not included in the PSLP. The conclusions are therefore unsound.

The report:

- is concerned with adding 66-72 additional dwellings in addition to the 18 already extant on the northern site and presumably in addition to the 24 for which planning permission has been granted. That is between 108 and 114 new houses. The PSLP is talking about planning 43 houses for the northern sight and 49 for the south. A total of 92 new houses. The report muddies the waters, leaving no clarity.
- fails to note items of critical importance in any attempt to evaluate the landscape and historic importance of the site e.g.
- that the site is on an east-west ridge giving it a dominant position in relation to the AONB;

- the east-west Roman Road running over Benenden Healthcare Society (BHS) land a few yards to the south of the site, and the medieval drove road (Goddards Green Road - GGR) which divides the northern site from the southern one;
- the National Monument Register which lists a Bronze Age palstaff (SMR Number/Hob UID) found at the hospital site, (though, oddly, the report does note Scheduled Monuments in the village);
- that the SEQ development proposes two entrances on to Green Lane and two on to GGR, see Transport Planning Associates (tpa)- October 2019 Scoping note for BHS, 1907-038 under the section headed 'Access', para 4.4 "The consented vehicle access arrangements will be retained. Therefore, vehicle access to the Site will be taken from two access points along Goddards Green Road and two on Green Lane." (This and other documents were revealed to the FEE in May 2021 as a result of the BNP Independent Examiner's queries. In spite of the Examiner's request that all such material be published on-line, this document and the KCC Highways 13 Nov 2019 "Pre-App Response" have been not been published). Such entrances will seriously impact the AONB. Both Goddards Green and Green Lane are designated Rural Lanes, and, of the two, Green Lane is mentioned as a particularly high scoring lane (for its beauty and tranquillity) in TWBC's *Rural Lanes: Supplementary Planning Guidance*. Creating a series of broad entrances large enough so that an "11.4 m refuse vehicle can enter and leave the site in forward gear (see KCC Pre-App Response 13-11-19, a document revealed to the FEE as a result of the BNP Examiner's queries but not made public) would have a substantial effect on the AONB. Hankinson Duckett Associates ignore the issue (see Section 4 on Benenden in the main report and photos B1 and B2 in *Supporting Plans and Photographs*, Benenden).
- offers photos (B5 & B6) which are irrelevant to the site in question. These photos look south towards an area not up for development, and are taken from a point also not up for development. These omissions undermine the report's conclusion.

- Inset Map 18 (Benenden Hospital)**, unlike other maps attached as supporting documents to the PSLP, Inset Map 18 makes no reference to the AONB boundary. This is a significant omission because both the PSLP and the BNP claim that the hospital is outside the AONB and on this basis, largely justify placing most of Benenden's housing in the East End. Because AL/BE3&4 lie on a high ridge to the north of the parish and because the AONB boundary wraps tightly round the site which bulges, like a balloon, into the AONB, development at the East End significantly affects the AONB. While TWBC acknowledges this by requesting the Hankinson Duckett Report, by publishing Inset Map 18, which omits the AONB boundary, TWBC loses a critical opportunity to show the true relevance of AL/BE 3&4 to the AONB. It could even be said that by leaving out the boundary, there is an implication that the hospital sites are genuinely 'outside' the protected area.

- Previous Stages, Draft Local Plan, Benenden Overview**, p263, provides a basis for the PSLP but contains inaccuracies.
 - There is no "pre-school/nursery" as stated in the Overview
 - There is no "Small shop at hospital" as stated in the Overview
 - The statement that there are tennis courts and a café at the site is misleading. In TWFDLP Comments, Savills requests (see DLP_4956 para 3.14) that "the requirement to incorporate the tennis courts and retain the sports pavilion is removed". As for the café, BHS states in its comments on the LP that the café is for hospital use only - "the existing hospital buildings ... have only been designed for hospital use". See TWFDLP detailed additional submissions from Savills "*Representation to the TWBC Draft Local Plan Regulation 18*" 2- Sept- 1Nov 2019 para 3.18 and 3.19)

4. Sustainability Appraisal

As far as the East End of Benenden is concerned, the plan is unsound because the **Sustainability Appraisal**, which is the heart of the planning process, provides evidence that is often incorrect, sometimes inadequate, but always untimely because the evidence on which site allocation should depend, follows, instead of precedes, site allocation. This was first published February 2019 in the BNP's Informal Draft Plan. The allocations then made are identical (save for a few additional houses) to those now made in the PSLP. Site allocation cannot be supported in retrospect.

An examination of SA Table 58 pp 161-163 Sites AL/BE 3&4 and Appendix L pp 331-332 shows faults in the SA's evidence base.

Climate Change: AL/BE3&4 are not scored for climate change, nor are sites 158 & 222, yet, inexplicably, climate change is scored for AL/BE1&2 (Uphill and Feoffee) and for LS8. Where is the explanation for the failure to assess all sites, especially when sites 158, 222, AL/BE1&2 are all close to each other? The issue is particularly concerning in that sites AL/BE3&4 are both 3 miles distant from the village and without any amenities. Residents at these sites will be heavily car dependent and this was of concern even when only 24 houses were proposed for the site. "You will see from KCC's comments on the hybrid application (12/03130) that in consideration of this earlier application for 24 dwellings, the highways authority raised concern that all residents will be very heavily car dependent, which is contrary to a number of policy objectives, including the NPPF." (see KCC Pre-App Response, 13 Nov 2019, revealed in response to the BNP's Independent Examiner's queries and still not in the public arena).

Biodiversity: AL/BE3 is considered to be less at risk in terms of biodiversity than AL/BE4 though AL/BE 3 has two Local Wildlife Sites (LWS) while AL/BE 4 has only one. Where is the evidence to support the idea that the one is less important for biodiversity than the other?

The SA's scoring is not supported by evidence in a letter from Keith Nicholson of the Kent Wildlife Trust, former Planning and Conservation officer for the Kent Wildlife Trust (KWT), dated 4 March 2013, to TWBC Development Control Officer, Ellen Gilbert in which he states, "The 2012 survey has demonstrated that Benenden hospital LWS is more valuable than previously believed. The applicant's consultant is now more firmly of the belief that the Site would fulfil the criteria for it to be considered a Site of Special Scientific Interest (paragraph 4.3.6.). The waxcap community is of national importance when judged against both the Reid classification (para 4.3.4.) and the JNCC Guidelines (para 4.3.5.)."

Nor is it supported by the view of the HW-AONB as stated in TWFDLP Comments (see DLP_3458) that the hospital LWS *"includes rare and vulnerable acid grassland which should form a core area for unimproved grassland as part of a High Weald nature recovery network."* Neither the KWT nor the HW-AONB offer any indication that one or other of the LWS at the hospital is of less value than the rest. Further, we now know from (see web link),

Regulation 18 Representation made by Benenden Healthcare Society, November 2019, that BHS intends to abolish one of the two LWS in AL/BE3, see para 3.21. that "The Society supports the requirement for long-term management of the core areas of the LWS associated with the hospital land. This includes all but the modest area within the SEQ adjoining Peek Lodge which is too constraining on the South East Quadrant redevelopment proposals. Accordingly, the soils in the area will be translocated to a nearby receptor site to try to ensure that the rare fungi can continue to thrive in this local area."

In other words, far from supporting biodiversity, the BHS plan is to reduce it in AL/BE3 and the same is true of AL/BE4 see (in the same document) para 3.17. "In addition, as highlighted in paragraph 3.13 above, the Society do not intend to use the area in which the garage block is located as an extension to the Local Wildlife Site (LWS) or for additional sports provision. As such, the Society request that the requirement to specifically use the land occupied by the existing garage block and manage it in the long term for the benefit of the LWS and / or sports provision is removed from the policy requirement." Given this, biodiversity scoring in Table 58 of sites AL/BE3&4 is substantially overrated. Biodiversity at both sites is under threat.

Business Growth: AL/BE3&4 are scored as if they were more favourable to business growth than AL/BE1&2 and sites 158 and 222, but all four of these last-mentioned sites are in the heart of the village where residents will have ready access to local businesses as well as to daily bus services and other services and facilities. Residents at the East End, on the other hand, will have no access to local businesses except by car.

Education: All sites in this SA are scored equally for education, except for site 158 which scores less well. This SA report compares poorly with the SA which TWBC carried out on site 158 in 2006. 158 is parallel to and just north of the Street with its exit onto New Pond Road. In 2006 site 158 was chosen in a village referendum as the site for a new C of E primary school. It was the preferred site out of a choice of two, both of which were greenfield. TWBC's 2006 SA on 158 decided (see page 18 of the *Sustainability Appraisal Benenden Church of England Primary School Land Allocation DPD - Issues and Options report*), that 158 was one of two top sites. "Situated adjacent to an area of ancient woodland, the site provides the potential for habitat linkages and wildlife corridors. The site is not adjacent to the CA [Conservation Area] and does not form a significant role in its setting. There are no Listed Buildings on or adjacent to the site. The site is consistent with the surrounding landscape

character. There are limited views into the site and no public rights of way over the site.” On page 38, we read, “This site is anticipated to have a major beneficial effect on improving educational standards and travel choice/traffic levels”. In spite of the referendum result, the school was eventually built at the less preferred site and, since then, TWBC had been in consultation with 158’s owners to build houses there. If, in 2006, the SA offered site 158 as one of two top sites in the village for building the new primary school, where is the evidence that it’s appropriateness has somehow massively declined since then? Where is the evidence site 158 is less favourable to education than all the other sites mentioned, especially given that the hospital sites, so favoured for development, are three miles distant from the village school?

Table 58 states that “the education objective does not deteriorate when considering the cumulative effects as the schools in Tenterden will be a viable option for residents in East End.” Children from the East End will have priority over the between 70 and 75% of the existing pupils at the school who come from outside the parish. On what basis is the assumption made that East End parents will prefer to drive their children 6 miles into Tenterden than drive to the primary school in their own village?

Heritage: AL/BE 3 scores slightly less well in terms of its heritage value than AL/BE4 without supporting evidence. How were heritage issues assessed when there is no apparent knowledge of the historic importance of the site, for example: the PSLP makes no mention of the Roman road a few yards south of AL/BE3; the medieval droveway (GGR), which runs through the site and along the ridge; and the Bronze Age palstaff found at the hospital site (National Monument Register - SMR Number/Hob UID). How can a site be scored or evaluated without at least some knowledge of the sites historic significance? This is available at <https://www.benendenvillage.org.uk/History/benweb2006.pdf> and advertised on the Benenden village website.

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Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan 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.

Many of the PSLP’s problems are associated with failure in the duty to co-operate and can therefore not be remedied.

Many are due to poor evidence or poor interpretation of evidence. This too cannot be remedied.

In summary, development on site AL/BE3 should be limited to the existing, so far unused, planning permission for 24 houses, preferably by adapting the Garland Wing, which is a building of historic value, either to a wellness centre, in accordance with its original intention, or to a row of up to 10

terraced houses. Site AL/BE4 already has 18 semi-detached houses on it, and cannot support any more. It should therefore be excluded. Housing should be allocated to sites such as 158 and 222 in the village centre, or to LS8 in Iden Green. These sites all lie within walking distance of shops, other amenities and the primary school. Paragraphs 5.421 and 5.422 should be omitted.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . Yes, I wish to participate in hearing session(s)

Question 7a

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

In order to present my case and to answer those with vested interests who may seek to put forward arguments against it.

Question 8

If you have any separate comments you wish to make on the accompanying Sustainability Appraisal, please make them here.

Sustainability Appraisal

As far as the East End of Benenden is concerned, the plan is unsound because the Sustainability Appraisal, which is the heart of the planning process, provides evidence that is often incorrect, sometimes inadequate, but always untimely because the evidence on which site allocation should depend, follows, instead of precedes, site allocation. This was first published February 2019 in the BNP's Informal Draft Plan. The allocations then made are identical (save for a few additional houses) to those now made in the PSLP. Site allocation cannot be supported in retrospect.

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consultant is now more firmly of the belief that the Site would fulfil the criteria for it to be considered a Site of Special Scientific Interest (paragraph 4.3.6.). The waxcap community is of national importance when judged against both the Reid classification (para 4.3.4.) and the JNCC Guidelines (para 4.3.5.).” Nor is it supported by the view of the HW-AONB as stated in TWFDLP Comments (see DLP_3458) that the hospital LWS “includes rare and vulnerable acid grassland which should form a core area for unimproved grassland as part of a High Weald nature recovery network.” Neither the KWT nor the HW-AONB offer any indication that one or other of the LWS at the hospital is of less value than the rest. Further, we now know from

(see web link),

Regulation 18 Representation made by Benenden Healthcare Society, November 2019, that BHS intends to abolish one of the two LWS in AL/BE3, see para 3.21. that “The Society supports the requirement for long-term management of the core areas of the LWS associated with the hospital land. This includes all but the modest area within the SEQ adjoining Peek Lodge which is too constraining on the South East Quadrant redevelopment proposals. Accordingly, the soils in the area will be translocated to a nearby receptor site to try to ensure that the rare fungi can continue to thrive in this local area.”

In other words, far from supporting biodiversity, the BHS plan is to reduce it in AL/BE3 and the same is true of AL/BE4 see (in the same document) para 3.17. “In addition, as highlighted in paragraph 3.13 above, the Society do not intend to use the area in which the garage block is located as an extension to the Local Wildlife Site (LWS) or for additional sports provision. As such, the Society request that the requirement to specifically use the land occupied by the existing garage block and manage it in the long term for the benefit of the LWS and / or sports provision is removed from the policy requirement.” Given this, biodiversity scoring in Table 58 of sites AL/BE3&4 is substantially overrated. Biodiversity at both sites is under threat.

Business Growth: AL/BE3&4 are scored as if they were more favourable to business growth than AL/BE1&2 and sites 158 and 222, but all four of these last-mentioned sites are in the heart of the village where residents will have ready access to local businesses as well as to daily bus services and other services and facilities. Residents at the East End, on the other hand, will have no access to local businesses except by car.

Education: All sites in this SA are scored equally for education, except for site 158 which scores less well. This SA report compares poorly with the SA which TWBC carried out on site 158 in 2006. 158 is parallel to and just north of the Street with its exit onto New Pond Road. In 2006 site 158 was chosen in a village referendum as the site for a new C of E primary school. It was the preferred site out of a choice of two, both of which were greenfield. TWBC’s 2006 SA on 158 decided (see page 18 of the Sustainability Appraisal Benenden Church of England Primary School Land Allocation DPD - Issues and Options report), that 158 was one of two top sites. “Situated adjacent to an area of ancient woodland, the site provides the potential for habitat linkages and wildlife corridors. The site is not adjacent to the CA [Conservation Area] and does not form a significant role in its setting. There are no Listed Buildings on or adjacent to the site. The site is consistent with the surrounding landscape character. There are limited views into the site and no public rights of way over the site.” On page 38, we read, “This site is anticipated to have a major beneficial effect on improving educational standards and travel choice/traffic levels”. In spite of the referendum result, the school was eventually built at the less preferred site and, since then, TWBC had been in consultation with 158’s owners to build houses there. If, in 2006, the SA offered site 158 as one of two top sites in the village for building the new primary school, where is the evidence that it’s appropriateness has somehow massively declined since then? Where is the evidence site 158 is less favourable to education than all the other sites mentioned, especially given that the hospital sites, so favoured for development, are three miles distant from the village school?

Table 58 states that “the education objective does not deteriorate when considering the cumulative effects as the schools in Tenterden will be a viable option for residents in East End.” Children from the East End will have priority over the between 70 and 75% of the existing pupils at the school who come from outside the parish. On what basis is the assumption made that East End parents will prefer to drive their children 6 miles into Tenterden than drive to the primary school in their own village?

Heritage: AL/BE 3 scores slightly less well in terms of its heritage value than AL/BE4 without supporting evidence. How were heritage issues assessed when there is no apparent knowledge of the historic importance of the site, for example: the PSLP makes no mention of the Roman road a few yards south

of AL/BE3; the medieval droveway (GGR), which runs through the site and along the ridge; and the Bronze Age palstaff found at the hospital site (National Monument Register - SMR Number/Hob UID). How can a site be scored or evaluated without at least some knowledge of the sites historic significance? This is available at <https://www.benendenvillage.org.uk/History/benweb2006.pdf> and advertised on the Benenden village website.

Services and Facilities: How can sites which are in the heart of the village such as 158 and 222, score the same as sites which are 3 miles distant and isolated in the country? The village has a daily bus service, continuous pavements on both sides of the street, several shops, including a post office, a general store, a butcher and a florist, as well as a pub/restaurant, village green, recreation ground, children's playground, church, memorial hall, village hall and a primary school. In spite of this, sites 158 and 222, both as close to the centre as AL/BE1&2, are described as lacking services and facilities including public transport (Appendix L pp 331-332) while the sites chosen for most houses are 3 miles out of the village where there are no amenities whatsoever. LS8 is also described as being remote, but it is only one mile from the village and connected to it by a paved footpath. It is close to a bus stop, a playground, tennis courts and a community hall and it is within walking distance of a pub/restaurant. How can its Services and Facilities be offered the same score as AL/BE3&4? These assessments are not understandable except if the sites were chosen before the SA (as is the case) and the SA had to be manipulated to support those original choices.

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

<input type="checkbox"/>	Yes, I wish to be notified of future stages of the Local Plan
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Comment

Consultee	Ms Bridget Fox [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Woodland Trust
Address	Kempton Way Grantham NG31 6LL
Event Name	Pre-Submission Local Plan
Comment by	Woodland Trust [REDACTED]
Comment ID	PSLP_1412
Response Date	04/06/21 16:31
Consultation Point	Policy STR 5 Infrastructure and Connectivity (View)
Status	Processed
Submission Type	Email
Version	0.3
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Woodland Trust
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy STR 5 Infrastructure and Connectivity	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes

Is sound

Yes

Complies with the Duty to Cooperate

Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

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We support this policy and welcome the addition of the explicit reference to hedgerows and street trees, in addition to the prior welcome inclusion of woodland and community orchards, in the section headed *Green, grey and blue infrastructure*, as we requested in our response to the Regulation 18 consultation.

