

Local Plan Regulation 19 representations in document order

Comments on Section 5: Place Shaping Policies: Lamberhurst

Local Plan Regulation 19 representations in document order

**Comments on Section 5: Place
Shaping Policies: Lamberhurst: Policy
PSTR/LA 1: The Strategy for
Lamberhurst parish**

Comment

Consultee	Julie Davies [REDACTED]
Email Address	[REDACTED]
Company / Organisation	CPRE Kent
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	CPRE Kent [REDACTED]
Comment ID	PSLP_573
Response Date	28/05/21 11:54
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	CPRE Kent
Question 3	
To which part of the Local Plan does this 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/LA1	
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.

CPRE Kent notes the neighbourhood plan that will presumably be “made” before the draft Local Plan is submitted/approved. We agree with the Council's decisions on the sites not to be allocated.

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_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

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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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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	Mrs Tracie Dodd [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Lamberhurst Parish Council
Address	[REDACTED] [REDACTED] ROYAL TUNBRIDGE WELLS [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Lamberhurst Parish Council [REDACTED] [REDACTED]
Comment ID	PSLP_1305
Response Date	03/06/21 14:08
Consultation Point	Policy PSTR/LA 1 The Strategy for Lamberhurst parish (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	Lamberhurst 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/LA 1 The Strategy for Lamberhurst 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 the opportunity to comment on the Regulation 19 Local Plan we appreciate the detailed work and planning involved in producing a document that covers the diverse settles within the Tunbridge Wells Borough. We have restricted our comments mainly to the content concerning Lamberhurst however we note that the proposed major developments in Hawkhurst and Cranbrook will have a major impact on the surrounding infrastructure. Notably, commuting to and from Tunbridge Wells, Tonbridge and London will put further congestion on the A21 through Lamberhurst Quarter and the B2169 which is popular link between the A21 and the Bayham Road for access to Frant Station and Tunbridge Wells. More generally, the scale of development detailed in the plan will put further pressure on already over-stretched public services.

Changes to Limits to Build Topic Paper

Page 14. Point 3.1(d) The term "The settlement at the Down" referring to the new discreet LBD which includes the proposed site AL/LA 1 causes confusion and is not one that would be recognised locally. A better description would be "existing development South East of the Down (The Slade) and East of the Down (Sand Road/B2169 and Down Avenue)".

Reg 19 Pre-Submission Local Plan

5.613 The term "fairly regular" referring to local bus services is misleading; the timetables are very restrictive and only operate on certain days of the week. Local people are unable to rely upon bus services for commuting locally or attending Schools outside of the Parish. A better description would be "infrequent". **5.615** There is one local shop in the village not "several". **5.617** The term "The Down" needs clarification, see above. **5.618** Other local services may also wish to benefit from developer contributions as well as the Doctor's Surgery. In Particular, The Lamberhurst Neighbourhood Development Plan outlines a Community Action Plan for a number of projects that could benefit from developer contributions. However, we accept that a broader candidate list is contained in policy PSTR/LA 1.

5.619 The term "Spray Hill Park" is not recognised. The undeveloped part of site AL/LA1 would maybe be better kept as woodland with connecting PROWs to the existing network. Policy PSTA/LA1 point 3. The Car Park on the Broadway is not a public car park but one that belongs to The Chequers Inn. Point 4(b), as with 5.619. No mention is made of the Public Car Park adjacent to The Brown Trout that is owned by the Parish Council.

5.622 The term "The Down" needs better clarification, see above. The Building is no longer used as a commercial cattery. **5.626.** The term "The Down" needs clarification see above. **5.628** The term "The Down" needs better clarification. Policy AL/LA1 point 2. Vehicular access via Spray Hill would be a better option than access via Sand Road (B2169). The latter is a busy short cut connecting the A21 with Tunbridge Wells (via the Bayham Road) and Wadhurst (via the B2100) whereas Spray Hill is a very quiet road. Possible developments at Hawkhurst and Cranbrook, mentioned above, would only make Sand Road busier still. The site does have two current vehicular access points on Spray Hill which have been used by contractors.

ON BEHALF OF LAMBERHURST PARISH 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)?

