

Response by Andrew Stanley

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Personal Views

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Local Plan Development Strategy Topic Paper – Addendum

I cannot comment on whether the plan is legally complaint.

I believe the plan is unsound.

### S1 Introduction

There are references in this section to sections A to H which are said to explain certain decisions. I am unable to find these sections. If they are elsewhere in the document (& I've missed them) then they should have included a page or paragraph number for easy reference. These sections refer to matters such as assessment of harm and re-evaluation of sites.

I do not consider that TWBC has maximised its search as required by the NPPR and would not stand up to further detailed scrutiny.

It is disappointing that TWBC has decided to try and force through an amended version of a flawed plan rather than look again at realistic alternatives.

### 2 Greenbelt

In my view the exceptional circumstance required by the NPPR have not been met. TWBC has not properly reviewed all greenbelt sites and apparently none of the brownfield/non-greenbelt sites. As confirmed by the council's Cabinet Member for Housing & Planning at a meeting in Five Oak Green village hall in April 2023, there is far too much greenbelt. He also explained that the Tudeley development was required to fund the growth of Paddock Wood. It is easy to see why this inappropriate plan has tried to run even after the many flaws have been identified.

2.6 "If it is accepted that Green Belt land will be required, then why did the Council not carry out a comparative assessment of reasonable alternatives at Stage 3 in order to avoid, or at least minimise, harmful impacts where possible?" (ID-012 – paragraph 6). The answer to this question by the Inspector is partly answered above. The council had two major sellers of land in Capel and the rest of the "story" has been put together to support that plan. It is why there are so many inconsistencies in the original and secondary plans.

At paragraphs 2.25 & 2.27 there are what some might consider veiled threat to look again at Five Oak Green as Tudeley (STR/SS3) has been rightly abandoned. If the council would like to look at Capel's Neighbourhood Plan it would see that it anticipates appropriate levels of housing and identifies the type of housing needed locally.

### 3 Tudeley

3. 2 “The proposal stems largely from the combination of the difficulties in identifying sufficient suitable sites in the borough to meet its local housing need, coupled with a recognition, as highlighted in the NPPF (paragraph 73), that the supply of large numbers of new homes can often be best achieved through planning for larger scale development, such as new settlements or significant extensions to existing villages and towns”.

The Inspector identified 3 options for Tudeley with what appears to be a clear reference to the removal of Tudeley from the plan. The council subsequently spent a vast amount of taxpayers’ money trying to find a way around the Inspector’s objections.

3.12/3.17 – what the council terms potential merits of a new town in rural Tudeley, most people (including Tonbridge and Malling Council and interested parties) see as negatives. The additional vehicles, additional school with related movements, a farcical belief that people will walk and cycle into Tonbridge, new road infrastructure require – the list goes on ....

Why do people use their car even for short journeys? - carry shopping/ going to an appointment/speed/laziness/bad weather/stay clean. There are many references in STR/SS3 and STR/SS! (Paddock Wood and East Capel) to this significant increase in walking and cycling. It is wishful thinking at best but probably simply to support the view that there will be minimal road traffic disruption with thousands of additional cars in a small area. Put forward as an aid to climate change!

3.31 & 3.33 As a frequent visitor to Tonbridge (by car) I can advise TWBC traffic experts that Tonbridge is already overloaded with cars and it is not uncommon to sit in traffic queues (be it High St or Cannon Lane) for lengthy periods to progress from one end to the other.

### 3.38 FOG Bypass

A roundabout adjacent to a school; a road through greenbelt and attractive countryside dissecting Capel/FOG in half from north to south. Affecting adjacent AONB. A definite winning strategy.

### 3.52 Deliverability

**3.55** While the Inspector queries the experience of the landowner and the Council in dealing with such large schemes, this is regarded as more relevant to the approval period than to build-out rates, although there is the potential for the landowner to take a longer-term view on achieving returns on the increased land value, which may suggest a slower release of later phases.

The landowner wishes to retain control of the project because he is concerned with profit not aesthetics.

3.78 “If Tudeley Village is withdrawn from the Local Plan (the Inspector’s third option), it is found from the review of Green Belt alternative sites that those do not suggest any more appropriate site allocations that would provide any meaningful quantum of housing supply. [Also, the Council is confident in its SHELAA site assessments and its site selection methodology generally.](#) Hence, in this scenario (Tudeley Village withdrawn from the plan and Paddock Wood and east Capel reduced), 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. This option is considered further in the final section, alongside the merits of retaining some form of allocation”.

