



**Tunbridge Wells
Borough Local Plan (2020 – 2038)**

Representation Form

Please use a separate sheet for each representation

Ref: (For official use only)

Name of the Local Plan to which this representation relates:	Proposed Changes to the Tunbridge Wells Borough Local Plan (2020 - 2038): Response to Examination Inspector's Initial Findings, Received November 2022 and Supporting Documents, including Sustainability Appraisal
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Completed forms must be received at our offices by **midnight Friday 12 April 2024**

We encourage you to respond online using the consultation portal. Please note you do not have to sign in to respond via the portal: <https://consult.tunbridgewells.gov.uk/kse/>

Alternatively, you may email or scan forms to: LocalPlan@TunbridgeWells.gov.uk or send them by post to: Tunbridge Wells Borough Council, PLANNING POLICY, Town Hall, Royal Tunbridge Wells, TN1 1RS

Please note that representations must be attributable to named individuals or organisations. They will be available for public inspection and cannot be treated as confidential. Please also note that all comments received will be available for the public to view and cannot be treated as confidential. Data will be processed and held in accordance with the Data Protection Act 2018 and the General Data Protection Regulations 2018.

	1. Personal Details	2. Agent Details (if applicable)
Title		Mr
First Name		Chris
Last Name		Frost
Job title (where relevant)		Director
Organisation (where relevant)		Future Planning and Development Ltd
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PART B – YOUR REPRESENTATION
(Please use a separate sheet for each representation)

Name or Organisation	Future Planning and Development
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3.	To which part of the Proposed Changes to the Borough Local Plan Submission Version (2020 – 2038) as set out in the Development Strategy Topic Paper Addendum?	
Chapter and (if applicable) sub heading		
Policy	STR 1, STR/SS1, PSTR/LA1	
Paragraph number or appendix		

4.	Do you consider the Proposed Changes to the Borough Local Plan Submission Version (2020 – 2038) would make it: (please tick as appropriate)				
4.1	Legally Compliant	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
4.2	Sound	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>

5. Please give details of why you consider the Proposed Changes to the Borough Local Plan Submission Version (2020 - 2038) (as set out in the Development Strategy Topic Paper Addendum) are not legally compliant or are unsound. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Proposed Changes to the Borough Local Plan Submission Version (2020 – 2038) (as set out in the Development Strategy Topic Paper Addendum) please also use this box to set out your comments.

The text box will automatically expand if necessary.

Future Planning and Development act on behalf of our client, Lamberhurst Winery Ltd, in respect of their site, Lamberhurst Vineyard, Lamberhurst. This site is being assessed for residential development.

Tunbridge Wells Borough Council are currently undertaking consultation on the Council's response to the Inspector's Initial Findings Letter on the Examination of the New Local Plan. In response to this consultation, on behalf of our client, we would like to make the following comments.

Following the Local Plan examination hearing sessions (March to July 2022), the Inspector wrote to the Borough Council setting out his initial findings in November 2022. The Inspector advised that the October 2021 iteration of the Draft Local Plan was considered unsound in respect of the proposed allocation of Tudeley Village, and specifically the justification provided in respect of exceptional circumstances for the removal of the allocation site from the Green Belt, its location and accessibility, whether the necessary infrastructure could be provided and the deliverability of the site in the manner envisaged. Additionally, concern was raised with regard to the sequential assessment in respect of flood risk on allocation sites at Paddock Wood. The Council was required to undertake additional assessment and to respond in a way that would address the concerns in respect of soundness, whilst considering to how best the Plan can still meet housing needs.

In January 2024 a Development Strategy Topic Paper - Addendum to the Draft Local Plan was published by the Council, which aimed to address the concerns raised by the Planning Inspector. With relevance to the site and our client, we consider that the preferred option for modifications to the Plan would continue to result in a Draft Local Plan that is unsound, with particular regard to housing supply and allocation over the Plan period.

The Development Strategy Topic Paper - Addendum identifies the requirement to address the Inspector's concerns around Tudeley Village being relied upon for the allocation of large scale housing sites, and the associated concerns on its sustainability as a location and ability to provide necessary infrastructure.

In order to address the inspectors concerns a multitude of options are detailed within the Addendum, with the Council concluding that their preferred option would be Option 5. Option 5 proposes to remove Tudeley Village from the Local Plan, and provide revised proposals for Paddock Wood and east Capel, whereby no housing is proposed in Flood Zone 2 and 3, with some employment allowed in Flood Zone 2. Given the removal of Tudeley Village, the Council state in the Addendum that the Local Plan would have to be pursued on the basis that it is only meeting housing needs for the next 10 years and will need to be subject to an early review.