We support the inclusion of natural green space as part of the range of provision of space for sport and recreation.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Comment

Consultee	Ms Bridget Fox [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Woodland Trust
Address	Kempton Way Grantham NG31 6LL
Event Name	Pre-Submission Local Plan
Comment by	Woodland Trust [REDACTED]
Comment ID	PSLP_1413
Response Date	04/06/21 16:31
Consultation Point	Policy STR 8 Conserving and Enhancing the Natural, Built, and Historic Environment (View)
Status	Processed
Submission Type	Email
Version	0.3
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Woodland Trust
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy STR 8 Conserving and Enhancing the Natural, Built, and Historic Environment	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes

Is sound

Yes

Complies with the Duty to Cooperate

Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

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We support this policy and recommend further strengthening it with reference to the emerging requirement for Local Nature Recovery Strategies.

Question 6

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We propose amending para 6 to read:

6. Opportunities and locations for biodiversity enhancements will be identified and pursued by the creation, protection, enhancement, extension, and long-term management of green corridors and through the development of green infrastructure networks in urban and rural areas to improve connectivity between habitats **in line with the Local Nature Recovery Strategy;**

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Comment

Consultee	Ms Bridget Fox [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Woodland Trust
Address	Kempton Way Grantham NG31 6LL
Event Name	Pre-Submission Local Plan
Comment by	Woodland Trust [REDACTED]
Comment ID	PSLP_1427
Response Date	04/06/21 16:31
Consultation Point	Policy AL/RTW 16 Land to the west of Eridge Road at Spratsbrook Farm (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Woodland Trust
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy AL/RTW 16 Land to the west of Eridge Road at Spratsbrook Farm	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes

Is sound

Don't know

Complies with the Duty to Cooperate

Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because: . It is not consistent with national policy

Question 5

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We previously expressed concerns at this site allocation (then coded AL/RTW 18) as it was adjacent to several areas of ancient woodland, namely:

• Three Acre Wood ASNW at TQ56733831 • The Woodland Trust site Friezland Wood ASNW at TQ56443831 • Ramslye Wood ASNW at TQ56543793

We note that the housing elements of the site are now well-distanced from Three Acre Wood (60m) and Friezland Wood (320m) with landscape buffers, in line with our recommended approach.

We still have some concerns about appropriate buffering for Ramslye Wood.

Question 6

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Where development sites are adjacent to ancient woodland, we recommend that as a precautionary principle, a minimum 50 metre buffer should be maintained between a development and the ancient woodland, including through the construction phase, unless the applicant can demonstrate very clearly how a smaller buffer would suffice. A larger buffer may be required for particularly significant engineering operations, or for after-uses that generate significant disturbance.

Buffer zones can form part of the accessible natural green space required for future residents.

This will improve compliance with national policy by protecting the ancient woodland from loss or fragmentation and from harmful effects of pollution or encroachment on root areas. It will also make a positive contribution to requirements for net gain and nature recovery.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? Yes, I wish to participate in hearing session(s)

Question 7a

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If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

The Woodland Trust is the UK's leading woodland conservation charity with specific expertise on the management and protection of ancient woodland.

Comment

Consultee	Ms Bridget Fox [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Woodland Trust
Address	Kempton Way Grantham NG31 6LL
Event Name	Pre-Submission Local Plan
Comment by	Woodland Trust [REDACTED]
Comment ID	PSLP_1424
Response Date	04/06/21 16:31
Consultation Point	Policy AL/RTW 17 Land adjacent to Longfield Road (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Woodland Trust
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy AL/RTW 17 Land adjacent to Longfield Road	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes

Is sound

Don't know

Complies with the Duty to Cooperate

Don't know

Question 4a

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Do you consider that the Local Plan is not sound because: . It is not consistent with national policy

Question 5

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We previously expressed concerns at this site allocation (then coded as AL/RTW 12) as it included several areas of ancient woodland

- King's Standing (previously Unnamed) ASNW at TQ60734254
- Well Wood ASNW at TQ61114315
- Unnamed ASNW at TQ60474291
- Pilgrim's Wood ASNW at TQ60604322

We are pleased to see that all but one of these no longer appear to be affected. However, we still have concerns about the potential impact on King's Standing ASNW at TQ60734254.

Question 6

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We recommend redrawing the site boundaries to exclude Kings Standing Wood from land allocated for development.

Whether the ancient woodland is within or outside the development site, we recommend that as a precautionary principle, a minimum 50 metre buffer should be maintained between a development and the ancient woodland, including through the construction phase, unless the applicant can demonstrate very clearly how a smaller buffer would suffice. Buffer zones can form part of the accessible natural green space required for future residents.

This will improve compliance with national policy by protecting the ancient woodland from loss or fragmentation and from harmful effects of pollution or encroachment on root areas. It will also make a positive contribution to requirements for net gain and nature recovery.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? Yes, I wish to participate in hearing session(s)

Question 7a

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Comment

Consultee	Ms Bridget Fox [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Woodland Trust
Address	Kempton Way Grantham NG31 6LL
Event Name	Pre-Submission Local Plan
Comment by	Woodland Trust [REDACTED]
Comment ID	PSLP_1429
Response Date	04/06/21 16:31
Consultation Point	Policy AL/RTW 19 Land to the north of Hawkenbury Recreation Ground (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Woodland Trust
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy AL/RTW 19 Land to the north of Hawkenbury Recreation Ground	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes

Is sound

Don't know

Complies with the Duty to Cooperate

Don't know

Question 4a

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Do you consider that the Local Plan is not sound because: . It is not consistent with national policy

Question 5

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We previously expressed concerns at this site allocation (then coded AL/RTW 23) as it was adjacent to High Wood ASNW (TQ60283870)

Question 6

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Where development sites are adjacent to ancient woodland, we recommend that as a precautionary principle, a minimum 50 metre buffer should be maintained between a development and the ancient woodland, including through the construction phase, unless the applicant can demonstrate very clearly how a smaller buffer would suffice. A larger buffer may be required for particularly significant engineering operations, or for after-uses that generate significant disturbance.

Buffer zones can form part of the accessible natural green space required for future residents.

This will improve compliance with national policy by protecting the ancient woodland from loss or fragmentation and from harmful effects of pollution or encroachment on root areas. It will also make a positive contribution to requirements for net gain and nature recovery.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

Yes, I wish to participate in hearing session(s)

Question 7a

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Comment

Consultee	Ms Bridget Fox [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Woodland Trust
Address	Kempton Way Grantham NG31 6LL
Event Name	Pre-Submission Local Plan
Comment by	Woodland Trust [REDACTED]
Comment ID	PSLP_1428
Response Date	04/06/21 16:31
Consultation Point	Policy AL/RTW 20 Land at Culverden Stadium, Culverden Down (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Woodland Trust
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy AL/RTW 20 Land at Culverden Stadium, Culverden Down	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes

Is sound

Don't know

Complies with the Duty to Cooperate

Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because: . It is not consistent with national policy

Question 5

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We previously expressed concerns at this site allocation (then coded AL/RTW 21) as it was adjacent to an area of unnamed ancient woodland ASNW at TQ57604077.

Question 6

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Buffer zones can form part of the accessible natural green space required for future residents.

This will improve compliance with national policy by protecting the ancient woodland from loss or fragmentation and from harmful effects of pollution or encroachment on root areas. It will also make a positive contribution to requirements for net gain and nature recovery.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

Yes, I wish to participate in hearing session(s)

Question 7a

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Comment

Consultee	Ms Bridget Fox [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Woodland Trust
Address	Kempton Way Grantham NG31 6LL
Event Name	Pre-Submission Local Plan
Comment by	Woodland Trust [REDACTED]
Comment ID	PSLP_1421
Response Date	04/06/21 16:31
Consultation Point	Policy STR/SS 1 The Strategy for Paddock Wood, including land at east Capel (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Woodland Trust
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy STR/SS 1 The Strategy for Paddock Wood, including land at east Capel	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Don't know

Is sound

No

Complies with the Duty to Cooperate

Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not justified
- . It is not consistent with national policy

Question 5

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The Woodland Trust does not take a position on the creation of new settlements on greenfield sites per se. We are however concerned about the inclusion of ancient woodland in this site, risking the protection afforded this vital habitat in the NPPF and reflected in the draft local plan policy EN13.

Ancient woodland is a precious habitat that should be protected and managed in a sustainable way to maximise its wildlife, landscape and historical value. Ancient woods are irreplaceable. They are our richest terrestrial wildlife habitats, with complex ecological communities that have developed over centuries, and contain a high proportion of rare and threatened species, many of which are dependent on the particular conditions that this habitat affords. Ancient woods are important reservoirs of biodiversity, but already highly fragmented, so that they and their associated wildlife are particularly vulnerable to encroachment from development. Further details on the necessary protection for ancient woodland can be found in the Woodland Trust's Planners Manual for Ancient Woodland (2nd edition 2019).

<https://www.woodlandtrust.org.uk/publications/2019/06/planners-manual-for-ancient-woodland/>

Existing and emerging national policy requires not only the protection of existing habitats but their enhancement and extension. Policies for biodiversity net gain and nature recovery cannot be delivered if irreplaceable ancient woodland is eroded.

The Paddock Wood and Capel site includes the following areas of ancient woodland:• Unnamed ASNW at TQ67244374• Whetsted Wood ASNW at TQ66144546• Unnamed ASNW at TQ66234528

We note and welcome the proposal in EN13 to assume a 25m buffer zone for ancient woodland. However, given the scale of development proposed at this site, we feel that a larger buffer is required to secure the necessary legal protection for the ancient woodland.

We recognise the intense pressure to identify and bring forward new sites for housing and employment uses. This pressure makes it all the more important that vital protections for ancient woodland and veteran trees are upheld.

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan 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.

We recommend redrawing the site boundaries to exclude areas of ancient woodland from land allocated for development.

Whether the ancient woodland is within or outside the development site, we recommend that as a precautionary principle, a minimum 50 metre buffer should be maintained between a development and the ancient woodland, including through the construction phase, unless the applicant can demonstrate very clearly how a smaller buffer would suffice. A larger buffer may be required for particularly significant engineering operations, or for after-uses that generate significant disturbance. Buffer zones can form part of the accessible natural green space required for future residents.

This will improve compliance with national policy by protecting the ancient woodland from loss or fragmentation and from harmful effects of pollution or encroachment on root areas. It will also make a positive contribution to requirements for net gain and nature recovery, as well as better reflecting the aspirations of the England Trees Action Plan and National Model Design Code.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . Yes, I wish to participate in hearing session(s)

Question 7a

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

The Woodland Trust is the UK's leading woodland conservation charity with specific expertise on the management and protection of ancient woodland.

Comment

Consultee	Ms Bridget Fox [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Woodland Trust
Address	Kempton Way Grantham NG31 6LL
Event Name	Pre-Submission Local Plan
Comment by	Woodland Trust [REDACTED]
Comment ID	PSLP_1420
Response Date	04/06/21 16:31
Consultation Point	Policy STR/SS 3 The Strategy for Tudeley Village (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Woodland Trust
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy STR/SS 3 The Strategy for Tudeley Village	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Don't know

Is sound

No

Complies with the Duty to Cooperate

Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not justified
- . It is not consistent with national policy

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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The Woodland Trust does not take a position on the creation of new settlements on greenfield sites per se. We are however concerned about the inclusion of ancient woodland in this site, risking the protection afforded this vital habitat in the NPPF and reflected in the draft local plan policy EN13.

Ancient woodland is a precious habitat that should be protected and managed in a sustainable way to maximise its wildlife, landscape and historical value. Ancient woods are irreplaceable. They are our richest terrestrial wildlife habitats, with complex ecological communities that have developed over centuries, and contain a high proportion of rare and threatened species, many of which are dependent on the particular conditions that this habitat affords. Ancient woods are important reservoirs of biodiversity, but already highly fragmented, so that they and their associated wildlife are particularly vulnerable to encroachment from development. Further details on the necessary protection for ancient woodland can be found in the Woodland Trust's Planners Manual for Ancient Woodland (2nd edition 2019).

<https://www.woodlandtrust.org.uk/publications/2019/06/planners-manual-for-ancient-woodland/>

Existing and emerging national policy requires not only the protection of existing habitats but their enhancement and extension. Policies for biodiversity net gain and nature recovery cannot be delivered if irreplaceable ancient woodland is eroded.

The Tudeley Village site includes the following areas of ancient woodland:• Unnamed ASNW at TQ62844531• Unnamed ASNW at TQ63184518• Unnamed ASNW at TQ63524535• Unnamed ASNW at TQ62124555

We note and welcome the proposal in EN13 to assume a 25m buffer zone for ancient woodland. However, given the scale of development proposed at Tudeley Village, we feel that a larger buffer is required to secure the necessary legal protection for the ancient woodland.

We recognise the intense pressure to identify and bring forward new sites for housing and employment uses. This pressure makes it all the more important that vital protections for ancient woodland and veteran trees are upheld.

Question 6

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We recommend redrawing the site boundaries to exclude areas of ancient woodland from land allocated for development.

Whether the ancient woodland is within or outside the development site, we recommend that as a precautionary principle, a minimum 50 metre buffer should be maintained between a development and the ancient woodland, including through the construction phase, unless the applicant can demonstrate very clearly how a smaller buffer would suffice. A larger buffer may be required for particularly significant engineering operations, or for after-uses that generate significant disturbance. Buffer zones can form part of the accessible natural green space required for future residents.

This will improve compliance with national policy by protecting the ancient woodland from loss or fragmentation and from harmful effects of pollution or encroachment on root areas. It will also make a positive contribution to requirements for net gain and nature recovery, as well as better reflecting the aspirations of the England Trees Action Plan and National Model Design Code.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? Yes, I wish to participate in hearing session(s)

Question 7a

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Comment

Consultee	Ms Bridget Fox [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Woodland Trust
Address	Kempton Way Grantham NG31 6LL
Event Name	Pre-Submission Local Plan
Comment by	Woodland Trust [REDACTED]
Comment ID	PSLP_1422
Response Date	04/06/21 16:31
Consultation Point	Policy AL/CRS 2 Land south of Corn Hall, Crane Valley, Cranbrook (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Woodland Trust
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy AL/CRS 2 Land south of Corn Hall, Crane Valley, Cranbrook	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes

Is sound

Don't know

Complies with the Duty to Cooperate

Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because: . It is not consistent with national policy

Question 5

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We previously expressed concerns at this site allocation (then coded as AL/CRS 9) as it included two areas of ancient woodland

- Unnamed ASNW at TQ77293551 • Unnamed ASNW at TQ77113537

We are pleased to see that the second area of ancient woodland (Unnamed ASNW at TQ77113537) no longer appears to be affected. However we still have concerns about the area of ancient woodland at TQ77293551

Question 6

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We recommend redrawing the site boundaries to exclude the unnamed area of ancient woodland at TQ77293551 from land allocated for development.

Whether the ancient woodland is within or outside the development site, we recommend that as a precautionary principle, a minimum 50 metre buffer should be maintained between a development and the ancient woodland, including through the construction phase, unless the applicant can demonstrate very clearly how a smaller buffer would suffice. Buffer zones can form part of the accessible natural green space required for future residents.

This will improve compliance with national policy by protecting the ancient woodland from loss or fragmentation and from harmful effects of pollution or encroachment on root areas. It will also make a positive contribution to requirements for net gain and nature recovery.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? Yes, I wish to participate in hearing session(s)

Question 7a

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Comment

Consultee	Ms Bridget Fox [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Woodland Trust
Address	Kempton Way Grantham NG31 6LL
Event Name	Pre-Submission Local Plan
Comment by	Woodland Trust [REDACTED]
Comment ID	PSLP_1425
Response Date	04/06/21 16:31
Consultation Point	Policy AL/HO 2 Land south of Brenchley Road and west of Fromandez Drive (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Woodland Trust
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy AL/HO 2 Land south of Brenchley Road and west of Fromandez Drive	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes

Is sound

Don't know

Complies with the Duty to Cooperate

Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because: . It is not consistent with national policy

Question 5

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We previously expressed concerns at this site allocation as it was adjacent to Sprivers Wood ASNW at TQ69524043.

Question 6

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Where development sites are adjacent to ancient woodland, we recommend that as a precautionary principle, a minimum 50 metre buffer should be maintained between a development and the ancient woodland, including through the construction phase, unless the applicant can demonstrate very clearly how a smaller buffer would suffice. A larger buffer may be required for particularly significant engineering operations, or for after-uses that generate significant disturbance.

Buffer zones can form part of the accessible natural green space required for future residents.

This will improve compliance with national policy by protecting the ancient woodland from loss or fragmentation and from harmful effects of pollution or encroachment on root areas. It will also make a positive contribution to requirements for net gain and nature recovery.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . Yes, I wish to participate in hearing session(s)

Question 7a

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Comment

Consultee	Ms Bridget Fox [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Woodland Trust
Address	Kempton Way Grantham NG31 6LL
Event Name	Pre-Submission Local Plan
Comment by	Woodland Trust [REDACTED]
Comment ID	PSLP_1426
Response Date	04/06/21 16:31
Consultation Point	Policy AL/PE 2 Land at Hubbles Farm and south of Hastings Road (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Woodland Trust
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy AL/PE 2 Land at Hubbles Farm and south of Hastings Road	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes

Is sound

Don't know

Complies with the Duty to Cooperate

Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because: . It is not consistent with national policy

Question 5

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We previously expressed concerns at this site allocation as it was adjacent to an unnamed area of ASNW at TQ62994034.

Question 6

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Where development sites are adjacent to ancient woodland, we recommend that as a precautionary principle, a minimum 50 metre buffer should be maintained between a development and the ancient woodland, including through the construction phase, unless the applicant can demonstrate very clearly how a smaller buffer would suffice. A larger buffer may be required for particularly significant engineering operations, or for after-uses that generate significant disturbance.

Buffer zones can form part of the accessible natural green space required for future residents.

This will improve compliance with national policy by protecting the ancient woodland from loss or fragmentation and from harmful effects of pollution or encroachment on root areas. It will also make a positive contribution to requirements for net gain and nature recovery.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

Yes, I wish to participate in hearing session(s)

Question 7a

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Comment

Consultee	Ms Bridget Fox [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Woodland Trust
Address	Kempton Way Grantham NG31 6LL
Event Name	Pre-Submission Local Plan
Comment by	Woodland Trust [REDACTED]
Comment ID	PSLP_1423
Response Date	04/06/21 16:31
Consultation Point	Policy AL/PE 8 Owlsnest, Tonbridge Road (View)
Status	Processed
Submission Type	Email
Version	0.3
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Woodland Trust
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
	Policy AL/PE 8 Owlsnest, Tonbridge Road
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes

Is sound

Don't know

Complies with the Duty to Cooperate

Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because: . It is not consistent with national policy

Question 5

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We previously expressed concerns at this site allocation (then coded as AL/PE 6) as it included two areas of ancient woodland

- Newbars Wood PAWS at TQ61474163 • Owlneast Wood ASNW at TQ61424106

We are pleased to see that Newbars Wood no longer appears to be affected. However, we still have concerns about the potential impact on Owlneast Wood.