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_82

Comment

Agent	Chris Frost [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Future Planning and Development
Address	[REDACTED] London [REDACTED]
Consultee	Mr Mateusz Debczak [REDACTED]
Company / Organisation	Gold Property Development Ltd
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Gold Property Development Ltd [REDACTED] [REDACTED]
Comment ID	PSLP_1649
Response Date	04/06/21 10:33
Consultation Point	Policy PSTR/LA 1 The Strategy for Lamberhurst parish (View)
Status	Processed
Submission Type	Email
Version	0.4
Files	PSLP_1555_Future_Planning
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Gold Property Development Ltd
Question 2	
Agent's Name and Organisation (if applicable)	Future Planning & Development 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/LA 1 The Strategy for Lamberhurst parish

[TWBC: this representation has been input against Policies STR 1, STR/SS 1, STR/SS 3 and PSTR/LA 1 – see Comment Numbers PSLP_1555, PSLP_1647, PSLP_1648 and PSLP_1649. Attachments uploaded as supporting information]

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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Future Planning and Development act on behalf of our client, Gold Property Developments Ltd, in respect of their site, Lamberhurst Winery, Lamberhurst Down, Lamberhurst. This site is being promoted for residential development; it being sustainably located on the edge of the village of Lamberhurst.

The proposed submission version of the Local Plan identifies the requirement for additional land for housing in Policy STR1 and sets out a strategy for meeting this need. The proposed approach principally relies upon the allocation of large scale housing sites arising from the strategic urban expansion of Paddock Wood and the proposed Tudeley Village new settlement. Other than Tunbridge Wells, the Plan proposes only limited housing allocations for the other centres in the Borough, as set out in Table 4 - Distribution of housing allocations.

While it is acknowledged that paragraph 72 of the NPPF supports the new settlements and major urban extensions in order to achieve the supply of a large number of new homes, this must be brought forward in tandem with smaller scale development that is delivered more flexibly and quickly. It is our view that the Council's proposed approach to delivering the homes needed by the Borough is

fundamentally unsound, as it is entirely reliant on a small number of volume housebuilders to bring forward development at an unrealistic delivery rate. By contrast, a more even distribution of allocated sites across the Borough, which supports and enhances existing communities, would ensure a more successful and continuous delivery of homes across the Borough and throughout the Plan period. Small and medium sized sites, usually brought forward by SME developers, rather than volume housebuilders, should play an important role in delivering housing within the Borough, but the proposed delivery strategy promotes the opposite of this.

We therefore submit that Policies STR/SS1 and STR/SS3 are unsound. These policies cannot be amended to be made sound, so long as the strategy of the proposed Plan is to achieve the required number of additional homes through large-scale development in just two locations, as opposed to a more proportionate expansion of existing sustainable settlements across the Borough. It is not that one or other of these two sites should not be brought forward for development, but that they must be balanced by the provision of more housing on smaller sites in other settlements.

Policy PSTR/LA 1 sets out a strategy for Lamberhurst parish. Point 2 of this policy proposes to build approximately 25-30 new dwellings on land at Spray Hill, which is expanded at Policy AL/LA 1. We have no objection to the allocation of this site for housing and agree that the provision of additional housing in Lamberhurst Down is a sensible approach to providing for housing need in a sustainable location. However, we consider PSTR/LA 1 to be unsound insofar as it follows Policy STR 1 and fails to deliver enough housing across the Borough, for the reasons set out 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.

In order to deliver the homes required by the Local Plan consideration should be given to the allocation of Lamberhurst Winery (SHELAA site reference 423) for housing. This site is being brought forward by a SME developer and is proposed to be delivered as soon as possible following the grant of planning permission. Officers have confirmed that the development of part of this site for affordable housing for local people is considered acceptable in principle and a planning application for this element is to be submitted imminently. This could serve as a first phase for the wider development of the site.

Policy PSTR/LA 1 should be modified to include the allocation of around 125 dwellings at Lamberhurst Winery (SHELAA site reference 423) and an additional allocation policy should be included (AL/LA 2) for the allocation of this 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

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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 clearly set out the case for an appropriate approach to housing allocations

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_156

Comment

Consultee	Strategic Planning ([REDACTED])
Email Address	[REDACTED]
Company / Organisation	Kent County Council (Planning and Environment)
Address	Invicta House County Hall MAIDSTONE ME14 1XX
Event Name	Pre-Submission Local Plan
Comment by	Kent County Council (Planning and Environment) (Strategic Planning - [REDACTED])
Comment ID	PSLP_2216
Response Date	04/06/21 16:56
Consultation Point	Policy PSTR/LA 1 The Strategy for Lamberhurst parish (View)
Status	Processed
Submission Type	Email
Version	0.4
Files	Kent County Council-full representation.pdf
Data inputter to enter their initials here	KJ
Question 1	
Respondent's Name and/or Organisation	Kent County Council (Growth, Environment & Transport)
Question 3	
To which part of the Local Plan does this representation 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/LA 1 The Strategy for Lamberhurst parish