Within para 11.22 the Council States, based on a 667dpa calculation that the minimum additional allocations to meet need are 4,835 dwellings, or 5,495 dwellings in terms of total allocations. This includes provision of updated windfalls sites allowances, and Benenden Neighbourhood Plan allocations.

Neither the loss of the Tudeley Village allocation, nor the reduction in housing numbers in Paddock Wood is proposed to be balanced by the allocation of housing on alternative sites distributed across the remaining areas of the Borough. In this scenario, as per Table 4 of the Addendum the total number of allocation has decreased by 3,866 – 3,926 units, with a total allocation delivery of 4150 – 4,595 units, which would be a deficit of 900 - 1,345 units.

The Council has failed to accommodate the loss of the projected Tudeley Village, refusing to provide more even distribution of allocated sites across the Borough, which supports and

enhances existing communities, and would ensure a more successful and continuous delivery of homes across the Borough and throughout the Plan period.

The Council acknowledges that the proposed modifications to the Local Plan would not meet the identified housing needs for the borough over the Plan period. Consequently, the Council proposes to amend Policy STR1 to state that:

“Following adoption, the Council will undertake an early review of the Local Plan, which will include further investigation of ways of meeting identified housing needs for the period post 2034.”

However, the inspector cannot give any significant weight to this statement, as there is no mechanism by which it can be enforced. We would point to the similar circumstances in the adjoining borough of Wealden, which adopted a Core Strategy Local Plan in February 2013. At Examination the inspector accepted that the Plan could be found sound, despite not providing for the borough’s full housing need on the basis that, as set out in Policy WCS1, the strategy in regard to housing provision would be reviewed in 2015. Nine years later Wealden Council have still not managed to adopt an up to date Plan that identifies and meets the borough’s identified housing needs.

In arguing against Option 7, which is the only one of its proposed options that would actually seek to provide for the borough’s identified housing needs, the Council is effectively saying that it has pursued an unworkable approach for too long and it is now too late to bring forward a reasonable option that meets housing need, so it is better to adopt a Plan that doesn’t meet the need. This is not a sustainable approach to Plan-making.

It is our view that the Council’s proposed approach to delivering the homes needed by the Borough is fundamentally unsound, with the Council clearly unable to meet housing needs. We therefore submit that Policy STR/SS1 is unsound.

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.

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.

6.	<p>Please set out what modification(s) you consider necessary to the Proposed Changes to the Borough Local Plan Submission Version (2020 – 2038) Incorporating the Proposed Changes set out in the Development Strategy Topic Paper Addendum, legally compliant or sound, having regard to the Matter you have identified at Section 5 (above) where this relates to legal compliance or soundness.</p> <p>You will need to say why this modification will make the Proposed Changes to the Borough Local Plan Submission Version (2020 – 2038) 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.</p> <p>The text box will automatically expand if necessary.</p>
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In order to deliver the homes required by the Local Plan consideration should be given to the allocation of Lamberhurst Vineyard (SHELAA site reference 423) for housing. The site lies within the context of the existing built development of Lamberhurst Down; infilling an area bounded by the existing housing along Furnace Lane, Town Hill and the existing commercial and residential buildings within the Lamberhurst Vineyard site, thus minimising the impact of built development on the wider area. 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.

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

7.	<p>Please use this box for any other comments you wish to make.</p> <p>The text box will automatically expand if necessary.</p>
	<p>Click or tap here to enter text.</p>

8.	<p>If your representation is seeking a modification, do you consider it necessary to participate at the examination hearings stage when it resumes?</p>
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No, I do not wish to participate at the examination hearings

Yes, I wish to participate at the examination hearings

9.	If you wish to participate at the examination hearings stage once it resumes, please outline why you consider this to be necessary:
In order to clearly set out the case for an appropriate approach to housing allocations.	

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the examination hearings stage once it resumes.

Sustainability Appraisal

10.	To which part of the Sustainability Appraisal does this representation relate?	
Chapter and (if applicable) sub heading		
Policy		
Paragraph number or appendix		

11.	<p>Please use this box for any comments you wish to make about the Sustainability Appraisal.</p> <p>The text box will automatically expand if necessary</p>	
<p>Click or tap here to enter text.</p>		

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at later stages.

After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he identifies for examination.

Signature	Chris Frost	Date	12/4/24
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