Question 6

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We recommend redrawing the site boundaries to exclude Owlneast Wood from land allocated for development.

Whether the ancient woodland is within or outside the development site, we recommend that as a precautionary principle, a minimum 50 metre buffer should be maintained between a development and the ancient woodland, including through the construction phase, unless the applicant can demonstrate very clearly how a smaller buffer would suffice. Buffer zones can form part of the accessible natural green space required for future residents.

This will improve compliance with national policy by protecting the ancient woodland from loss or fragmentation and from harmful effects of pollution or encroachment on root areas. It will also make a positive contribution to requirements for net gain and nature recovery.

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . Yes, I wish to participate in hearing session(s)

Question 7a

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Comment

Consultee	Ms Bridget Fox [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Woodland Trust
Address	[REDACTED] Grantham [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Woodland Trust [REDACTED]
Comment ID	PSLP_1408
Response Date	04/06/21 16:31
Consultation Point	Policy EN 1 Sustainable Design (View)
Status	Processed
Submission Type	Email
Version	0.3
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Woodland Trust
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy EN 1 Sustainable Design	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes

Is sound

Yes

Complies with the Duty to Cooperate

Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

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We support this policy, in particular sections 4 and 5.

4. Landscape, trees, and amenity 1. Proposals should be accompanied by an integral landscaping (both hard and soft) scheme, which contributes to, and enhances, the natural and local environment, including sympathetic boundary treatments and green infrastructure; 2. Any proposed new landscaping, and any existing landscape feature to be retained, shall include adequate provision for future tree and hedgerow growth, and management practices.

5. Biodiversity and geodiversity 1. Proposals should maximise opportunities for increasing biodiversity potential, and retaining and enhancing blue/green infrastructure features, including SuDS; 2. Proposals that affect existing biodiversity, geodiversity, and blue/green infrastructure must be designed to avoid, mitigate, or compensate for any potential harm, resulting in a net gain; 3. Proposals should identify and not undermine the value of ecosystem services that the site provides.

We note that policy EN1 refers to policy EN9 on Biodiversity Net Gain. However, to make the policy robust and fully sound, we would like to see the requirements for net gain stated in this policy also.

Question 6

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We propose modifying section 5.2 to read

2. Proposals that affect existing biodiversity, geodiversity, and blue/green infrastructure must be designed to avoid, mitigate, or compensate for any potential harm, resulting in **a minimum net gain of 10% as required by legislation or greater where required by supplementary planning guidance;**

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Comment

Consultee	Ms Bridget Fox [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Woodland Trust
Address	[REDACTED] Grantham [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Woodland Trust [REDACTED]
Comment ID	PSLP_1407
Response Date	04/06/21 16:31
Consultation Point	Policy EN 3 Climate Change Mitigation and Adaptation (View)
Status	Processed
Submission Type	Email
Version	0.3
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Woodland Trust
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy EN 3 Climate Change Mitigation and Adaptation	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes

Is sound

Yes

Complies with the Duty to Cooperate

Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

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We support this policy, in particular the section on Climate Change Mitigation para 1

1. Protection, and provision, of well connected green infrastructure (especially trees) that facilitates native species' movements, facilitates sustainable drainage, provides natural shading, and is well adapted to summer drought and increased winter rainfall (refer to Policy EN 14: Green, Grey, and Blue Infrastructure);

A rapid increase in the rate of woodland creation has been proposed by the UK's Committee on Climate Change (CCC), to provide a key mechanism to lock up carbon in trees and soils, provide an alternative to fossil fuel energy and resource-hungry building material, and importantly to stem the declines in biodiversity. The Woodland Trust supports the CCC's recommended an increase in UK woodland to tackle this country's biodiversity and climate crises. More information can be found in the Trust's 2020 publication The Emergency Tree Plan.

We would further encourage the specification where possible of UK sourced and grown tree stock for new planting, to support biodiversity and resilience, in line with longstanding Government policy, most recently set out in the England Trees Action Plan (2021), in support of planting native species of broadleaf woodland.

Question 6

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We propose modifying the policy to read:

1. Protection, and provision, of well connected green infrastructure (especially native broadleaf trees) that facilitates native species' movements, facilitates sustainable drainage, provides natural shading, and is well adapted to summer drought and increased winter rainfall (refer to Policy EN 14: Green, Grey, and Blue Infrastructure);

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Comment

Consultee	Ms Bridget Fox [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Woodland Trust
Address	Kempton Way Grantham NG31 6LL
Event Name	Pre-Submission Local Plan
Comment by	Woodland Trust [REDACTED]
Comment ID	PSLP_1410
Response Date	04/06/21 16:31
Consultation Point	Policy EN 9 Biodiversity Net Gain (View)
Status	Processed
Submission Type	Email
Version	0.3
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Woodland Trust
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy EN 9 Biodiversity Net Gain	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes

Is sound

Yes

Complies with the Duty to Cooperate

Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

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We support this policy, in particular para 1 b:

b. the percentage of net gain shall be a minimum of 10% as required by legislation or greater where required by supplementary planning guidance

We recommend setting a greater than 10% target for net gain. By setting a more ambitious target, the Local Plan increases the chances that worthwhile amounts of net gain will be delivered, given the possibility that initiatives intended to deliver such gain may fall short in practice.

We would also encourage considering development of a local metric for more urban/brownfield sites, such as the London Urban Greening Factor, because such sites may already have a very low level of biodiversity and therefore a percentage increase may not in practice deliver significant enhancements.

Where net gain is delivered offsite, we recommend that this is part of a comprehensive Local Nature Recovery Network approach that includes conservation, enhancement and connection of existing habitats, including ancient woodland, in line with the new requirement for Local Nature Recovery Strategies.

We would further add that irreplaceable habitats, such as ancient woodland, must never be included in net gain calculations and mitigation and compensation measures must not form part of the considerations in making planning decisions.

Question 6

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We recommend strengthening the wording to reflect emerging national policy requirements for Local Nature Recovery Networks:

*1. It can be demonstrated through the application of the Defra Biodiversity Metric (and any subsequent replacements), as part of a Biodiversity Gain Plan, that completion of the development will result in a measurable long-term net gain for biodiversity in both area and linear habitats, **in line with the Local Nature Recovery Strategy**, as follows...*

Question 7

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No, I do not wish to participate in examination hearing session(s)

Comment

Consultee	Ms Bridget Fox [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Woodland Trust
Address	Kempton Way Grantham NG31 6LL
Event Name	Pre-Submission Local Plan
Comment by	Woodland Trust [REDACTED]
Comment ID	PSLP_1416
Response Date	04/06/21 16:31
Consultation Point	Policy EN 12 Trees, Woodland, Hedges, and Development (View)
Status	Processed
Submission Type	Email
Version	0.3
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Woodland Trust
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy EN 12 Trees, Woodland, Hedges, and Development	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes

Is sound	Yes
Complies with the Duty to Cooperate	Don't know

Question 4a

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Do you consider that the Local Plan is not sound because:

Question 5

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We welcome this approach, in particular the requirement to increase tree canopy cover; the presumption for the retention of existing trees; and the requirement for replacement of trees that are removed.

We recommend setting a target for canopy cover as recommended in the Woodland Trust's *Emergency Tree Plan* and reflecting emerging guidance in the National Model Design Code. We note that the borough has canopy cover levels above the national average. However, to be fully sound, we recommend strengthening the policy with a specific target for tree canopy and woodland cover, to ensure that the current level (22% in the rural district, rising to over 33% in the urban area) is not eroded by development.

We recommend strengthening this policy with a proposed ratio of tree replacement, which reflects the Woodland Trust guidance on Local Authority Tree Strategies (July 2016) with a ratio of at least 2:1 for all but the smallest trees and ratios of up to 8:1 for the largest trees.

We would further encourage the specification where possible of UK sourced and grown tree stock for new planting, to support biodiversity and resilience.

Question 6

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We recommend modifying the policy in order to better secure net gain and contribute to national policy and the Council's climate and biodiversity targets by

- adding a canopy cover target for development sites;
- setting a greater than 1:1 ratio for tree replacement; and
- specifying native trees, with a preference for UK & Ireland sourced & grown stock.

We propose the following amendment, adding after the line “Developments will generally be expected to increase tree cover, especially in urban areas” the wording **“to at least 30% with a mixture of tree-lined streets, community woods, parks and gardens, to be achieved through the retention of existing trees, appropriate replacement of trees lost through development, ageing or disease, and by new planting of native species to support green infrastructure.”**

We propose the following amendment, **adding** after the line “Where there is an unavoidable loss of trees on-site, however, an appropriate number of suitable replacement trees (in terms of species and size) that replaces or exceeds that which is lost will be required to be planted on-site” the wording **“Any trees removed should usually be replaced on a greater than 1:1 basis to support levels of canopy cover and contribute to biodiversity net gain. Where possible, tree stock should be UK & Ireland sourced and grown.”**

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Comment

Consultee	Ms Bridget Fox [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Woodland Trust
Address	Kempton Way Grantham NG31 6LL
Event Name	Pre-Submission Local Plan
Comment by	Woodland Trust [REDACTED]
Comment ID	PSLP_1414
Response Date	04/06/21 16:31
Consultation Point	Policy EN 13 Ancient Woodland and Veteran Trees (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Woodland Trust
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy EN 13 Ancient Woodland and Veteran Trees	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes

Is sound

Yes

Complies with the Duty to Cooperate

Don't know

Question 4a

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Question 5

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We support this policy, which reflects the guidance set out in the Woodland Trust's *Planners' Manual for Ancient Woodland (2nd edition)* on incorporating the NPPF protection of ancient woodland in local plans.

We welcome the assumption in para 6.170 of a minimum buffer for ancient woodland, noting that the proposed 25m is greater than the Natural England minimum 15m buffer. We recommend further strengthening this policy by setting a minimum 50 metre buffer to be maintained between a development and the ancient woodland, unless the applicant can demonstrate very clearly how a smaller buffer would suffice.

We welcome the policy in para 6.171 that "Additional assessment will be required of all ammonia-emitting developments, such as intensive livestock units, within 5km of an ancient woodland site, which shall include a detailed Ancient Woodland Nitrogen Impact Assessment of the ancient woodland(s) of concern." This reflects Woodland Trust guidance, as requested in our Regulation 18 consultation response.

Question 6

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We recommend adding the minimum buffer distance to the policy as follows:

5. Provision of adequate buffers (with a minimum 25m buffer and recommended 50m buffer)

Question 7

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No, I do not wish to participate in examination hearing session(s)

Comment

Consultee	Ms Bridget Fox [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Woodland Trust
Address	Kempton Way Grantham NG31 6LL
Event Name	Pre-Submission Local Plan
Comment by	Woodland Trust [REDACTED]
Comment ID	PSLP_1411
Response Date	04/06/21 16:31
Consultation Point	Policy EN 14 Green, Grey, and Blue Infrastructure (View)
Status	Processed
Submission Type	Email
Version	0.3
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Woodland Trust
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy EN 14 Green, Grey, and Blue Infrastructure	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes

Is sound

Yes

Complies with the Duty to Cooperate

Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

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We support this policy, particularly its recognition of the importance of networks of green and blue infrastructure, and its comprehensive approach including both rural and urban areas.

We recommend that this is part of a comprehensive Local Nature Recovery Network approach that includes conservation, enhancement and connection of existing habitats, including ancient woodland, in line with the new requirement for Local Nature Recovery Strategies.

Question 6

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We propose amending the wording of the opening section to include reference to the emerging requirements for Local Nature Recovery Strategies as follows:

Proposals for new green, grey, and blue infrastructure should aim to improve connectivity and be informed by, and respond to: 1. Biodiversity Opportunity Areas statements; 2. County and borough green infrastructure plans and mapping; 3. Ecological surveys and identified priority habitats; 4. Kent Nature Partnership Biodiversity Action Plan; 5. Landscape character assessments; 6. River basin management plans **7. Local Nature Recovery Strategies.**

Question 7

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No, I do not wish to participate in examination hearing session(s)

Comment

Consultee	Ms Bridget Fox [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Woodland Trust
Address	Kempton Way Grantham NG31 6LL
Event Name	Pre-Submission Local Plan
Comment by	Woodland Trust [REDACTED]
Comment ID	PSLP_1419
Response Date	04/06/21 16:31
Consultation Point	Policy OSSR 2 The Provision of Publicly Accessible Open Space and Recreation (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Woodland Trust
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy OSSR 2 The Provision of Publicly Accessible Open Space and Recreation	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes

Is sound	Yes
Complies with the Duty to Cooperate	Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

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We support the specification of access to natural green space and application of Natural England's Accessible Natural Green Space Standard.

We recommend supplementing this with the Woodland Trust's Woodland Access Standard, which is designed to complement the Accessible Natural Green Space Standard. Improving access to woodland is one aim of the Government's new England Trees Action Plan (2021).

Question 6

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We recommend adding the following to table 17

Open Space Type

Quantity standard for new provision (HA/1,000)

Access standard (radius from open space)**

Natural Green Space e.g. meadows, woodlands, river valleys, wetlands

0.8 to include natural and amenity green space for new provision

Accessible Natural Greenspace Standard (ANGST)

At least one accessible 20ha site within 2km of home

One accessible 100ha site within 5km of home

One accessible 500ha site within 10km of home

A minimum of 1ha statutory Local Nature Reserve per 1,000 population

The above to include a minimum provision of woodland:

one area of accessible woodland of no less than 2ha in size within 500m of home;

one area of accessible woodland of no less than 20ha within 4km of home

Question 7

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No, I do not wish to participate in examination hearing session(s)

Supporting Information File Ref No: SI_108

Comment

Agent	Mr Lyndon Gill [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Barton Willmore LLP
Address	[REDACTED] [REDACTED] Cambridge [REDACTED]
Consultee	Mr Jeff Wilson [REDACTED]
Company / Organisation	Wrenbridge Land Ltd
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Wrenbridge Land Ltd [REDACTED]
Comment ID	PSLP_1838
Response Date	04/06/21 11:43
Consultation Point	Policy STR 1 The Development Strategy (View)
Status	Processed
Submission Type	Email
Version	0.8
Files	PSLP_1838-1844 (not inclusive) Barton Willmore for Wrenbridge Land SI.pdf
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Wrenbridge Land Ltd
Question 2	
Agent's Name and Organisation (if applicable)	Barton Willmore LLP
Question 3	

To which part of the Local Plan does this representation relate?

Policy

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR 1 The Development Strategy

[TWBC: this representation has been input against Policies STR 1, STR 3, ED 1 and ED 2 – see Comment Numbers PSLP_1838, PSLP_1841, PSLP_1842 and PSLP_1844. The full representation has been attached as supporting information]

Question 4

Do you consider that the Local Plan:

Is legally compliant

Don't know

Is sound

No

Complies with the Duty to Cooperate

Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not justified
- . It is not consistent with national policy

Question 5

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1.0 INTRODUCTION

1.1 These representations are made to the Regulation 19 Pre-Submission consultation for the Emerging Tunbridge Wells Borough Council Local Plan. These representations are made on behalf of Wrenbridge Land Ltd (hereafter 'Wrenbridge') by Barton Willmore LLP. Wrenbridge has a number of land interests across the borough and has successfully delivered a number of high-quality commercial redevelopments within the wider south east region. Wrenbridge specialise in providing high quality commercial developments on brownfield under-utilised land where the existing units are dated, and no longer fit for modern day business purposes.

1.2 These representations are made in relation to the pre-submission consultation outlined by the Council, in particular in regard to the employment uses across the borough and the location of such land uses.

2.0 RESPONSES TO THE REGULATION 19 CONSULTATION

2.1 This section sets out our responses on behalf of Wrenbridge to the current consultation. For brevity relevant sections and policy numbers are referenced accordingly.

Policy STR 1: The Development Strategy

2.2 Section 1 of Policy STR 1 states that, to achieve 14ha of additional employment land over the Plan period, the Local Plan “*Promotes the effective use of urban and previously developed (brownfield) land.*”

2.3 Wrenbridge supports the re-use of brownfield land and the long-term benefits it can bring which is consistent with the sustainable development objectives set out in Local and National planning policy. However, it should be stated in the emerging Local Plan that the intensification of brownfield land is encouraged, subject to where it accords with the wider development management policies within the Plan. We believe a greater emphasis on the optimisation of previously developed land, clarified within STR3 below, would contribute to the borough’s objectively assessed employment needs.

3.0 SUMMARY AND CONCLUSIONS

3.1 These representations have been produced on behalf of Wrenbridge in relation to the Regulation 19 emerging Local Plan consultation being undertaken by Tunbridge Wells Borough Council.

3.2 Wrenbridge supports the Plan’s emphasis on developing brownfield land to meet the borough’s employment floorspace need. However, we believe the wording within Policy STR3 could be amended to seek the optimal use of all appropriate brownfield sites, not just those within close proximity to Town and Rural Centre designations.

3.3 Wrenbridge supports the retained designation of the ‘Southborough High Broom Industrial Area’. However, we query the omission of Use Class B2 within the designation. There appears to be no evidence base precluding such a use that already exists within the defined employment area, and there are sufficient development management policies particularly around noise which can be used to assess planning applications on their own merits once submitted.

3.4 Furthermore, Wrenbridge suggests that any wording for this designation allows for suitable flexibility within B8, B2 and E Class Uses so that rapid changes can be made to suit the market at the time.

3.5 Finally, we suggest the policy wording for ED2 needs to be set out more clearly, as currently the requirement to redevelop employment sites for employment uses is overly onerous and will prevent new developments coming forward that meet modern requirements.

Question 6

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2.3 Wrenbridge supports the re-use of brownfield land and the long-term benefits it can bring which is consistent with the sustainable development objectives set out in Local and National planning policy. However, it should be stated in the emerging Local Plan that the intensification of brownfield land is encouraged, subject to where it accords with the wider development management policies within the Plan. We believe a greater emphasis on the optimisation of previously developed land, clarified within STR3 below, would contribute to the borough’s objectively assessed employment needs.