[TWBC: see attached full representation, which has been input against the following: Section 1 (PSLP_2164), Section 2 (PSLP_2168), Section 3 (PSLP_2169), Policies STR1 (PSLP_2170), STR2 (PSLP_2171), STR4 (PSLP_2172), STR5 (PSLP_2174), STR7 (PSLP_2175), STR8 (PSLP_2176), Section 5 (PSLP_2177), Section 5: Royal Tunbridge Wells (PSLP_2178), Policies AL/RTW1 (PSLP_2180), AL/RTW5 (PSLP_2181), AL/RTW7 (PSLP_2183), AL/RTW14 (PSLP_2184), AL/RTW17 (PSLP_2185), AL/RTW21 (PSLP_2187), STR/SO1 (PSLP_2188), AL/SO1 (PSLP_2190), Strategic Sites (PSLP_2192), STR/SS1 (PSLP_2193), STR/SS2 (PSLP_2195), STR/SS3 (PSLP_2196), STR/PW1 (PSLP_2199), AL/PW1 (PSLP_2200), STR/CA1 (PSLP_2201), AL/CRS1 (PSLP_2202), AL/CRS2 (PSLP_2203), AL/CRS3 (PSLP_2204), AL/CRS4 (PSLP_2205), AL/CRS6 (PSLP_2206), AL/CRS7 (PSLP_2207), STR/HA1 (PSLP_2208), PSTR/BE1 (PSLP_2209), PSTR/BI 1 (PSLP_2210), PSTR/BM1 (PSLP_2211), PSTR/FR1 (PSLP_2212), PSTR/GO1 (PSLP_2213), PSTR/HO1 (PSLP_2214), AL/HO1 (PSLP_2215), PSTR/LA1 (PSLP_2216), AL/LA1 (PSLP_2217), PSTR/PE1 (PSLP_2218), AL/PE4 (PSLP_2219), PSTR/RU1 (PSLP_2220), PSTR/SA1 (PSLP_2221), AL/SA1 (PSLP_2222), PSTR/SP1 (PSLP_2223), EN1 (PSLP_2224), EN3 (PSLP_2225), EN4 (PSLP_2226), EN5 (PSLP_2227), EN8 (PSLP_2228), EN9 (PSLP_2229), EN10 (PSLP_2230), EN12 (PSLP_2231), EN13 (PSLP_2232), EN14 (PSLP_2233), EN18 (PSLP_2234), EN19 (PSLP_2235), EN20 (PSLP_2236), EN25 (PSLP_2237), EN26 (PSLP_2238), H1 (PSLP_2239), H3 (PSLP_2240), H7 (PSLP_2241), ED1 (PSLP_2242), ED2 (PSLP_2243), ED3 (PSLP_2244), ED4 (PSLP_2245), ED5 (PSLP_2246), ED6 (PSLP_2247), Town, Rural Service, Neighbourhood, and Village Centres (PSLP_2248), Policies TP1 (PSLP_2249), TP2 (PSLP_2250), TP3 (PSLP_2251), TP4 (PSLP_2252), TP5 (PSLP_2253), TP6 (PSLP_2254), OSSR1 (PSLP_2255), Appendix 4 (PSLP_2256) and Evidence Base (whole Plan) (PSLP_2257)

Question 4a

If 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 County Council has set out its full response to the consultation in the attached Appendix. Comments are linked to relevant policies where appropriate.

Public Rights of Way

The County Council requests that the policy includes reference to the need for appropriate development contributions to be made towards improvements to the PRow network to provide Active Travel opportunities in the area.

Question 6

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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)?

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 County Council may wish to attend hearing sessions in respect of its statutory and non statutory functions.

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

Local Plan Regulation 19 representations in document order

**Comments on Section 5: Place
Shaping Policies: Lamberhurst: Policy
AL/LA 1: Land to the west of Spray Hill**

Comment

Consultee	Katy Wiseman [REDACTED]
Email Address	[REDACTED]
Company / Organisation	National Trust
Address	Scotney Castle (Hub) ROYAL TUNBRIDGE WELLS TN3 8JB
Event Name	Pre-Submission Local Plan
Comment by	National Trust [REDACTED]
Comment ID	PSLP_1103
Response Date	03/06/21 11:12
Consultation Point	Policy AL/LA 1 Land to the west of Spray Hill (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	National 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/LA 1 Land to the west of Spray Hill

Question 4a

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

Question 5

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The National Trust are the owners and custodians of Scotney Castle located to the east of the proposed site allocation. We support additional wording added to criterion 4 which now required applicants to liaise with the National Trust in the delivery of a potential connection to WT380 to provide ready pedestrian (and cycle) links to Scotney Castle estate as there maybe potential operational issues which will need addressing.

The National Trust also supports criterion 7 which requires an assessment of potential adverse effects on the Scotney Castle SSSI as a result of development as part of any application and, if required, the proposal shall include adequate mitigation measures to the satisfaction of Natural England to ensure no adverse effects on the SSSI.

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

Agent	Rachel Maguire [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Lee Evans Partnership
Address	
Consultee	Jarvis Homes [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Lee Evans Partnership
Address	[REDACTED] Chilmington Green Ashford [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Lee Evans Partnership (Jarvis Homes [REDACTED])
Comment ID	PSLP_1136
Response Date	03/06/21 17:29
Consultation Point	Policy AL/LA 1 Land to the west of Spray Hill (View)
Status	Processed
Submission Type	Web
Version	0.3
Question 1	
Respondent's Name and/or Organisation	Jarvis Homes
Question 2	
Agent's Name and Organisation (if applicable)	Rachel Maguire - Lee Evans Partnership
Question 3	
To which part of the Local Plan does this representation 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

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

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This representation has been prepared on behalf of Jarvis Homes. A planning application is currently being prepared, following a positive pre-application with the Council's planning department, for residential development as prescribed in the draft allocation policy. During feasibility it has become apparent that there will be significant obstacles to criteria 3 of the draft policy, in particular the "Provision of a pedestrian footway from the site westwards along Sand Road...", as explained below.

A 1.8m footway on Sand Road, meeting KCC's desired standard, would not be feasible for a number of reasons. The main reason is that the existing highway verge is relatively narrow, with a pinch point of 1.2m that extends over a distance of approximately 60 metres. This highway verge also appears to have been encroached onto by neighbouring private properties and reclaiming this back could be a long and challenging process if legal action was required.

A feasibility exercise has been carried out to understand whether a 1.8m wide footway could be extended into the carriageway, with the carriageway narrowed to a minimum of 4.8m. However, as the carriageway is already relatively narrow and close to a bend this would likely be unfeasible for vehicle/pedestrian conflict and safety reasons. Discussions with KCC have also raised issues with narrowing the carriageway relating to highway maintenance, as the whole road would need to be closed for any work or maintenance to be completed, and in a separate review by KCC last year the same finding was made that a footway is not feasible at this location.

It is submitted that criteria 3 should be amended given that as it stands, it is not deliverable. We would propose wording to the effect "3. Ensure good pedestrian connectivity from the site to the wider footway

network". Provisions outlined in criteria 4 can be delivered, meaning pedestrians will have access to adjacent public rights of way, which in turn lead to links to the village. It is acknowledged that interconnectivity and the ability to travel by foot or public transport is important to new development and it is fortunate that in this case a good network of footways, PROW's and bus stops already exist. It must be remembered that the Council and KCC Highways will be able to input into pedestrian connections during the course of the planning application, where an approach can be agreed between all parties.

We would also comment on criteria 4, which requires "pedestrian (and cycle) linkages to Public Right of Way WT388 to include sensitive lighting and surfacing of footpath". This is currently ambiguous in what is being sought by the Council. It is submitted that the residential development of the site "include connections to Public Right of Way WT388 for use by pedestrians and cyclists" – the PROW runs through the site so it is accepted that it should be integrated into the development. It would be appropriate to also surface the PROW given its integration into the development. However, for the same reason it is submitted that it does not require its own lighting. Successful urban design will ensure that the PROW benefits from natural surveillance and lighting from the development itself and this can be ensured during the planning application process. Unnecessary, excessive lighting will conflict with the principles of AONB protection.

Wording for criteria 4 could be "Integration of Public Right of Way WT388 into the development, to include surfacing of footpath, as well as a connection to WT380 to provide ready pedestrian (and cycle) links to Scotney Castle estate, in liaison with the National Trust about how these links could be delivered".

To summarise, it is submitted that criterion 3 and 4 should be amended.