Question 7

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Supporting Information File Ref No: SI_108

Comment

Agent	Mr Lyndon Gill [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Barton Willmore LLP
Address	[REDACTED] [REDACTED] Cambridge [REDACTED]
Consultee	Mr Jeff Wilson [REDACTED]
Company / Organisation	Wrenbridge Land Ltd
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Wrenbridge Land Ltd [REDACTED]
Comment ID	PSLP_1841
Response Date	04/06/21 11:43
Consultation Point	Policy STR 3 Brownfield Land (View)
Status	Processed
Submission Type	Email
Version	0.8
Files	<u>PSLP_1838-1844 (not inclusive) Barton Willmore for Wrenbridge Land SI.pdf</u>
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To which part of the Local Plan does this representation relate?

Policy

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR 3 Brownfield Land

[TWBC: this representation has been input against Policies STR 1, STR 3, ED 1 and ED 2 – see Comment Numbers PSLP_1838, PSLP_1841, PSLP_1842 and PSLP_1844. The full representation has been attached as supporting information]

Question 4

Do you consider that the Local Plan:

Is legally compliant

Don't know

Is sound

No

Complies with the Duty to Cooperate

Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not justified
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Question 5

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2.0 RESPONSES TO THE REGULATION 19 CONSULTATION

2.1 This section sets out our responses on behalf of Wrenbridge to the current consultation. For brevity relevant sections and policy numbers are referenced accordingly.

Policy STR 3: Brownfield Development

2.4 Section 1 of Policy STR 3 states that brownfield development within the limits of existing settlements shall have “*proper regard to their detailed impacts, notably design*.” Section 2 of Policy STR1 states that brownfield proposals either within, or a short walking distance away from ‘Defined Town and Rural Service Centres’ “*will be expected to make optimal use of land and buildings*.”

2.5 Wrenbridge are supportive of Section 1 of this policy and agree that modern commercial units within existing settlements should be commensurate with the surrounding environment. However, we believe that Section 2 is reductive in only emphasising the optimal use of brownfield land within close proximity to the ‘Defined Town and Rural Service Centres’. The NPPF sets out in paragraph 117 that planning policies should make “*as much use as possible of previously-developed or ‘brownfield’ land*.” To achieve this, it is considered that the principle for the optimisation of brownfield land should instead be supported holistically, subject to all other technical matters being satisfied. The appropriateness of any intensification at a specific brownfield site can then be a matter for the decision taker at planning application stage.

3.0 SUMMARY AND CONCLUSIONS

3.1 These representations have been produced on behalf of Wrenbridge in relation to the Regulation 19 emerging Local Plan consultation being undertaken by Tunbridge Wells Borough Council.

3.2 Wrenbridge supports the Plan’s emphasis on developing brownfield land to meet the borough’s employment floorspace need. However, we believe the wording within Policy STR3 could be amended to seek the optimal use of all appropriate brownfield sites, not just those within close proximity to Town and Rural Centre designations.

3.3 Wrenbridge supports the retained designation of the ‘Southborough High Broom Industrial Area’. However, we query the omission of Use Class B2 within the designation. There appears to be no evidence base precluding such a use that already exists within the defined employment area, and there are sufficient development management policies particularly around noise which can be used to assess planning applications on their own merits once submitted.

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2.0 RESPONSES TO THE REGULATION 19 CONSULTATION

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Policy ED 1: The Key Employment Areas

2.6 The draft policy demonstrates the “*Key Employment Areas, as defined on the Policies Maps*” to serve the borough over the plan period. Southborough High Brooms Industrial Area is designated for Class E, F, B8, and other Sui Generis uses of an appropriate type and scale.

2.7 Wrenbridge are supportive of the number of defined employment areas in the draft policy, in principle, including the retention, intensification, and redevelopment of existing commercial floorspace. Wrenbridge considers these areas as key in delivering Tunbridge Wells’ future economic strategy, particularly in recognising the need to support proposals that modernise the current stock of employment floorspace to meet the requirements of a range of small, medium and large local businesses, and to attract new businesses into the area.

2.8 However, given the established nature of the Southborough High Brooms Industrial Area, it is considered that Class B2 uses would be appropriate within this designation, and that their omission will hinder the marketability of existing or proposed commercial floorspace.

2.9 The NPPF 2019 is clear within paragraph 81 that planning policies should be:

d) be flexible enough to accommodate needs not anticipated in the plan, allow for new and flexible working practices (such as live-work accommodation), and to enable a rapid response to changes in economic circumstances.

2.10 Reviewing the associated evidence base provided in support of the Local Plan, it is unclear why the B2 designation has not been assigned to Southborough High Brooms Industrial Area. The Sevenoaks and Tunbridge Wells Economic Needs Study does not preclude this use, only noting surrounding residential uses. Furthermore, no other evidence base document appears to conclude that B2 would be an inappropriate use for this estate. Importantly as noted in other parts of the Evidence Base, the presence of B2 use classes is recognised within the Estate. The Policy as drafted wholly contradicts the existing presence of these uses which support local jobs and businesses. Employment Areas should support the unfettered operations of businesses. The policy should be amended to include B2 uses, and set out the criteria (where necessary) that would need to be met to support the use.

2.11 Whilst we recognise the proximity to residential uses, there are parts of the Industrial Area that are physically screened from the residential properties by commercial/industrial buildings that would prevent the transfer of noise. Further, modern day materials can be extremely effective at insulating buildings and preventing acoustic transfer. The challenge should be upon the developers to find acceptable solutions that do not unreasonably impact upon nearby residential amenity. There are sufficient other development management policies which would be engaged in the determination of any future applications which could assess the acceptability or otherwise of a B2 use in this regard. To preclude B2 uses based on no apparent evidence would run contrary to the flexibility required by the NPPF. We would therefore strongly suggest B2 is added to the list of accepted uses for Southborough High Brooms Industrial Area..

2.12 We note that the Economic Needs Study does show a fall in the demand for B2 units over the plan period, but it remains that there is no planning reason to remove the use from Southborough High Brooms Industrial Area and the flexibility should be retained for the market to determine what is required without undue constraint through policy.

2.13 We suggest the below rewording for clarity (in italics and underlined):

Southborough High Brooms Industrial Area

Class E – financial, professional and other business uses, and appropriate leisure uses, Class F – appropriate leisure uses, *Class B2 – general industrial* Class B8 - storage and distribution and other sui generis uses of an appropriate type and scale.

2.14 Policy ED2 we believe requires rewording as it is overly onerous for those willing to redevelop sites for uses which are acceptable under Policy ED1 above.

2.15 As the following sentence is currently written “*Applicants seeking to redevelop/convert existing employment buildings and sites must demonstrate the following: [points a to d]*” leads the decision maker to believe that points a to d need to be applied to any redevelopment of a site within a designated employment area, even if it is for the same use or for the uses proposed in ED1 above.

2.16 We believe that policy ED2 should be reworded to state: “*Applicants seeking to redevelop/convert existing employment buildings and sites for non-employment uses or those inconsistent with those designated by policy ED1 must demonstrate the following: [points a to d].*” It is our belief it would be overly onerous to require 18 months of marketing for example to redevelop a site when it would be for employment generating uses on a designated employment site.

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Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan 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.

2.13 We suggest the below rewording for clarity (in italics and underlined):

Southborough High Brooms Industrial Area

Class E – financial, professional and other business uses, and appropriate leisure uses, Class F – appropriate leisure uses, Class B2 – general industrial Class B8 - storage and distribution and other sui generis uses of an appropriate type and scale.

2.14 Policy ED2 we believe requires rewording as it is overly onerous for those willing to redevelop sites for uses which are acceptable under Policy ED1 above.

2.15 As the following sentence is currently written “*Applicants seeking to redevelop/convert existing employment buildings and sites must demonstrate the following: [points a to d]*” leads the decision maker to believe that points a to d need to be applied to any redevelopment of a site within a designated employment area, even if it is for the same use or for the uses proposed in ED1 above.

2.16 We believe that policy ED2 should be reworded to state: “*Applicants seeking to redevelop/convert existing employment buildings and sites for non-employment uses or those inconsistent with those designated by policy ED1 must demonstrate the following: [points a to d]*.” It is our belief it would be overly onerous to require 18 months of marketing for example to redevelop a site when it would be for employment generating uses on a designated employment site.

3.0 SUMMARY AND CONCLUSIONS

3.1 These representations have been produced on behalf of Wrenbridge in relation to the Regulation 19 emerging Local Plan consultation being undertaken by Tunbridge Wells Borough Council.

3.2 Wrenbridge supports the Plan's emphasis on developing brownfield land to meet the borough's employment floorspace need. However, we believe the wording within Policy STR3 could be amended to seek the optimal use of all appropriate brownfield sites, not just those within close proximity to Town and Rural Centre designations.

3.3 Wrenbridge supports the retained designation of the 'Southborough High Broom Industrial Area'. However, we query the omission of Use Class B2 within the designation. There appears to be no evidence base precluding such a use that already exists within the defined employment area, and there are sufficient development management policies particularly around noise which can be used to assess planning applications on their own merits once submitted.

3.4 Furthermore, Wrenbridge suggests that any wording for this designation allows for suitable flexibility within B8, B2 and E Class Uses so that rapid changes can be made to suit the market at the time.

3.5 Finally, we suggest the policy wording for ED2 needs to be set out more clearly, as currently the requirement to redevelop employment sites for employment uses is overly onerous and will prevent new developments coming forward that meet modern requirements.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . Yes, I wish to participate in hearing session(s)

Question 7a

***Please note** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.*

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

We do not consider that the employment land policies are sufficiently flexible to meet with potential future market demand, as outlined in our cover letter.

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box: Yes, I wish to be notified of future stages of the Local Plan

Supporting Information File Ref No: SI_41a-b

Comment

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Address	[REDACTED] [REDACTED] MAIDSTONE [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Yalding Parish Council [REDACTED]
Comment ID	PSLP_616
Response Date	28/05/21 13:11
Consultation Point	Policy STR 1 The Development Strategy (View)
Status	Processed
Submission Type	Email
Version	0.6
Files	PSLP_616, 622-625_GSP for Yalding Parish Council_SI-2_Representation.pdf PSLP_616, 622-625_GSP for Yalding Parish Council_SI-1_Covering Letter_Redacted.pdf
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Yalding Parish Council
Question 2	

Agent's Name and Organisation (if applicable) Graham Simpkin Planning

Question 3

To which part of the Local Plan does this representation relate? Policy

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR 1 The Development Strategy

[TWBC: this representation has been input against Policies STR 1, STR 4, STR 6, STR/SS 1, STR/PW 1 - see Comment Numbers PSLP_616, PSLP_622, PSLP_623, PSLP_624, PSLP_625]

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

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Representations on the Tunbridge Wells Local Plan 2021 on behalf of Yalding Parish Council

1 INTRODUCTION

1.1 Graham Simpkin Planning has been instructed by Yalding Parish Council to review the Pre-submission (Regulation 19) Tunbridge Wells Local Plan 2021 (hereinafter referred to as the Local Plan) and its associated evidence base as to the potential effects of the plan on Yalding Parish and to consider whether the Local Plan is legally compliant and meets the test of soundness.

1.2 Yalding Parish lies immediately adjacent to the Tunbridge Wells Borough Council (TWBC) administrative area on its north-eastern edge with the southern part of the parish lying less than a mile from the existing northern part of the built-up area of Paddock Wood which contains a number of employment sites, a railway station on the Ashford to Tonbridge-London main-line and convenience retailing as well as a secondary school.

1.3 Yalding lies within Maidstone Borough Council's administrative area. To the west of the parish runs the A228, to which Yalding is connected by Gravelly Ways/Beltring Road at Beltring and the B2162 Hampstead Lane via the B2015 through the parish of Nettlestead. The parish also has a direct road connection through to Horsmonden to the south east via the B2162. Roads also connect Yalding village to Paddock Wood via Laddingford and Queen Street and along Willow Lane and Lucks Lane. Yalding village lies towards the north of the parish with Laddingford village to the south. The parish is heavily influenced by the three rivers that run through it (Medway, Teise and Beult) which all converge in Yalding. The parish is also served by the Medway Valley railway line which runs between Maidstone and Paddock Wood, with two stations at Yalding and Beltring.

1.4 The Parish are aware that any representations at this stage should relate to matters of compliance with legal and procedural requirements and the soundness of the Local Plan, as these are the matters that will be examined.

2 Legal Compliance

2.1 The Local Plan appears to have been prepared in line with the adopted Local Development Scheme (February 2021) and the adopted Statement of Community Involvement.

Duty to cooperate

2.2 Yalding Parish Council do not wish to specifically comment on whether the Plan is legally compliant in terms of the Duty to Cooperate preferring to leave that for the examining Inspector to determine. The Parish is also aware that there are likely to be imminent changes with regard to the Duty to Cooperate and that these are currently being considered by the Government alongside other potential reforms to the current planning system.

2.3 However, Yalding PC is aware that the emerging Local Plans of two local planning authorities have fallen at the Examination stage (Wealden and Sevenoaks) and that there are on-going concerns with regard to the Tonbridge and Malling Local Plan. The common problematic issue to all three plans is the Duty to Cooperate.

2.4 All of these Councils immediately adjoin TWBC.

2.5 Given that the Duty to Cooperate works in both directions, there must be some doubt therefore, that TWBC has met its legal obligations in this area and TWBC should have made clear how the Council has responded to the cooperation challenges identified by planning inspectors reporting on Local Plans in the above three council areas. They have failed to do so.

2.6 The Parish would also wish to put on record, as an adjoining authority whose administrative area lies immediately adjacent to the proposed significant expansion of Paddock Wood including newly proposed employment areas, that other than through the general consultation processes that have taken place in the preparation of the new Local Plan they have not been directly consulted by TWBC or been invited to actively engage with them as they have prepared this pre-submission (Reg 19 draft).

Sustainability Appraisal (SA)

2.7 Again the Parish Council do not wish to specifically comment on the comprehensiveness or assumptions and findings of the SA preferring to leave that for the examining Inspector to determine.

2.8 TWBC must however have clearly set out in the SA how they have approached the various options assessed and how they have reached the conclusions on their preferred options and why some have progressed and some not. It is incumbent on the Council to demonstrate that the SA has not been designed in a way that justifies its own preferred approach rather than genuinely considering potential spatial development options and then basing the preferred strategy on how each option performs. Given that the Council's preferred strategy has not fundamentally changed since the Reg 18 consultation, the fact that additional spatial development scenarios have been added to the SA since the Regulation 18 draft does provide a degree of uncertainty as to whether the SA has actually led the development of the Council's preferred spatial strategy or has been designed to justify it.

3 Soundness

3.1 Yalding Parish Council's comments have been considered in the light of and are based on the four tests of soundness.

- . **Positively prepared** – providing a strategy which, as a minimum seeks to meet the area's objectively assessed needs, and is informed by agreements with other authorities, so that unmet need from neighbouring authorities is accommodated where it is practical to do so and is consistent with achieving sustainable development;
- . **Justified** – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- . **Effective** - deliverable over the plan period and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- . **Consistent with national policy** – enabling the delivery of sustainable development in accordance with the policies in the NPPF.

3.2 The Parish Council expressed concerns in their response to the Regulation 18 Consultation in relation to the proposed strategy in two main areas that of Transportation and Flooding and in particular, the potential implications of the proposed significant expansion of Paddock Wood on both as they may directly affect land within the Parish Council's area.

3.3 In its Regulation 19 Pre-Submission version of the Local Plan, TWBC are still proposing very significant growth at Paddock Wood and East Capel of approximately 4000 new dwellings (Table 4/page 42), plus employment (11.2ha - Table 5/page 43) and associated leisure and education and health/community facilities. As stated above, Paddock Wood lies very close to the southern boundary of Yalding Parish and Maidstone Borough Council's administrative area. Indeed, the proposed urban extension of Paddock Wood would extend almost to the boundary shared by the Boroughs.

3.4 Yalding PC acknowledges the master-planning work that has taken place since the Regulation 18 consultation, in particular that of the Strategic Sites Working Group that Maidstone BC is represented on. In this regard, the progress which has led to the Paddock Wood and East Capel Structure Plan (map 28 page 149) which has sought to clarify and provide more detail on how the expansion might be delivered is noted.

3.5 We also note the fact that extensive SuDS and Green and Blue Strategic Landscape Corridors are proposed on the northern side of Paddock Wood, whilst noting that the proposed employment areas have significantly less of these proposed features.

3.6 Nevertheless the Parish Council remain of the view that it has not yet been demonstrated that the plan is positively prepared, justified and effective on the grounds of Transport and Flood Risk and the potential for the significant levels of new development proposed for the Paddock Wood area to impact on traffic through the Parish and the risk of flooding downstream.

As a result, the Parish Council have particular concerns regarding elements of the following policies;

STR1 The Development Strategy

STR5 Ensuring Comprehensive Development

STR6 Transport and Planning

STR/SS1 The Strategy for Paddock Wood including land at East Capel

STR/PW1 The Strategy for Paddock Wood

The reasons for which are discussed in greater detail below.

4 TRANSPORT

4.1 The Paddock Wood economic opportunities report (December 2020 by SQW) prepared as part of the evidence base of the Regulation 19 Plan and the master-planning work indicates that only 30% of the workforce in Paddock Wood live and work in the town, 30% commute to Tunbridge Wells, 20% commuting out to Tonbridge and Malling and some 5% commuting out to Maidstone and. In terms of in-commuting some 30% commute in from Tonbridge and Malling, 25% from Tunbridge Wells and 15% from Maidstone.

4.2 Having analysed the economic baseline of Paddock Wood SQW concludes as follows;

'7.2 The strategic context and rationale for this paper is that the DLP plans for the significant growth of Paddock Wood in terms of housing and population: the town will nearly double in size. The clear focus of all of TWBC's adopted and emerging planning and economic development policy is on Tunbridge Wells itself, and its relationship with the wider functional economic area, including Tonbridge and Sevenoaks. The target sectors and economic priorities / objectives do not align well with the Paddock Wood economy: one that is principally and increasingly dominated by large-scale wholesale/distribution and logistics employers, growing at the expense of other economic sectors; housing unaffordability for those who live and work in Paddock Wood is growing; outward commuting is increasing as well.