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 submitted that criteria 3 should be amended given that as it stands, it is not deliverable. We would propose wording to the effect "3. Ensure good pedestrian connectivity from the site to the wider footway network". Provisions outlined in criteria 4 can be delivered, meaning pedestrians will have access to adjacent public rights of way, which in turn lead to links to the village. It is acknowledged that interconnectivity and the ability to travel by foot or public transport is important to new development and it is fortunate that in this case a good network of footways, PROW's and bus stops already exist. It must be remembered that the Council and KCC Highways will be able to input into pedestrian connections during the course of the planning application, where an approach can be agreed between all parties.

We would also comment on criteria 4, which requires "pedestrian (and cycle) linkages to Public Right of Way WT388 to include sensitive lighting and surfacing of footpath". This is currently ambiguous in what is being sought by the Council. It is submitted that the residential development of the site "include connections to Public Right of Way WT388 for use by pedestrians and cyclists" – the PROW runs

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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	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

Question 3

To which part of the Local Plan does this 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/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 . It is not effective
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.

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

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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

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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	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

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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

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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

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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	Mrs Tracie Dodd [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Lamberhurst Parish Council
Address	[REDACTED] The Broadway ROYAL TUNBRIDGE WELLS [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Lamberhurst Parish Council [REDACTED] [REDACTED]
Comment ID	PSLP_1432
Response Date	03/06/21 14:08
Consultation Point	Policy AL/LA 1 Land to the west of Spray 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	Lamberhurst 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/LA 1 Land to the west of Spray 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

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Thank you for the opportunity to comment on the Regulation 19 Local Plan we appreciate the detailed work and planning involved in producing a document that covers the diverse settles within the Tunbridge Wells Borough. We have restricted our comments mainly to the content concerning Lamberhurst however we note that the proposed major developments in Hawkhurst and Cranbrook will have a major impact on the surrounding infrastructure. Notably, commuting to and from Tunbridge Wells, Tonbridge and London will put further congestion on the A21 through Lamberhurst Quarter and the B2169 which is popular link between the A21 and the Bayham Road for access to Frant Station and Tunbridge Wells. More generally, the scale of development detailed in the plan will put further pressure on already over-stretched public services.

Changes to Limits to Build Topic Paper

Page 14. Point 3.1(d) The term "The settlement at the Down" referring to the new discreet LBD which includes the proposed site AL/LA 1 causes confusion and is not one that would be recognised locally. A better description would be "existing development South East of the Down (The Slade) and East of the Down (Sand Road/B2169 and Down Avenue)".

Reg 19 Pre-Submission Local Plan

5.613 The term "fairly regular" referring to local bus services is misleading; the timetables are very restrictive and only operate on certain days of the week. Local people are unable to rely upon bus services for commuting locally or attending Schools outside of the Parish. A better description would be "infrequent". **5.615** There is one local shop in the village not "several". **5.617** The term "The Down" needs clarification, see above. **5.618** Other local services may also wish to benefit from developer contributions as well as the Doctor's Surgery. In Particular, The Lamberhurst Neighbourhood Development Plan outlines a Community Action Plan for a number of projects that could benefit from developer contributions. However, we accept that a broader candidate list is contained in policy PSTR/LA 1.

5.619 The term "Spray Hill Park" is not recognised. The undeveloped part of site AL/LA1 would maybe be better kept as woodland with connecting PROWs to the existing network. Policy PSTA/LA1 point 3. The Car Park on the Broadway is not a public car park but one that belongs to The Chequers Inn. Point 4(b), as with 5.619. No mention is made of the Public Car Park adjacent to The Brown Trout that is owned by the Parish Council.

5.622 The term "The Down" needs better clarification, see above. The Building is no longer used as a commercial cattery. **5.626.** The term "The Down" needs clarification see above. **5.628** The term "The Down" needs better clarification. Policy AL/LA1 point 2. Vehicular access via Spray Hill would be a better option than access via Sand Road (B2169). The latter is a busy short cut connecting the A21 with Tunbridge Wells (via the Bayham Road) and Wadhurst (via the B2100) whereas Spray Hill is a very quiet road. Possible developments at Hawkhurst and Cranbrook, mentioned above, would only make Sand Road busier still. The site does have two current vehicular access points on Spray Hill which have been used by contractors.

ON BEHALF OF LAMBERHURST PARISH 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)?

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_156

Comment

Consultee	Strategic Planning ([REDACTED])
Email Address	[REDACTED]
Company / Organisation	Kent County Council (Planning and Environment)
Address	Invicta House County Hall MAIDSTONE ME14 1XX
Event Name	Pre-Submission Local Plan
Comment by	Kent County Council (Planning and Environment) (Strategic Planning - [REDACTED])
Comment ID	PSLP_2217
Response Date	04/06/21 16:56
Consultation Point	Policy AL/LA 1 Land to the west of Spray Hill (View)
Status	Processed
Submission Type	Email
Version	0.4
Files	Kent County Council-full representation.pdf
Data inputter to enter their initials here	KJ
Question 1	
Respondent's Name and/or Organisation	Kent County Council (Growth, Environment & Transport)
Question 3	
To which part of the Local Plan does this representation 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

[TWBC: see attached full representation, which has been input against the following: Section 1 (PSLP_2164), Section 2 (PSLP_2168), Section 3 (PSLP_2169), Policies STR1 (PSLP_2170), STR2

(PSLP_2171), STR4 (PSLP_2172), STR5 (PSLP_2174), STR7 (PSLP_2175), STR8 (PSLP_2176), Section 5 (PSLP_2177), Section 5: Royal Tunbridge Wells (PSLP_2178), Policies AL/RTW1 (PSLP_2180), AL/RTW5 (PSLP_2181), AL/RTW7 (PSLP_2183), AL/RTW14 (PSLP_2184), AL/RTW17 (PSLP_2185), AL/RTW21 (PSLP_2187), STR/SO1 (PSLP_2188), AL/SO1 (PSLP_2190), Strategic Sites (PSLP_2192), STR/SS1 (PSLP_2193), STR/SS2 (PSLP_2195), STR/SS3 (PSLP_2196), STR/PW1 (PSLP_2199), AL/PW1 (PSLP_2200), STR/CA1 (PSLP_2201), AL/CRS1 (PSLP_2202), AL/CRS2 (PSLP_2203), AL/CRS3 (PSLP_2204), AL/CRS4 (PSLP_2205), AL/CRS6 (PSLP_2206), AL/CRS7 (PSLP_2207), STR/HA1 (PSLP_2208), PSTR/BE1 (PSLP_2209), PSTR/BI 1 (PSLP_2210), PSTR/BM1 (PSLP_2211), PSTR/FR1 (PSLP_2212), PSTR/GO1 (PSLP_2213), PSTR/HO1 (PSLP_2214), AL/HO1 (PSLP_2215), PSTR/LA1 (PSLP_2216), AL/LA1 (PSLP_2217), PSTR/PE1 (PSLP_2218), AL/PE4 (PSLP_2219), PSTR/RU1 (PSLP_2220), PSTR/SA1 (PSLP_2221), AL/SA1 (PSLP_2222), PSTR/SP1 (PSLP_2223), EN1 (PSLP_2224), EN3 (PSLP_2225), EN4 (PSLP_2226), EN5 (PSLP_2227), EN8 (PSLP_2228), EN9 (PSLP_2229), EN10 (PSLP_2230), EN12 (PSLP_2231), EN13 (PSLP_2232), EN14 (PSLP_2233), EN18 (PSLP_2234), EN19 (PSLP_2235), EN20 (PSLP_2236), EN25 (PSLP_2237), EN26 (PSLP_2238), H1 (PSLP_2239), H3 (PSLP_2240), H7 (PSLP_2241), ED1 (PSLP_2242), ED2 (PSLP_2243), ED3 (PSLP_2244), ED4 (PSLP_2245), ED5 (PSLP_2246), ED6 (PSLP_2247), Town, Rural Service, Neighbourhood, and Village Centres (PSLP_2248), Policies TP1 (PSLP_2249), TP2 (PSLP_2250), TP3 (PSLP_2251), TP4 (PSLP_2252), TP5 (PSLP_2253), TP6 (PSLP_2254), OSSR1 (PSLP_2255), Appendix 4 (PSLP_2256) and Evidence Base (whole Plan) (PSLP_2257)

Question 4a

If 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 County Council has set out its full response to the consultation in the attached Appendix. Comments are linked to relevant policies where appropriate.

Public Rights of Way

The County Council requests direct reference to Public Footpath WT388.

Question 6

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The County Council has set out its full response to the consultation in the attached Appendix. Comments are linked to relevant policies where appropriate.

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)?

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 County Council may wish to attend hearing sessions in respect of its statutory and non statutory functions.

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