7.3 Sat within this context, there is a risk that a consequence of the planned growth of Paddock Wood could be a significant increase in out-commuting with a mis-match between the future population and the employment base/sectors.'

4.3 Whilst the Plan has been amended to reflect some of the recommendations of SQW it is difficult to see how the Council will ensure that the wholesale/distribution and logistics sectors will not continue

to dominate employment provision in Paddock Wood especially in the light of potential longer-term structural changes to working patterns and consumer demands as a result of fall-out from the Covid-19 pandemic.

4.4 Any significant increase in out-commuting would inevitably lead to a proportion of those additional journeys heading towards Maidstone and passing through Yalding Parish and potentially in particular the constrained historic bridges that are already congested.

4.5 If out-commuting increases as a result of the dominance of the wholesale/distribution/logistics sector, and the jobs are not filled by Paddock Wood residents then it is logical that they will be filled by workers from elsewhere including from within Maidstone District, again with potential implications for traffic flows into and out of Yalding Parish.

4.6 The Regulation 19 Plan and relevant policies/supporting text (see paragraph 3.6 above) and supporting evidence is silent on this issue and thus in the opinion of Yalding Parish Council not effective or justified.

4.7 Then there is the issue of modal shift and the extent of the Plan's reliance on this and the proposed public transport improvements. The proposals for significant development in the Paddock Wood area remain predicated on the fact that significant public transport improvements, alongside junction and highway improvements will ensure that additional transport impacts on the local road network will be sufficiently mitigated. The supporting evidence base is clear, that in order to mitigate the effect of this substantial planned growth the active transport measures, enhanced public transport and the associated highway improvement works are all required to render the proposed level of development at Paddock Wood/East Capel anywhere near acceptable in terms of impact on the local highway network.

4.8 Clearly work as part of the master-planning for the proposed allocation has put some further 'flesh on the bones' of the public transport improvements in an attempt to highlight anticipated modal shift targets and shed further light on the highway works necessary to mitigate some of the impact of the proposed growth on the local highway network.

4.9 However, the analysis behind this conclusion still does not guarantee that there will be the significant modal shift necessary to mitigate the impact of planned growth.

4.10 Public Transport is largely run on a commercial basis and whilst contributions to 'kick-start' services can be sought from developers, these cannot fund the provision of these services in-perpetuity and in any event it is also very likely to be the case that the improvements will only be provided once a 'critical mass' of new homes to supply the passengers has been reached. There is also of course no guarantee that once any developers' subsidy/contribution ceases or is exhausted, that the services will be at that stage be commercially viable and continue. Or for that matter, there is no guarantee that people can be enticed from their private cars onto public transport in the first instance.

4.11 As with the earlier Regulation 18 Consultation draft, the Regulation 19 Draft and the supporting evidence base does not sufficiently consider cross-border traffic movements and therefore fails to consider whether there will be traffic impacts beyond the areas where public transport improvements are proposed.

4.12 Currently there is an established level of commuter traffic movements between Maidstone and Tunbridge Wells that use 'B' roads and other roads that connect to the A228 corridor that run through the Yalding Parish. With the level of development proposed for Paddock Wood and TWBC's aspirations for Tunbridge Wells itself and the changes to the employment offer of both, there is potential for these movements to increase.

4.13 There is also inconsistency between the assumptions in the Stantec Access and Movement Report for Paddock Wood/East Capel and Tudeley Village and the SQW report as to the extent of internal and external movements.

4.14 Due to the longer distance of these commuting movements the proposed public transport improvements that are focussed on Paddock Wood are not considered to present a suitable mitigation package.

4.15 It is also clear that even with the highway mitigation proposed key junctions on the A228 and others to the north of Paddock Wood will be over capacity. The two junctions on the A228, the 'Hop Farm' roundabout and the Branbridges Road/Boyle Way roundabout, have both been assessed as being over capacity and yet mitigation is only proposed for one of them. Given that the Beltring Road/Gravelly Ways junction (one of the key connections with the A228 for the highway network in

Yalding Parish also falls in this section it is likely that users of this road will be affected, particularly due to the need to use both roundabouts if travelling from Tunbridge Wells/Paddock Wood to Yalding. (Refer to SWECO March 2021 Report Appendix G).

4.16 Given that the public transport improvements will not extend into the Yalding Parish it is considered that it is reasonable to assume that there will at least be an increase of traffic movements affecting key junctions within Yalding Parish although it cannot be established how significant these increases would be. A similar concern is also raised about the development proposed for Horsmonden and the potential increase in traffic on the B2162. Modelling that has been undertaken shows an increase in potential distribution of traffic northwards on the B2162 towards Yalding

4.17 There are also concerns about a potential indirect impact of the proposed 'Colts Hill Bypass' on the A228. Currently due to the constraints of this part of the A228 some commuters travelling from the Maidstone area to the Tunbridge Wells/Tonbridge area seeks alternative routes that avoid the A228 mainly going via the A26 and thus avoiding both the A228 and the Yalding area. It is possible that with the creation of the bypass that some of this traffic will return to using the A228 including accessing it via routes that run through Yalding Parish.

4.18 Overall it is argued that the transport evidence base insufficiently considers cross-border impacts with Yalding Parish and this therefore impacts on the conclusion as to whether the level of development in the Paddock Wood area is sustainable or whether it would lead to additional unmitigated impact on the local road network in Yalding Parish, particularly to the south of Yalding and Laddingford as well as the High Street/Town Bridge area of Yalding.

4.19 Yalding Parish Council also wishes to put on record at this stage their concerns and strong objections to the suggested possibilities (however remote and medium to long-term they may be) at paragraph 4.12 of the Local Cycling and Walking Infrastructure Plan (LCWIP): Phase 2 prepared by PJA for the closure to all vehicular traffic, except buses, of the Maidstone Road Railway Bridge and to close Commercial Road to through traffic in effect reinstating measures that had been installed by KCC and subsequently removed. This is likely to render access to Paddock Wood Town Centre and its services very problematic for residents of Yalding Parish, forcing them to use unsuitable rural lanes to the east of Paddock Wood or onto the congested A228 Whetsted Road and B2017 Badsell Road to gain access to the Town Centre and local services. The Parish notes that the above possibilities do not appear in the costed proposed set of cycling and walking improvements that are set out in the LCWIP and would hope that the possibilities set out at paragraph 4.12 are nothing more than a 'kite-flying' exercise. They also note that the Stantec report does not mention this as possibility, but they do note the Strategic Sites Masterplanning & Infrastructure Study (David Lock Associates) does raise the possibility of introducing a new bridge and link over the railway to the west of the Town Centre to provide easier access to the northern employment areas and reduce traffic on Maidstone Road, but recognises that this will require extensive discussions between the various landowners/developers and Network Rail (or their successor body).

4.20 It is the case that significant elements of the proposed transport mitigation package remain to be determined and are uncertain. In this regard the Parish Council considers the plan and the policies relating to Paddock Wood to not be justified or effective.

5 FLOODING

5.1 The impact of any development on the river network remains a significant consideration for Yalding Parish. The parish is the meeting point for three rivers; Medway, Teise and Beult. On reviewing the local plan and the relevant parts of the evidence base, the Parish has concerns regarding the impact of the proposed development strategy on two of these river networks; the Medway and the Teise.

5.2 Flooding issues within Yalding arise from three types of flooding (fluvial, surface water and groundwater).

5.3 In respect of fluvial flooding, the SFRA recognises that a primary cause of fluvial flooding events on the River Medway is the overloading of foul and/or sewer systems in the Paddock Wood area. The proposed level of development is thus potentially likely to increase this issue. The Parish Council recognises that additional work has been undertaken by JBA in association with the 'Structure Plan' for Paddock Wood/East Capel undertaken on behalf of TWBC by David Lock Associates. JBA have stated the following in their January 2021 Technical Note.

'The proposed Masterplan layouts have not been assessed in the River Medway flood risk model, as modelling of development parcels prepared for the Level 2 SFRA indicated that the influence of

development on flood risk from the Medway was smaller in scale than from Paddock Wood Streams. Flood risk from the River Medway is confined to the northern extent of the masterplan area (at the periphery of the River Medway floodplain), and potential impacts brought about by development are more influenced by potential loss of floodplain storage, compared with potential obstruction to flood flows as in Paddock Wood.'

It is clear that more work is required to ensure that the proposed level of development does not result in the loss of floodplain storage which in turn will have a potential knock-on effect on flood risk from the River Medway and as a direct consequence an adverse impact on land and property in Yalding Parish. It is essential that this work is undertaken to avoid the level of development and any loss of floodplain storage having an adverse cross-boundary impact.

In this regard Yalding Parish Council do not consider the plan to be effective or justified.

5.4 Yalding Parish Council note the work that has been done to include and assess the impact of 'conveyance routes' across the new development to ease previous concerns about development blocking flood paths.

5.5 They welcome the apparent conclusion that these conveyance routes and other potential mitigation appear to show a possible reduction, albeit minor, across significant areas of the Queen Street and Fowle Hall areas of the Parish east of the Medway Valley railway-line. See extract from Appendix B of the JBA Technical Note (1%AEP +70% Climate change) plan below.

[TWBC: For extract map, please see full representation attached as a supporting document]

The JBA Technical Note concludes

'While this strategic representation of the sites and conveyance routes still shows some areas with increased flood depths, the majority of these areas are within the masterplan area. The modelling demonstrates the benefit of localised drainage measures and it is considered that more comprehensive drainage arrangements accompanied by more detailed analyses would enable the development of the residential sites outlined in Option 1 to be brought forward without any off-site increases in flood depths being predicted. On this basis it is considered that the principle of development can be supported for the layout described by Option 1 (TWBC's preferred Option) provided that appropriate provision is made for the layout of drainage and flow routes through the proposed development. These measures would need to be supported by more detailed analyses that reflected the level of design detail and evidenced that the measures were appropriate. Consideration would need to be given to the long-term management and maintenance of the mitigation measures, so these were not inadvertently compromised for the lifetime of the development.'

5.6 So while it is clear that a potentially significant step forward has been made in terms of modelling Flood Risk much work remains to be done to ensure that the potential level of development and detailed drainage design achieves what is considered theoretically possible in the Technical Note bearing in mind the final caveat of the Technical Note states;

'The layout, form and location of the conveyance routes has been chosen to provide a strategic understanding of the implications of proposed development and should not be used as the basis to define the detailed design or geometry of the measures that will need to be included in the preparation of more detailed development layout designs. It is also possible that there are other mitigation options or measures that could be considered, and the results of the study are not intended to imply that other options would not be appropriate.'

5.7 Yalding Parish Council remains to be convinced that the proposed expansion of Paddock Wood and its environs will not have a resultant knock-on effect on land and property with the Parish Boundary in terms of increased Flood Risk.

5.8 In respect of the River Teise, the SFRA is heavily focused on issues at Paddock Wood and fails to consider the potential surface water impacts of development at Matfield and Horsmonden on the River Teise and no further work appears to have been undertaken since the Regulation 18 Consultation draft.

5.9 A key issue with the SFRA is that in respect of cross-border issues it places emphasis on the development management role rather than seeking to analyse and address potential issues at the local plan examination stage. It is considered unsustainable and ineffective to propose a high level of development in and around a settlement where there are recognised surface water and fluvial flooding issues without consideration of cross-border issues at the local plan stage.

5.10 Pertinently, the continued lack of consideration of cross-boundary issues at this stage does not comply with DEFRA guidance which seeks to address cross-boundary flooding issues at the local plan preparation stage. Overall it is considered that this is an ineffective approach to consideration of flooding matters within the local plan and that the plan is not justified or effective in this regard.

6 CONCLUSION

6.1 Yalding Parish Council recognises there has been a step forward with regard to some aspects of the assessment of flood risk but there remains a worrying lack of consideration of the impact on the River Medway flood plain and a lack of detail and uncertainty in other areas. Leaving the details to application stage is not an effective and justified way to prepare a Local Plan.

6.2 The Local Plan and evidence base is also relatively and unacceptably silent on cross boundary traffic implications regarding the scale and mix of the proposed level of development at Paddock Wood/East Capel, particularly with regards to the concerns of SQW with regard to the on-going structure of the Paddock Wood economy and the availability and location of the workforce needed to service the economy. There is a consequent danger that inward and outward commuting from an expanded Paddock Wood will have considerable impact on the road network through Yalding Parish and this has not been appropriately or effectively modelled.

6.3 The Plan places great emphasis on public transport and active travel measures to mitigate the impact of the development on the local highway network, yet even with these and the proposed highway improvements junctions that provide vital links to the road network to and from Yalding Parish will remain over-capacity and some of these are not proposed to be mitigated in any event. There is no certainty that the public transport and active travel measures will be sustainable and effective in the long term.

6.4 In conclusion, the review of the Regulation 19 Local Plan and its associated evidence base has raised concerns about whether the Local Plan's approach to and the proposed level of development in the Paddock Wood Area is justified and effective in terms of potential cross-boundary implications in particular for Yalding Parish.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

For office use only

If responder hasn't ticked an option on this box, data inputter to tick 'not stated' box. Not Stated

If you would like to attach a file in support of your comments, please upload it here. [PSLP_616_622-625_GSP for Yalding Parish Council_SI-1_Covering Letter_Redacted.pdf](#)

If you would like to attach a file in support of your comments, please upload it here. [PSLP_616_622-625_GSP for Yalding Parish Council_SI-2_Representation.pdf](#)

Supporting Information File Ref No: SI_41a-b

Comment

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Address	[REDACTED] [REDACTED] MAIDSTONE [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Yalding Parish Council [REDACTED]
Comment ID	PSLP_622
Response Date	28/05/21 13:11
Consultation Point	Policy STR 4 Ensuring Comprehensive Development (View)
Status	Processed
Submission Type	Email
Version	0.5
Files	PSLP_616, 622-625_GSP for Yalding Parish Council_SI-2_Representation.pdf PSLP_616, 622-625_GSP for Yalding Parish Council_SI-1_Covering Letter_Redacted.pdf
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Yalding Parish Council
Question 2	

Agent's Name and Organisation (if applicable) Graham Simpkin Planning

Question 3

To which part of the Local Plan does this representation relate? Policy

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR 4 Ensuring Comprehensive Development

[TWBC: this representation has been input against Policies STR 1, STR 4, STR 6, STR/SS 1, STR/PW 1 - see Comment Numbers PSLP_616, PSLP_622, PSLP_623, PSLP_624, PSLP_625]

Question 4a

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Representations on the Tunbridge Wells Local Plan 2021 on behalf of Yalding Parish Council

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STR/PW1 The Strategy for Paddock Wood

The reasons for which are discussed in greater detail below.

4 TRANSPORT

4.1 The Paddock Wood economic opportunities report (December 2020 by SQW) prepared as part of the evidence base of the Regulation 19 Plan and the master-planning work indicates that only 30% of the workforce in Paddock Wood live and work in the town, 30% commute to Tunbridge Wells, 20% commuting out to Tonbridge and Malling and some 5% commuting out to Maidstone and. In terms of in-commuting some 30% commute in from Tonbridge and Malling, 25% from Tunbridge Wells and 15% from Maidstone.

4.2 Having analysed the economic baseline of Paddock Wood SQW concludes as follows;

'7.2 The strategic context and rationale for this paper is that the DLP plans for the significant growth of Paddock Wood in terms of housing and population: the town will nearly double in size. The clear focus of all of TWBC's adopted and emerging planning and economic development policy is on Tunbridge Wells itself, and its relationship with the wider functional economic area, including Tonbridge and Sevenoaks. The target sectors and economic priorities / objectives do not align well with the Paddock Wood economy: one that is principally and increasingly dominated by large-scale wholesale/distribution and logistics employers, growing at the expense of other economic sectors; housing unaffordability for those who live and work in Paddock Wood is growing; outward commuting is increasing as well.

7.3 Sat within this context, there is a risk that a consequence of the planned growth of Paddock Wood could be a significant increase in out-commuting with a mis-match between the future population and the employment base/sectors.'

4.3 Whilst the Plan has been amended to reflect some of the recommendations of SQW it is difficult to see how the Council will ensure that the wholesale/distribution and logistics sectors will not continue

to dominate employment provision in Paddock Wood especially in the light of potential longer-term structural changes to working patterns and consumer demands as a result of fall-out from the Covid-19 pandemic.

4.4 Any significant increase in out-commuting would inevitably lead to a proportion of those additional journeys heading towards Maidstone and passing through Yalding Parish and potentially in particular the constrained historic bridges that are already congested.

4.5 If out-commuting increases as a result of the dominance of the wholesale/distribution/logistics sector, and the jobs are not filled by Paddock Wood residents then it is logical that they will be filled by workers from elsewhere including from within Maidstone District, again with potential implications for traffic flows into and out of Yalding Parish.

4.6 The Regulation 19 Plan and relevant policies/supporting text (see paragraph 3.6 above) and supporting evidence is silent on this issue and thus in the opinion of Yalding Parish Council not effective or justified.

4.7 Then there is the issue of modal shift and the extent of the Plan's reliance on this and the proposed public transport improvements. The proposals for significant development in the Paddock Wood area remain predicated on the fact that significant public transport improvements, alongside junction and highway improvements will ensure that additional transport impacts on the local road network will be sufficiently mitigated. The supporting evidence base is clear, that in order to mitigate the effect of this substantial planned growth the active transport measures, enhanced public transport and the associated highway improvement works are all required to render the proposed level of development at Paddock Wood/East Capel anywhere near acceptable in terms of impact on the local highway network.

4.8 Clearly work as part of the master-planning for the proposed allocation has put some further 'flesh on the bones' of the public transport improvements in an attempt to highlight anticipated modal shift targets and shed further light on the highway works necessary to mitigate some of the impact of the proposed growth on the local highway network.

4.9 However, the analysis behind this conclusion still does not guarantee that there will be the significant modal shift necessary to mitigate the impact of planned growth.

4.10 Public Transport is largely run on a commercial basis and whilst contributions to 'kick-start' services can be sought from developers, these cannot fund the provision of these services in-perpetuity and in any event it is also very likely to be the case that the improvements will only be provided once a 'critical mass' of new homes to supply the passengers has been reached. There is also of course no guarantee that once any developers' subsidy/contribution ceases or is exhausted, that the services will be at that stage be commercially viable and continue. Or for that matter, there is no guarantee that people can be enticed from their private cars onto public transport in the first instance.

4.11 As with the earlier Regulation 18 Consultation draft, the Regulation 19 Draft and the supporting evidence base does not sufficiently consider cross-border traffic movements and therefore fails to consider whether there will be traffic impacts beyond the areas where public transport improvements are proposed.

4.12 Currently there is an established level of commuter traffic movements between Maidstone and Tunbridge Wells that use 'B' roads and other roads that connect to the A228 corridor that run through the Yalding Parish. With the level of development proposed for Paddock Wood and TWBC's aspirations for Tunbridge Wells itself and the changes to the employment offer of both, there is potential for these movements to increase.

4.13 There is also inconsistency between the assumptions in the Stantec Access and Movement Report for Paddock Wood/East Capel and Tudeley Village and the SQW report as to the extent of internal and external movements.

4.14 Due to the longer distance of these commuting movements the proposed public transport improvements that are focussed on Paddock Wood are not considered to present a suitable mitigation package.

4.15 It is also clear that even with the highway mitigation proposed key junctions on the A228 and others to the north of Paddock Wood will be over capacity. The two junctions on the A228, the 'Hop Farm' roundabout and the Branbridges Road/Boyle Way roundabout, have both been assessed as being over capacity and yet mitigation is only proposed for one of them. Given that the Beltring Road/Gravelly Ways junction (one of the key connections with the A228 for the highway network in

Yalding Parish also falls in this section it is likely that users of this road will be affected, particularly due to the need to use both roundabouts if travelling from Tunbridge Wells/Paddock Wood to Yalding. (Refer to SWECO March 2021 Report Appendix G).

4.16 Given that the public transport improvements will not extend into the Yalding Parish it is considered that it is reasonable to assume that there will at least be an increase of traffic movements affecting key junctions within Yalding Parish although it cannot be established how significant these increases would be. A similar concern is also raised about the development proposed for Horsmonden and the potential increase in traffic on the B2162. Modelling that has been undertaken shows an increase in potential distribution of traffic northwards on the B2162 towards Yalding

4.17 There are also concerns about a potential indirect impact of the proposed 'Colts Hill Bypass' on the A228. Currently due to the constraints of this part of the A228 some commuters travelling from the Maidstone area to the Tunbridge Wells/Tonbridge area seeks alternative routes that avoid the A228 mainly going via the A26 and thus avoiding both the A228 and the Yalding area. It is possible that with the creation of the bypass that some of this traffic will return to using the A228 including accessing it via routes that run through Yalding Parish.

4.18 Overall it is argued that the transport evidence base insufficiently considers cross-border impacts with Yalding Parish and this therefore impacts on the conclusion as to whether the level of development in the Paddock Wood area is sustainable or whether it would lead to additional unmitigated impact on the local road network in Yalding Parish, particularly to the south of Yalding and Laddingford as well as the High Street/Town Bridge area of Yalding.

4.19 Yalding Parish Council also wishes to put on record at this stage their concerns and strong objections to the suggested possibilities (however remote and medium to long-term they may be) at paragraph 4.12 of the Local Cycling and Walking Infrastructure Plan (LCWIP): Phase 2 prepared by PJA for the closure to all vehicular traffic, except buses, of the Maidstone Road Railway Bridge and to close Commercial Road to through traffic in effect reinstating measures that had been installed by KCC and subsequently removed. This is likely to render access to Paddock Wood Town Centre and its services very problematic for residents of Yalding Parish, forcing them to use unsuitable rural lanes to the east of Paddock Wood or onto the congested A228 Whetsted Road and B2017 Badsell Road to gain access to the Town Centre and local services. The Parish notes that the above possibilities do not appear in the costed proposed set of cycling and walking improvements that are set out in the LCWIP and would hope that the possibilities set out at paragraph 4.12 are nothing more than a 'kite-flying' exercise. They also note that the Stantec report does not mention this as possibility, but they do note the Strategic Sites Masterplanning & Infrastructure Study (David Lock Associates) does raise the possibility of introducing a new bridge and link over the railway to the west of the Town Centre to provide easier access to the northern employment areas and reduce traffic on Maidstone Road, but recognises that this will require extensive discussions between the various landowners/developers and Network Rail (or their successor body).

4.20 It is the case that significant elements of the proposed transport mitigation package remain to be determined and are uncertain. In this regard the Parish Council considers the plan and the policies relating to Paddock Wood to not be justified or effective.

5 FLOODING

5.1 The impact of any development on the river network remains a significant consideration for Yalding Parish. The parish is the meeting point for three rivers; Medway, Teise and Beult. On reviewing the local plan and the relevant parts of the evidence base, the Parish has concerns regarding the impact of the proposed development strategy on two of these river networks; the Medway and the Teise.

5.2 Flooding issues within Yalding arise from three types of flooding (fluvial, surface water and groundwater).

5.3 In respect of fluvial flooding, the SFRA recognises that a primary cause of fluvial flooding events on the River Medway is the overloading of foul and/or sewer systems in the Paddock Wood area. The proposed level of development is thus potentially likely to increase this issue. The Parish Council recognises that additional work has been undertaken by JBA in association with the 'Structure Plan' for Paddock Wood/East Capel undertaken on behalf of TWBC by David Lock Associates. JBA have stated the following in their January 2021 Technical Note.

'The proposed Masterplan layouts have not been assessed in the River Medway flood risk model, as modelling of development parcels prepared for the Level 2 SFRA indicated that the influence of

development on flood risk from the Medway was smaller in scale than from Paddock Wood Streams. Flood risk from the River Medway is confined to the northern extent of the masterplan area (at the periphery of the River Medway floodplain), and potential impacts brought about by development are more influenced by potential loss of floodplain storage, compared with potential obstruction to flood flows as in Paddock Wood.'

It is clear that more work is required to ensure that the proposed level of development does not result in the loss of floodplain storage which in turn will have a potential knock-on effect on flood risk from the River Medway and as a direct consequence an adverse impact on land and property in Yalding Parish. It is essential that this work is undertaken to avoid the level of development and any loss of floodplain storage having an adverse cross-boundary impact.

In this regard Yalding Parish Council do not consider the plan to be effective or justified.

5.4 Yalding Parish Council note the work that has been done to include and assess the impact of 'conveyance routes' across the new development to ease previous concerns about development blocking flood paths.

5.5 They welcome the apparent conclusion that these conveyance routes and other potential mitigation appear to show a possible reduction, albeit minor, across significant areas of the Queen Street and Fowle Hall areas of the Parish east of the Medway Valley railway-line. See extract from Appendix B of the JBA Technical Note (1%AEP +70% Climate change) plan below.

[TWBC: For extract map, please see full representation attached as a supporting document]

The JBA Technical Note concludes

'While this strategic representation of the sites and conveyance routes still shows some areas with increased flood depths, the majority of these areas are within the masterplan area. The modelling demonstrates the benefit of localised drainage measures and it is considered that more comprehensive drainage arrangements accompanied by more detailed analyses would enable the development of the residential sites outlined in Option 1 to be brought forward without any off-site increases in flood depths being predicted. On this basis it is considered that the principle of development can be supported for the layout described by Option 1 (TWBC's preferred Option) provided that appropriate provision is made for the layout of drainage and flow routes through the proposed development. These measures would need to be supported by more detailed analyses that reflected the level of design detail and evidenced that the measures were appropriate. Consideration would need to be given to the long-term management and maintenance of the mitigation measures, so these were not inadvertently compromised for the lifetime of the development.'

5.6 So while it is clear that a potentially significant step forward has been made in terms of modelling Flood Risk much work remains to be done to ensure that the potential level of development and detailed drainage design achieves what is considered theoretically possible in the Technical Note bearing in mind the final caveat of the Technical Note states;

'The layout, form and location of the conveyance routes has been chosen to provide a strategic understanding of the implications of proposed development and should not be used as the basis to define the detailed design or geometry of the measures that will need to be included in the preparation of more detailed development layout designs. It is also possible that there are other mitigation options or measures that could be considered, and the results of the study are not intended to imply that other options would not be appropriate.'

5.7 Yalding Parish Council remains to be convinced that the proposed expansion of Paddock Wood and its environs will not have a resultant knock-on effect on land and property with the Parish Boundary in terms of increased Flood Risk.

5.8 In respect of the River Teise, the SFRA is heavily focused on issues at Paddock Wood and fails to consider the potential surface water impacts of development at Matfield and Horsmonden on the River Teise and no further work appears to have been undertaken since the Regulation 18 Consultation draft.

5.9 A key issue with the SFRA is that in respect of cross-border issues it places emphasis on the development management role rather than seeking to analyse and address potential issues at the local plan examination stage. It is considered unsustainable and ineffective to propose a high level of development in and around a settlement where there are recognised surface water and fluvial flooding issues without consideration of cross-border issues at the local plan stage.

5.10 Pertinently, the continued lack of consideration of cross-boundary issues at this stage does not comply with DEFRA guidance which seeks to address cross-boundary flooding issues at the local plan preparation stage. Overall it is considered that this is an ineffective approach to consideration of flooding matters within the local plan and that the plan is not justified or effective in this regard.

6 CONCLUSION

6.1 Yalding Parish Council recognises there has been a step forward with regard to some aspects of the assessment of flood risk but there remains a worrying lack of consideration of the impact on the River Medway flood plain and a lack of detail and uncertainty in other areas. Leaving the details to application stage is not an effective and justified way to prepare a Local Plan.

6.2 The Local Plan and evidence base is also relatively and unacceptably silent on cross boundary traffic implications regarding the scale and mix of the proposed level of development at Paddock Wood/East Capel, particularly with regards to the concerns of SQW with regard to the on-going structure of the Paddock Wood economy and the availability and location of the workforce needed to service the economy. There is a consequent danger that inward and outward commuting from an expanded Paddock Wood will have considerable impact on the road network through Yalding Parish and this has not been appropriately or effectively modelled.

6.3 The Plan places great emphasis on public transport and active travel measures to mitigate the impact of the development on the local highway network, yet even with these and the proposed highway improvements junctions that provide vital links to the road network to and from Yalding Parish will remain over-capacity and some of these are not proposed to be mitigated in any event. There is no certainty that the public transport and active travel measures will be sustainable and effective in the long term.

6.4 In conclusion, the review of the Regulation 19 Local Plan and its associated evidence base has raised concerns about whether the Local Plan's approach to and the proposed level of development in the Paddock Wood Area is justified and effective in terms of potential cross-boundary implications in particular for Yalding Parish.

Question 7

***Please note** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.*

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

For office use only

If responder hasn't ticked an option on this box, data inputter to tick 'not stated' box. Not Stated

If you would like to attach a file in support of your comments, please upload it here. [PSLP_616_622-625_GSP for Yalding Parish Council_SI-1_Covering Letter_Redacted.pdf](#)

If you would like to attach a file in support of your comments, please upload it here. [PSLP_616_622-625_GSP for Yalding Parish Council_SI-2_Representation.pdf](#)

Supporting Information File Ref No: SI_41a-b

Comment

Agent	Steve Clarke [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Graham Simpkin Planning
Address	[REDACTED] [REDACTED] Longfield [REDACTED]
Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Yalding Parish Council
Address	[REDACTED] [REDACTED] MAIDSTONE [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Yalding Parish Council [REDACTED]
Comment ID	PSLP_623
Response Date	28/05/21 13:11
Consultation Point	Policy STR 6 Transport and Parking (View)
Status	Processed
Submission Type	Email
Version	0.5
Files	PSLP_616, 622-625_GSP for Yalding Parish Council_SI-1_Covering Letter_Redacted.pdf PSLP_616, 622-625_GSP for Yalding Parish Council_SI-2_Representation.pdf
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Yalding Parish Council
Question 2	

Agent's Name and Organisation (if applicable) Graham Simpkin Planning

Question 3

To which part of the Local Plan does this representation relate? Policy

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR 6 Transport and Parking

[TWBC: this representation has been input against Policies STR 1, STR 4, STR 6, STR/SS 1, STR/PW 1 - see Comment Numbers PSLP_616, PSLP_622, PSLP_623, PSLP_624, PSLP_625]

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

Representations on the Tunbridge Wells Local Plan 2021 on behalf of Yalding Parish Council

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4.1 The Paddock Wood economic opportunities report (December 2020 by SQW) prepared as part of the evidence base of the Regulation 19 Plan and the master-planning work indicates that only 30% of the workforce in Paddock Wood live and work in the town, 30% commute to Tunbridge Wells, 20% commuting out to Tonbridge and Malling and some 5% commuting out to Maidstone and. In terms of in-commuting some 30% commute in from Tonbridge and Malling, 25% from Tunbridge Wells and 15% from Maidstone.

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'7.2 The strategic context and rationale for this paper is that the DLP plans for the significant growth of Paddock Wood in terms of housing and population: the town will nearly double in size. The clear focus of all of TWBC's adopted and emerging planning and economic development policy is on Tunbridge Wells itself, and its relationship with the wider functional economic area, including Tonbridge and Sevenoaks. The target sectors and economic priorities / objectives do not align well with the Paddock Wood economy: one that is principally and increasingly dominated by large-scale wholesale/distribution and logistics employers, growing at the expense of other economic sectors; housing unaffordability for those who live and work in Paddock Wood is growing; outward commuting is increasing as well.

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to dominate employment provision in Paddock Wood especially in the light of potential longer-term structural changes to working patterns and consumer demands as a result of fall-out from the Covid-19 pandemic.

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4.18 Overall it is argued that the transport evidence base insufficiently considers cross-border impacts with Yalding Parish and this therefore impacts on the conclusion as to whether the level of development in the Paddock Wood area is sustainable or whether it would lead to additional unmitigated impact on the local road network in Yalding Parish, particularly to the south of Yalding and Laddingford as well as the High Street/Town Bridge area of Yalding.

4.19 Yalding Parish Council also wishes to put on record at this stage their concerns and strong objections to the suggested possibilities (however remote and medium to long-term they may be) at paragraph 4.12 of the Local Cycling and Walking Infrastructure Plan (LCWIP): Phase 2 prepared by PJA for the closure to all vehicular traffic, except buses, of the Maidstone Road Railway Bridge and to close Commercial Road to through traffic in effect reinstating measures that had been installed by KCC and subsequently removed. This is likely to render access to Paddock Wood Town Centre and its services very problematic for residents of Yalding Parish, forcing them to use unsuitable rural lanes to the east of Paddock Wood or onto the congested A228 Whetsted Road and B2017 Badsell Road to gain access to the Town Centre and local services. The Parish notes that the above possibilities do not appear in the costed proposed set of cycling and walking improvements that are set out in the LCWIP and would hope that the possibilities set out at paragraph 4.12 are nothing more than a 'kite-flying' exercise. They also note that the Stantec report does not mention this as possibility, but they do note the Strategic Sites Masterplanning & Infrastructure Study (David Lock Associates) does raise the possibility of introducing a new bridge and link over the railway to the west of the Town Centre to provide easier access to the northern employment areas and reduce traffic on Maidstone Road, but recognises that this will require extensive discussions between the various landowners/developers and Network Rail (or their successor body).

4.20 It is the case that significant elements of the proposed transport mitigation package remain to be determined and are uncertain. In this regard the Parish Council considers the plan and the policies relating to Paddock Wood to not be justified or effective.

5 FLOODING

5.1 The impact of any development on the river network remains a significant consideration for Yalding Parish. The parish is the meeting point for three rivers; Medway, Teise and Beult. On reviewing the local plan and the relevant parts of the evidence base, the Parish has concerns regarding the impact of the proposed development strategy on two of these river networks; the Medway and the Teise.

5.2 Flooding issues within Yalding arise from three types of flooding (fluvial, surface water and groundwater).

5.3 In respect of fluvial flooding, the SFRA recognises that a primary cause of fluvial flooding events on the River Medway is the overloading of foul and/or sewer systems in the Paddock Wood area. The proposed level of development is thus potentially likely to increase this issue. The Parish Council recognises that additional work has been undertaken by JBA in association with the 'Structure Plan' for Paddock Wood/East Capel undertaken on behalf of TWBC by David Lock Associates. JBA have stated the following in their January 2021 Technical Note.

'The proposed Masterplan layouts have not been assessed in the River Medway flood risk model, as modelling of development parcels prepared for the Level 2 SFRA indicated that the influence of

development on flood risk from the Medway was smaller in scale than from Paddock Wood Streams. Flood risk from the River Medway is confined to the northern extent of the masterplan area (at the periphery of the River Medway floodplain), and potential impacts brought about by development are more influenced by potential loss of floodplain storage, compared with potential obstruction to flood flows as in Paddock Wood.'

It is clear that more work is required to ensure that the proposed level of development does not result in the loss of floodplain storage which in turn will have a potential knock-on effect on flood risk from the River Medway and as a direct consequence an adverse impact on land and property in Yalding Parish. It is essential that this work is undertaken to avoid the level of development and any loss of floodplain storage having an adverse cross-boundary impact.

In this regard Yalding Parish Council do not consider the plan to be effective or justified.

5.4 Yalding Parish Council note the work that has been done to include and assess the impact of 'conveyance routes' across the new development to ease previous concerns about development blocking flood paths.

5.5 They welcome the apparent conclusion that these conveyance routes and other potential mitigation appear to show a possible reduction, albeit minor, across significant areas of the Queen Street and Fowle Hall areas of the Parish east of the Medway Valley railway-line. See extract from Appendix B of the JBA Technical Note (1%AEP +70% Climate change) plan below.

[TWBC: For extract map, please see full representation attached as a supporting document]

The JBA Technical Note concludes

'While this strategic representation of the sites and conveyance routes still shows some areas with increased flood depths, the majority of these areas are within the masterplan area. The modelling demonstrates the benefit of localised drainage measures and it is considered that more comprehensive drainage arrangements accompanied by more detailed analyses would enable the development of the residential sites outlined in Option 1 to be brought forward without any off-site increases in flood depths being predicted. On this basis it is considered that the principle of development can be supported for the layout described by Option 1 (TWBC's preferred Option) provided that appropriate provision is made for the layout of drainage and flow routes through the proposed development. These measures would need to be supported by more detailed analyses that reflected the level of design detail and evidenced that the measures were appropriate. Consideration would need to be given to the long-term management and maintenance of the mitigation measures, so these were not inadvertently compromised for the lifetime of the development.'

5.6 So while it is clear that a potentially significant step forward has been made in terms of modelling Flood Risk much work remains to be done to ensure that the potential level of development and detailed drainage design achieves what is considered theoretically possible in the Technical Note bearing in mind the final caveat of the Technical Note states;

'The layout, form and location of the conveyance routes has been chosen to provide a strategic understanding of the implications of proposed development and should not be used as the basis to define the detailed design or geometry of the measures that will need to be included in the preparation of more detailed development layout designs. It is also possible that there are other mitigation options or measures that could be considered, and the results of the study are not intended to imply that other options would not be appropriate.'

5.7 Yalding Parish Council remains to be convinced that the proposed expansion of Paddock Wood and its environs will not have a resultant knock-on effect on land and property with the Parish Boundary in terms of increased Flood Risk.

5.8 In respect of the River Teise, the SFRA is heavily focused on issues at Paddock Wood and fails to consider the potential surface water impacts of development at Matfield and Horsmonden on the River Teise and no further work appears to have been undertaken since the Regulation 18 Consultation draft.

5.9 A key issue with the SFRA is that in respect of cross-border issues it places emphasis on the development management role rather than seeking to analyse and address potential issues at the local plan examination stage. It is considered unsustainable and ineffective to propose a high level of development in and around a settlement where there are recognised surface water and fluvial flooding issues without consideration of cross-border issues at the local plan stage.

5.10 Pertinently, the continued lack of consideration of cross-boundary issues at this stage does not comply with DEFRA guidance which seeks to address cross-boundary flooding issues at the local plan preparation stage. Overall it is considered that this is an ineffective approach to consideration of flooding matters within the local plan and that the plan is not justified or effective in this regard.

6 CONCLUSION

6.1 Yalding Parish Council recognises there has been a step forward with regard to some aspects of the assessment of flood risk but there remains a worrying lack of consideration of the impact on the River Medway flood plain and a lack of detail and uncertainty in other areas. Leaving the details to application stage is not an effective and justified way to prepare a Local Plan.

6.2 The Local Plan and evidence base is also relatively and unacceptably silent on cross boundary traffic implications regarding the scale and mix of the proposed level of development at Paddock Wood/East Capel, particularly with regards to the concerns of SQW with regard to the on-going structure of the Paddock Wood economy and the availability and location of the workforce needed to service the economy. There is a consequent danger that inward and outward commuting from an expanded Paddock Wood will have considerable impact on the road network through Yalding Parish and this has not been appropriately or effectively modelled.

6.3 The Plan places great emphasis on public transport and active travel measures to mitigate the impact of the development on the local highway network, yet even with these and the proposed highway improvements junctions that provide vital links to the road network to and from Yalding Parish will remain over-capacity and some of these are not proposed to be mitigated in any event. There is no certainty that the public transport and active travel measures will be sustainable and effective in the long term.

6.4 In conclusion, the review of the Regulation 19 Local Plan and its associated evidence base has raised concerns about whether the Local Plan's approach to and the proposed level of development in the Paddock Wood Area is justified and effective in terms of potential cross-boundary implications in particular for Yalding Parish.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

For office use only

If responder hasn't ticked an option on this box, data inputter to tick 'not stated' box. Not Stated

If you would like to attach a file in support of your comments, please upload it here. [PSLP_616_622-625_GSP for Yalding Parish Council_SI-1_Covering Letter_Redacted.pdf](#)

If you would like to attach a file in support of your comments, please upload it here. [PSLP_616_622-625_GSP for Yalding Parish Council_SI-2_Representation.pdf](#)

Supporting Information File Ref No: SI_41a-b

Comment

Agent	Steve Clarke [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Graham Simpkin Planning
Address	[REDACTED] [REDACTED] Longfield [REDACTED]
Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Yalding Parish Council
Address	[REDACTED] [REDACTED] MAIDSTONE [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Yalding Parish Council [REDACTED]
Comment ID	PSLP_624
Response Date	28/05/21 13:11
Consultation Point	Policy STR/SS 1 The Strategy for Paddock Wood, including land at east Capel (View)
Status	Processed
Submission Type	Email
Version	0.5
Files	PSLP_616, 622-625_GSP for Yalding Parish Council_SI-2_Representation.pdf PSLP_616, 622-625_GSP for Yalding Parish Council_SI-1_Covering Letter_Redacted.pdf
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Yalding Parish Council
Question 2	

Agent's Name and Organisation (if applicable) Graham Simpkin Planning

Question 3

To which part of the Local Plan does this representation relate? Policy

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR/SS 1 The Strategy for Paddock Wood, including land at east Capel

[TWBC: this representation has been input against Policies STR 1, STR 4, STR 6, STR/SS 1, STR/PW 1 - see Comment Numbers PSLP_616, PSLP_622, PSLP_623, PSLP_624, PSLP_625]

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

Representations on the Tunbridge Wells Local Plan 2021 on behalf of Yalding Parish Council

1 INTRODUCTION

1.1 Graham Simpkin Planning has been instructed by Yalding Parish Council to review the Pre-submission (Regulation 19) Tunbridge Wells Local Plan 2021 (hereinafter referred to as the Local Plan) and its associated evidence base as to the potential effects of the plan on Yalding Parish and to consider whether the Local Plan is legally compliant and meets the test of soundness.

1.2 Yalding Parish lies immediately adjacent to the Tunbridge Wells Borough Council (TWBC) administrative area on its north-eastern edge with the southern part of the parish lying less than a mile from the existing northern part of the built-up area of Paddock Wood which contains a number of employment sites, a railway station on the Ashford to Tonbridge-London main-line and convenience retailing as well as a secondary school.

1.3 Yalding lies within Maidstone Borough Council's administrative area. To the west of the parish runs the A228, to which Yalding is connected by Gravelly Ways/Beltring Road at Beltring and the B2162 Hampstead Lane via the B2015 through the parish of Nettlestead. The parish also has a direct road connection through to Horsmonden to the south east via the B2162. Roads also connect Yalding village to Paddock Wood via Laddingford and Queen Street and along Willow Lane and Lucks Lane. Yalding village lies towards the north of the parish with Laddingford village to the south. The parish is heavily influenced by the three rivers that run through it (Medway, Teise and Beult) which all converge in Yalding. The parish is also served by the Medway Valley railway line which runs between Maidstone and Paddock Wood, with two stations at Yalding and Beltring.

1.4 The Parish are aware that any representations at this stage should relate to matters of compliance with legal and procedural requirements and the soundness of the Local Plan, as these are the matters that will be examined.

2 Legal Compliance

2.1 The Local Plan appears to have been prepared in line with the adopted Local Development Scheme (February 2021) and the adopted Statement of Community Involvement.

Duty to cooperate

2.2 Yalding Parish Council do not wish to specifically comment on whether the Plan is legally compliant in terms of the Duty to Cooperate preferring to leave that for the examining Inspector to determine. The Parish is also aware that there are likely to be imminent changes with regard to the Duty to Cooperate and that these are currently being considered by the Government alongside other potential reforms to the current planning system.

2.3 However, Yalding PC is aware that the emerging Local Plans of two local planning authorities have fallen at the Examination stage (Wealden and Sevenoaks) and that there are on-going concerns with regard to the Tonbridge and Malling Local Plan. The common problematic issue to all three plans is the Duty to Cooperate.

2.4 All of these Councils immediately adjoin TWBC.

2.5 Given that the Duty to Cooperate works in both directions, there must be some doubt therefore, that TWBC has met its legal obligations in this area and TWBC should have made clear how the Council has responded to the cooperation challenges identified by planning inspectors reporting on Local Plans in the above three council areas. They have failed to do so.

2.6 The Parish would also wish to put on record, as an adjoining authority whose administrative area lies immediately adjacent to the proposed significant expansion of Paddock Wood including newly proposed employment areas, that other than through the general consultation processes that have taken place in the preparation of the new Local Plan they have not been directly consulted by TWBC or been invited to actively engage with them as they have prepared this pre-submission (Reg 19 draft).

Sustainability Appraisal (SA)

2.7 Again the Parish Council do not wish to specifically comment on the comprehensiveness or assumptions and findings of the SA preferring to leave that for the examining Inspector to determine.

2.8 TWBC must however have clearly set out in the SA how they have approached the various options assessed and how they have reached the conclusions on their preferred options and why some have progressed and some not. It is incumbent on the Council to demonstrate that the SA has not been designed in a way that justifies its own preferred approach rather than genuinely considering potential spatial development options and then basing the preferred strategy on how each option performs. Given that the Council's preferred strategy has not fundamentally changed since the Reg 18 consultation, the fact that additional spatial development scenarios have been added to the SA since the Regulation 18 draft does provide a degree of uncertainty as to whether the SA has actually led the development of the Council's preferred spatial strategy or has been designed to justify it.

3 Soundness

3.1 Yalding Parish Council's comments have been considered in the light of and are based on the four tests of soundness.

- . **Positively prepared** – providing a strategy which, as a minimum seeks to meet the area's objectively assessed needs, and is informed by agreements with other authorities, so that unmet need from neighbouring authorities is accommodated where it is practical to do so and is consistent with achieving sustainable development;
- . **Justified** – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- . **Effective** - deliverable over the plan period and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- . **Consistent with national policy** – enabling the delivery of sustainable development in accordance with the policies in the NPPF.

3.2 The Parish Council expressed concerns in their response to the Regulation 18 Consultation in relation to the proposed strategy in two main areas that of Transportation and Flooding and in particular, the potential implications of the proposed significant expansion of Paddock Wood on both as they may directly affect land within the Parish Council's area.

3.3 In its Regulation 19 Pre-Submission version of the Local Plan, TWBC are still proposing very significant growth at Paddock Wood and East Capel of approximately 4000 new dwellings (Table 4/page 42), plus employment (11.2ha - Table 5/page 43) and associated leisure and education and health/community facilities. As stated above, Paddock Wood lies very close to the southern boundary of Yalding Parish and Maidstone Borough Council's administrative area. Indeed, the proposed urban extension of Paddock Wood would extend almost to the boundary shared by the Boroughs.

3.4 Yalding PC acknowledges the master-planning work that has taken place since the Regulation 18 consultation, in particular that of the Strategic Sites Working Group that Maidstone BC is represented on. In this regard, the progress which has led to the Paddock Wood and East Capel Structure Plan (map 28 page 149) which has sought to clarify and provide more detail on how the expansion might be delivered is noted.

3.5 We also note the fact that extensive SuDS and Green and Blue Strategic Landscape Corridors are proposed on the northern side of Paddock Wood, whilst noting that the proposed employment areas have significantly less of these proposed features.

3.6 Nevertheless the Parish Council remain of the view that it has not yet been demonstrated that the plan is positively prepared, justified and effective on the grounds of Transport and Flood Risk and the potential for the significant levels of new development proposed for the Paddock Wood area to impact on traffic through the Parish and the risk of flooding downstream.

As a result, the Parish Council have particular concerns regarding elements of the following policies;

STR1 The Development Strategy

STR5 Ensuring Comprehensive Development

STR6 Transport and Planning

STR/SS1 The Strategy for Paddock Wood including land at East Capel

STR/PW1 The Strategy for Paddock Wood

The reasons for which are discussed in greater detail below.

4 TRANSPORT

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5.1 The impact of any development on the river network remains a significant consideration for Yalding Parish. The parish is the meeting point for three rivers; Medway, Teise and Beult. On reviewing the local plan and the relevant parts of the evidence base, the Parish has concerns regarding the impact of the proposed development strategy on two of these river networks; the Medway and the Teise.

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In this regard Yalding Parish Council do not consider the plan to be effective or justified.

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[TWBC: For extract map, please see full representation attached as a supporting document]

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'The layout, form and location of the conveyance routes has been chosen to provide a strategic understanding of the implications of proposed development and should not be used as the basis to define the detailed design or geometry of the measures that will need to be included in the preparation of more detailed development layout designs. It is also possible that there are other mitigation options or measures that could be considered, and the results of the study are not intended to imply that other options would not be appropriate.'

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5.9 A key issue with the SFRA is that in respect of cross-border issues it places emphasis on the development management role rather than seeking to analyse and address potential issues at the local plan examination stage. It is considered unsustainable and ineffective to propose a high level of development in and around a settlement where there are recognised surface water and fluvial flooding issues without consideration of cross-border issues at the local plan stage.

5.10 Pertinently, the continued lack of consideration of cross-boundary issues at this stage does not comply with DEFRA guidance which seeks to address cross-boundary flooding issues at the local plan preparation stage. Overall it is considered that this is an ineffective approach to consideration of flooding matters within the local plan and that the plan is not justified or effective in this regard.

6 CONCLUSION

6.1 Yalding Parish Council recognises there has been a step forward with regard to some aspects of the assessment of flood risk but there remains a worrying lack of consideration of the impact on the River Medway flood plain and a lack of detail and uncertainty in other areas. Leaving the details to application stage is not an effective and justified way to prepare a Local Plan.

6.2 The Local Plan and evidence base is also relatively and unacceptably silent on cross boundary traffic implications regarding the scale and mix of the proposed level of development at Paddock Wood/East Capel, particularly with regards to the concerns of SQW with regard to the on-going structure of the Paddock Wood economy and the availability and location of the workforce needed to service the economy. There is a consequent danger that inward and outward commuting from an expanded Paddock Wood will have considerable impact on the road network through Yalding Parish and this has not been appropriately or effectively modelled.

6.3 The Plan places great emphasis on public transport and active travel measures to mitigate the impact of the development on the local highway network, yet even with these and the proposed highway improvements junctions that provide vital links to the road network to and from Yalding Parish will remain over-capacity and some of these are not proposed to be mitigated in any event. There is no certainty that the public transport and active travel measures will be sustainable and effective in the long term.

6.4 In conclusion, the review of the Regulation 19 Local Plan and its associated evidence base has raised concerns about whether the Local Plan's approach to and the proposed level of development in the Paddock Wood Area is justified and effective in terms of potential cross-boundary implications in particular for Yalding Parish.

Question 7

***Please note** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.*

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

For office use only

If responder hasn't ticked an option on this box, data inputter to tick 'not stated' box. Not Stated

If you would like to attach a file in support of your comments, please upload it here. [PSLP_616_622-625_GSP for Yalding Parish Council_SI-1_Covering Letter_Redacted.pdf](#)

If you would like to attach a file in support of your comments, please upload it here. [PSLP_616_622-625_GSP for Yalding Parish Council_SI-2_Representation.pdf](#)

Supporting Information File Ref No: SI_41a-b

Comment

Agent	Steve Clarke [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Graham Simpkin Planning
Address	[REDACTED] [REDACTED] Longfield [REDACTED]
Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Yalding Parish Council
Address	[REDACTED] [REDACTED] MAIDSTONE [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Yalding Parish Council [REDACTED]
Comment ID	PSLP_625
Response Date	28/05/21 13:11
Consultation Point	Policy STR/PW 1 The Strategy for Paddock Wood (View)
Status	Processed
Submission Type	Email
Version	0.5
Files	PSLP_616, 622-625_GSP for Yalding Parish Council_SI-2_Representation.pdf PSLP_616, 622-625_GSP for Yalding Parish Council_SI-1_Covering Letter_Redacted.pdf
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Yalding Parish Council
Question 2	

Agent's Name and Organisation (if applicable) Graham Simpkin Planning

Question 3

To which part of the Local Plan does this representation relate? Policy

Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy STR/PW 1 The Strategy for Paddock Wood

[TWBC: this representation has been input against Policies STR 1, STR 4, STR 6, STR/SS 1, STR/PW 1 - see Comment Numbers PSLP_616, PSLP_622, PSLP_623, PSLP_624, PSLP_625]

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

Representations on the Tunbridge Wells Local Plan 2021 on behalf of Yalding Parish Council

1 INTRODUCTION

1.1 Graham Simpkin Planning has been instructed by Yalding Parish Council to review the Pre-submission (Regulation 19) Tunbridge Wells Local Plan 2021 (hereinafter referred to as the Local Plan) and its associated evidence base as to the potential effects of the plan on Yalding Parish and to consider whether the Local Plan is legally compliant and meets the test of soundness.

1.2 Yalding Parish lies immediately adjacent to the Tunbridge Wells Borough Council (TWBC) administrative area on its north-eastern edge with the southern part of the parish lying less than a mile from the existing northern part of the built-up area of Paddock Wood which contains a number of employment sites, a railway station on the Ashford to Tonbridge-London main-line and convenience retailing as well as a secondary school.

1.3 Yalding lies within Maidstone Borough Council's administrative area. To the west of the parish runs the A228, to which Yalding is connected by Gravelly Ways/Beltring Road at Beltring and the B2162 Hampstead Lane via the B2015 through the parish of Nettlestead. The parish also has a direct road connection through to Horsmonden to the south east via the B2162. Roads also connect Yalding village to Paddock Wood via Laddingford and Queen Street and along Willow Lane and Lucks Lane. Yalding village lies towards the north of the parish with Laddingford village to the south. The parish is heavily influenced by the three rivers that run through it (Medway, Teise and Beult) which all converge in Yalding. The parish is also served by the Medway Valley railway line which runs between Maidstone and Paddock Wood, with two stations at Yalding and Beltring.

1.4 The Parish are aware that any representations at this stage should relate to matters of compliance with legal and procedural requirements and the soundness of the Local Plan, as these are the matters that will be examined.

2 Legal Compliance

2.1 The Local Plan appears to have been prepared in line with the adopted Local Development Scheme (February 2021) and the adopted Statement of Community Involvement.

Duty to cooperate

2.2 Yalding Parish Council do not wish to specifically comment on whether the Plan is legally compliant in terms of the Duty to Cooperate preferring to leave that for the examining Inspector to determine. The Parish is also aware that there are likely to be imminent changes with regard to the Duty to Cooperate and that these are currently being considered by the Government alongside other potential reforms to the current planning system.

2.3 However, Yalding PC is aware that the emerging Local Plans of two local planning authorities have fallen at the Examination stage (Wealden and Sevenoaks) and that there are on-going concerns with regard to the Tonbridge and Malling Local Plan. The common problematic issue to all three plans is the Duty to Cooperate.

2.4 All of these Councils immediately adjoin TWBC.

2.5 Given that the Duty to Cooperate works in both directions, there must be some doubt therefore, that TWBC has met its legal obligations in this area and TWBC should have made clear how the Council has responded to the cooperation challenges identified by planning inspectors reporting on Local Plans in the above three council areas. They have failed to do so.

2.6 The Parish would also wish to put on record, as an adjoining authority whose administrative area lies immediately adjacent to the proposed significant expansion of Paddock Wood including newly proposed employment areas, that other than through the general consultation processes that have taken place in the preparation of the new Local Plan they have not been directly consulted by TWBC or been invited to actively engage with them as they have prepared this pre-submission (Reg 19 draft).

Sustainability Appraisal (SA)

2.7 Again the Parish Council do not wish to specifically comment on the comprehensiveness or assumptions and findings of the SA preferring to leave that for the examining Inspector to determine.

2.8 TWBC must however have clearly set out in the SA how they have approached the various options assessed and how they have reached the conclusions on their preferred options and why some have progressed and some not. It is incumbent on the Council to demonstrate that the SA has not been designed in a way that justifies its own preferred approach rather than genuinely considering potential spatial development options and then basing the preferred strategy on how each option performs. Given that the Council's preferred strategy has not fundamentally changed since the Reg 18 consultation, the fact that additional spatial development scenarios have been added to the SA since the Regulation 18 draft does provide a degree of uncertainty as to whether the SA has actually led the development of the Council's preferred spatial strategy or has been designed to justify it.

3 Soundness

3.1 Yalding Parish Council's comments have been considered in the light of and are based on the four tests of soundness.

- . **Positively prepared** – providing a strategy which, as a minimum seeks to meet the area's objectively assessed needs, and is informed by agreements with other authorities, so that unmet need from neighbouring authorities is accommodated where it is practical to do so and is consistent with achieving sustainable development;
- . **Justified** – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- . **Effective** - deliverable over the plan period and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- . **Consistent with national policy** – enabling the delivery of sustainable development in accordance with the policies in the NPPF.

3.2 The Parish Council expressed concerns in their response to the Regulation 18 Consultation in relation to the proposed strategy in two main areas that of Transportation and Flooding and in particular, the potential implications of the proposed significant expansion of Paddock Wood on both as they may directly affect land within the Parish Council's area.

3.3 In its Regulation 19 Pre-Submission version of the Local Plan, TWBC are still proposing very significant growth at Paddock Wood and East Capel of approximately 4000 new dwellings (Table 4/page 42), plus employment (11.2ha - Table 5/page 43) and associated leisure and education and health/community facilities. As stated above, Paddock Wood lies very close to the southern boundary of Yalding Parish and Maidstone Borough Council's administrative area. Indeed, the proposed urban extension of Paddock Wood would extend almost to the boundary shared by the Boroughs.

3.4 Yalding PC acknowledges the master-planning work that has taken place since the Regulation 18 consultation, in particular that of the Strategic Sites Working Group that Maidstone BC is represented on. In this regard, the progress which has led to the Paddock Wood and East Capel Structure Plan (map 28 page 149) which has sought to clarify and provide more detail on how the expansion might be delivered is noted.

3.5 We also note the fact that extensive SuDS and Green and Blue Strategic Landscape Corridors are proposed on the northern side of Paddock Wood, whilst noting that the proposed employment areas have significantly less of these proposed features.

3.6 Nevertheless the Parish Council remain of the view that it has not yet been demonstrated that the plan is positively prepared, justified and effective on the grounds of Transport and Flood Risk and the potential for the significant levels of new development proposed for the Paddock Wood area to impact on traffic through the Parish and the risk of flooding downstream.

As a result, the Parish Council have particular concerns regarding elements of the following policies;

STR1 The Development Strategy

STR5 Ensuring Comprehensive Development

STR6 Transport and Planning

STR/SS1 The Strategy for Paddock Wood including land at East Capel

STR/PW1 The Strategy for Paddock Wood

The reasons for which are discussed in greater detail below.

4 TRANSPORT

4.1 The Paddock Wood economic opportunities report (December 2020 by SQW) prepared as part of the evidence base of the Regulation 19 Plan and the master-planning work indicates that only 30% of the workforce in Paddock Wood live and work in the town, 30% commute to Tunbridge Wells, 20% commuting out to Tonbridge and Malling and some 5% commuting out to Maidstone and. In terms of in-commuting some 30% commute in from Tonbridge and Malling, 25% from Tunbridge Wells and 15% from Maidstone.

4.2 Having analysed the economic baseline of Paddock Wood SQW concludes as follows;

'7.2 The strategic context and rationale for this paper is that the DLP plans for the significant growth of Paddock Wood in terms of housing and population: the town will nearly double in size. The clear focus of all of TWBC's adopted and emerging planning and economic development policy is on Tunbridge Wells itself, and its relationship with the wider functional economic area, including Tonbridge and Sevenoaks. The target sectors and economic priorities / objectives do not align well with the Paddock Wood economy: one that is principally and increasingly dominated by large-scale wholesale/distribution and logistics employers, growing at the expense of other economic sectors; housing unaffordability for those who live and work in Paddock Wood is growing; outward commuting is increasing as well.

7.3 Sat within this context, there is a risk that a consequence of the planned growth of Paddock Wood could be a significant increase in out-commuting with a mis-match between the future population and the employment base/sectors.'

4.3 Whilst the Plan has been amended to reflect some of the recommendations of SQW it is difficult to see how the Council will ensure that the wholesale/distribution and logistics sectors will not continue

to dominate employment provision in Paddock Wood especially in the light of potential longer-term structural changes to working patterns and consumer demands as a result of fall-out from the Covid-19 pandemic.

4.4 Any significant increase in out-commuting would inevitably lead to a proportion of those additional journeys heading towards Maidstone and passing through Yalding Parish and potentially in particular the constrained historic bridges that are already congested.

4.5 If out-commuting increases as a result of the dominance of the wholesale/distribution/logistics sector, and the jobs are not filled by Paddock Wood residents then it is logical that they will be filled by workers from elsewhere including from within Maidstone District, again with potential implications for traffic flows into and out of Yalding Parish.

4.6 The Regulation 19 Plan and relevant policies/supporting text (see paragraph 3.6 above) and supporting evidence is silent on this issue and thus in the opinion of Yalding Parish Council not effective or justified.

4.7 Then there is the issue of modal shift and the extent of the Plan's reliance on this and the proposed public transport improvements. The proposals for significant development in the Paddock Wood area remain predicated on the fact that significant public transport improvements, alongside junction and highway improvements will ensure that additional transport impacts on the local road network will be sufficiently mitigated. The supporting evidence base is clear, that in order to mitigate the effect of this substantial planned growth the active transport measures, enhanced public transport and the associated highway improvement works are all required to render the proposed level of development at Paddock Wood/East Capel anywhere near acceptable in terms of impact on the local highway network.

4.8 Clearly work as part of the master-planning for the proposed allocation has put some further 'flesh on the bones' of the public transport improvements in an attempt to highlight anticipated modal shift targets and shed further light on the highway works necessary to mitigate some of the impact of the proposed growth on the local highway network.

4.9 However, the analysis behind this conclusion still does not guarantee that there will be the significant modal shift necessary to mitigate the impact of planned growth.

4.10 Public Transport is largely run on a commercial basis and whilst contributions to 'kick-start' services can be sought from developers, these cannot fund the provision of these services in-perpetuity and in any event it is also very likely to be the case that the improvements will only be provided once a 'critical mass' of new homes to supply the passengers has been reached. There is also of course no guarantee that once any developers' subsidy/contribution ceases or is exhausted, that the services will be at that stage be commercially viable and continue. Or for that matter, there is no guarantee that people can be enticed from their private cars onto public transport in the first instance.

4.11 As with the earlier Regulation 18 Consultation draft, the Regulation 19 Draft and the supporting evidence base does not sufficiently consider cross-border traffic movements and therefore fails to consider whether there will be traffic impacts beyond the areas where public transport improvements are proposed.

4.12 Currently there is an established level of commuter traffic movements between Maidstone and Tunbridge Wells that use 'B' roads and other roads that connect to the A228 corridor that run through the Yalding Parish. With the level of development proposed for Paddock Wood and TWBC's aspirations for Tunbridge Wells itself and the changes to the employment offer of both, there is potential for these movements to increase.

4.13 There is also inconsistency between the assumptions in the Stantec Access and Movement Report for Paddock Wood/East Capel and Tudeley Village and the SQW report as to the extent of internal and external movements.

4.14 Due to the longer distance of these commuting movements the proposed public transport improvements that are focussed on Paddock Wood are not considered to present a suitable mitigation package.

4.15 It is also clear that even with the highway mitigation proposed key junctions on the A228 and others to the north of Paddock Wood will be over capacity. The two junctions on the A228, the 'Hop Farm' roundabout and the Branbridges Road/Boyle Way roundabout, have both been assessed as being over capacity and yet mitigation is only proposed for one of them. Given that the Beltring Road/Gravelly Ways junction (one of the key connections with the A228 for the highway network in

Yalding Parish also falls in this section it is likely that users of this road will be affected, particularly due to the need to use both roundabouts if travelling from Tunbridge Wells/Paddock Wood to Yalding. (Refer to SWECO March 2021 Report Appendix G).

4.16 Given that the public transport improvements will not extend into the Yalding Parish it is considered that it is reasonable to assume that there will at least be an increase of traffic movements affecting key junctions within Yalding Parish although it cannot be established how significant these increases would be. A similar concern is also raised about the development proposed for Horsmonden and the potential increase in traffic on the B2162. Modelling that has been undertaken shows an increase in potential distribution of traffic northwards on the B2162 towards Yalding

4.17 There are also concerns about a potential indirect impact of the proposed 'Colts Hill Bypass' on the A228. Currently due to the constraints of this part of the A228 some commuters travelling from the Maidstone area to the Tunbridge Wells/Tonbridge area seeks alternative routes that avoid the A228 mainly going via the A26 and thus avoiding both the A228 and the Yalding area. It is possible that with the creation of the bypass that some of this traffic will return to using the A228 including accessing it via routes that run through Yalding Parish.

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development on flood risk from the Medway was smaller in scale than from Paddock Wood Streams. Flood risk from the River Medway is confined to the northern extent of the masterplan area (at the periphery of the River Medway floodplain), and potential impacts brought about by development are more influenced by potential loss of floodplain storage, compared with potential obstruction to flood flows as in Paddock Wood.'

It is clear that more work is required to ensure that the proposed level of development does not result in the loss of floodplain storage which in turn will have a potential knock-on effect on flood risk from the River Medway and as a direct consequence an adverse impact on land and property in Yalding Parish. It is essential that this work is undertaken to avoid the level of development and any loss of floodplain storage having an adverse cross-boundary impact.

In this regard Yalding Parish Council do not consider the plan to be effective or justified.

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[TWBC: For extract map, please see full representation attached as a supporting document]

The JBA Technical Note concludes

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'The layout, form and location of the conveyance routes has been chosen to provide a strategic understanding of the implications of proposed development and should not be used as the basis to define the detailed design or geometry of the measures that will need to be included in the preparation of more detailed development layout designs. It is also possible that there are other mitigation options or measures that could be considered, and the results of the study are not intended to imply that other options would not be appropriate.'

5.7 Yalding Parish Council remains to be convinced that the proposed expansion of Paddock Wood and its environs will not have a resultant knock-on effect on land and property with the Parish Boundary in terms of increased Flood Risk.

5.8 In respect of the River Teise, the SFRA is heavily focused on issues at Paddock Wood and fails to consider the potential surface water impacts of development at Matfield and Horsmonden on the River Teise and no further work appears to have been undertaken since the Regulation 18 Consultation draft.

5.9 A key issue with the SFRA is that in respect of cross-border issues it places emphasis on the development management role rather than seeking to analyse and address potential issues at the local plan examination stage. It is considered unsustainable and ineffective to propose a high level of development in and around a settlement where there are recognised surface water and fluvial flooding issues without consideration of cross-border issues at the local plan stage.

5.10 Pertinently, the continued lack of consideration of cross-boundary issues at this stage does not comply with DEFRA guidance which seeks to address cross-boundary flooding issues at the local plan preparation stage. Overall it is considered that this is an ineffective approach to consideration of flooding matters within the local plan and that the plan is not justified or effective in this regard.

6 CONCLUSION

6.1 Yalding Parish Council recognises there has been a step forward with regard to some aspects of the assessment of flood risk but there remains a worrying lack of consideration of the impact on the River Medway flood plain and a lack of detail and uncertainty in other areas. Leaving the details to application stage is not an effective and justified way to prepare a Local Plan.

6.2 The Local Plan and evidence base is also relatively and unacceptably silent on cross boundary traffic implications regarding the scale and mix of the proposed level of development at Paddock Wood/East Capel, particularly with regards to the concerns of SQW with regard to the on-going structure of the Paddock Wood economy and the availability and location of the workforce needed to service the economy. There is a consequent danger that inward and outward commuting from an expanded Paddock Wood will have considerable impact on the road network through Yalding Parish and this has not been appropriately or effectively modelled.

6.3 The Plan places great emphasis on public transport and active travel measures to mitigate the impact of the development on the local highway network, yet even with these and the proposed highway improvements junctions that provide vital links to the road network to and from Yalding Parish will remain over-capacity and some of these are not proposed to be mitigated in any event. There is no certainty that the public transport and active travel measures will be sustainable and effective in the long term.

6.4 In conclusion, the review of the Regulation 19 Local Plan and its associated evidence base has raised concerns about whether the Local Plan's approach to and the proposed level of development in the Paddock Wood Area is justified and effective in terms of potential cross-boundary implications in particular for Yalding Parish.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

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If responder hasn't ticked an option on this box, data inputter to tick 'not stated' box. Not Stated

If you would like to attach a file in support of your comments, please upload it here. [PSLP_616_622-625_GSP for Yalding Parish Council_SI-1_Covering Letter_Redacted.pdf](#)

If you would like to attach a file in support of your comments, please upload it here. [PSLP_616_622-625_GSP for Yalding Parish Council_SI-2_Representation.pdf](#)

Comment

Consultee	Mr Andrew Yates ()
Email Address	
Address	<div></div> <div>Pembury Tunbridge Wells TN2 </div>
Event Name	Pre-Submission Local Plan
Comment by	Mr Andrew Yates ()
Comment ID	PSLP_2004
Response Date	01/06/21 11:22
Consultation Point	Policy AL/PE 3 Land north of the A21, south and west of Hastings Road (View)
Status	Processed
Submission Type	Other
Version	0.6
Data inputter to enter their initials here	KH
Question 1	
Respondent's Name and/or Organisation	Mr Andrew Yates
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy AL/PE 3 Land north of the A21, south and west of Hastings Road	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Don't know

Is sound

No

Complies with the Duty to Cooperate

Don't know

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because: . It is not justified

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

Aside of the flood risk and traffic hazard detailed in other representations, the issue with already stretched local civic resources also need to be taken into consideration.

Schools and doctors' surgeries are already at capacity (I speak from personal experience).

No provision has been considered or even suggested by TWBC to make allowances for this.

Without doubt, this proposal has been pushed through very quietly and, without adequate consultation with the local residents and I question the legality of the approval.

Now we are aware we shall ensure that all local residents likely to be impacted by the proposed development are canvassed, fully informed (as TWBC should have done) to ensure everyone is aware of the local impact this might have.

We were only informed by a local neighbour 3 weeks ago of this proposal!!!

I suggest that, any proposed project I development works now be put on hold until all residents are given adequate notification, full development detail and, the opportunity to seek representation.

Question 6

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan 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.

Development of the land contained in the above map should be removed from the Local Plan for reasons stated above.

Question 7

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in examination hearing session(s)

Question 7a

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

See above Section 6

Question 8

If you have any separate comments you wish to make on the accompanying Sustainability Appraisal, please make them here.

See above Section 6

[TWBC: Comments from Section 6 and 5 stated below for ease of reference]

Section 6

Development of the land contained in the above map should be removed from the Local Plan for reasons stated above.

Section 5

Aside of the flood risk and traffic hazard detailed in other representations, the issue with already stretched local civic resources also need to be taken into consideration.

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We were only informed by a local neighbour 3 weeks ago of this proposal!!!

I suggest that, any proposed project I development works now be put on hold until all residents are given adequate notification, full development detail and, the opportunity to seek representation.

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:

Yes, I wish to be notified of future stages of the Local Plan

Comment

Consultee	Mr Richard Young [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Member of the Speldhurst Road Community Action Group
Address	[REDACTED] Southborough [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Member of the Speldhurst Road Community Action Group [REDACTED] [REDACTED]
Comment ID	PSLP_65
Response Date	24/04/21 18:49
Consultation Point	Policy AL/RTW 5 Land to the south of Speldhurst Road and west of Reynolds Lane at Caenwood Farm, Speldhurst Road (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	KJ
Question 1	
Respondent's Name and/or Organisation	Richard Young, member of the Speldhurst Road Community Action Group
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy AL/RTW 5: Land to the south of Speldhurst Road and west of Reynolds Lane at Caenwood Farm, Speldhurst Road

Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

Question 5

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

1. I have lived in Speldhurst Road for more than 40 years and have seen it evolve from a road where horses could ride safely, to a race track for high performance week-enders,

Owing to successive roadworks on the A26 it is now used as a bypass to Southborough, as is Reynolds Lane to St.Johns. To countenance further traffic from an access for 100 houses on this site is unthinkable. Even if the road is widened, where is the increased traffic to go? In addition: The New Life Church hosts a large number of family events, including Mothers and Toddlers. There is insufficient parking within the Church and the mothers are forced to park in the road, sometimes on the pavements. The A26 is already extremely busy, and the T junction between Speldhurst Road and Kibbles Lane would create a traffic block for those seeking to avoid Southborough. Kibbles Lane down to Southborough pond is already very dangerous, with more traffic building up on returning to the A26. It is a residential area with a large number of pedestrians.

2. Strategic objectives in the Local Plan include:

"To protect the valued heritage, and built and natural environments of the boroughand to achieve net gains for nature,"

"To release appropriate land from the Green Belt...and to protect the openness of the remaining Green Belt land,"

We are concerned that the approval for 100 houses will lead to approval in the future for more houses on the rest of the land owned by the same person.

We would advise that many of the wooded areas to the south of Speldhurst Road are protected and are a haven for wildlife. Much of the land is well tended.

The 100 houses will adversely change the area and will lead to the unwelcome urbanisation of the Northwestern edge of Tunbridge Wells.

We would urge you to reconsider this allocation.

Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?

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