The above statement by the council is flawed. It's SHELAA assessment and site selection methodology were flawed. As stated previously once the TWBC Planning Officer had been offered two large sites in Capel, the council looked for reasons to find positives for Capel and to discount other sites.

Example 1:

Horsmonden -Site ref: 144

Horsmonden – a site of approximately 125 acres which could provide more than 1,000 houses was proposed for development. Despite not being Green Belt the site was rejected for development because 'This would be a very large scale strategic allocation that would be disproportionate to the size of the settlement with concern about the landscape and heritage'.

Yet the council proposed a development in Tudeley of 2800 houses which will destroy 420 acres of Green Belt which includes ancient woodland and listed buildings and is adjacent to a number of historic sites.

There are approximately 2600 residents in Horsmonden PC and 2500 residents in Capel PC of which only about 100 reside in Tudeley. How can the council justify building 2700 houses in the settlement of Tudeley which would be entirely disproportionate to its size?

Horsmonden would not cause loss of greenbelt, would not cause any merging with another community and has existing transport links. It would be an extension of the present village.

Example 2:

Former Blantyre Prison and surrounding land.

It was my understanding that brownfield sites, especially when owned by central or local government were a priority for development, especially in areas with high amounts of AONB and greenbelt.

The site is government owned and extends to 195 acres all of which is brownfield or non AONB/greenbelt. SHELAA did not assess the full area, rather it chose to look at a limited 26 acre area containing buildings.

This site was rejected as a possible garden village because it was too small; an assessment that would not stand if the full site was considered.

Again, we see the council using selective material to justify not finding alternatives to Capel (& Tudeley in particular)

4 Paddock Wood & East Capel STR/SS1

4.17 Flood risk and housing

4.11 The Inspector highlights paragraph 161 of the NPPF and the need to apply a sequential risk-based approach to the location of development. It states:

"The aim of the sequential test is to steer new development to areas with the lowest risk of flooding from any source. 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."

4.12 The Inspector has questioned the application of the sequential test in the strategy for development at PWeC in the SLP, and the appropriateness of delivering housing, and employment in areas of Paddock Wood that are at higher risk of flooding.

TW response to flooding is unacceptable. It may have gained some tacit approval by the Environment Agency but with all that we know about flooding, climate change, visible evidence available on an increasingly regular basis, it's astounding that the council can consider developing an area known to flood. Sequential tests notwithstanding, Paddock Wood (certainly north of the railway line) and Capel (including FOG village) already have a history of flooding which has worsened considerably in the last 15 years. Houses built long ago in these areas suffer from flooding so the proposal to build more there is nonsensical. Whilst I am not an expert, it would seem to the layman that a current flood zone 1 is likely to progress to zone 2 in due course and areas currently not designated are likely to become such. It cannot be a sound policy to build on known flood areas in the part of the borough most susceptible to flooding. It would not be possible to select anywhere more at risk than Capel and north Paddock Wood. There are alternative areas to develop but the council has failed to consider them or produced spurious reasons no to do so. The knock-on effects for East Peckham and Yalding should be given due consideration as both villages are subject to regular, devastating floods.

With other areas available with little or no flood risk it again highlights a determination to press on regardless of the facts.

Employment land

This area to the north of Paddock Wood is a flood zone and development will only increase problems for surrounding areas.

#### 4.53 Sport & Leisure provision

There was previously a plan for a swimming pool adjacent to the present Putlands sport facility. It was lack of finance why that wasn't delivered and I see no reason why that plan could not be reinstated. Is there any reason why Putlands itself cannot be extended to provide additional floor space to allow for a larger Paddock Wood?

4.55 To consider placing a sport facility for Paddock Wood in Capel and adjacent to the A228 (& flood zone) is another matter that can only be considered by someone looking at a map rather than the actual reality. Users would drive to the facility. Is that another area where people would walk and cycle!!! The majority of users of current sport facilities drive to the particular venue despite many living within half a mile! If Paddock Wood is to have additional sport facilities (& I accept some currently available are under-used) then Putlands seems a credible solution.

4.62 The council states "The significant expansion of Paddock Wood and East Capel remains a logical option for the development strategy of the Local Plan, in that the town has a good range of existing services, employment premises and access to public transport provision."

There are already 1,300 new houses completed or in progress in Paddock Wood. It isn't logical to build in flood zones when other alternatives are available (but not reconsidered).

4.65 The council state that "a draft rewritten policy can be found at Appendix X of this addendum paper, which seeks to reorganise much of the policy in a clearer fashion to make it more effective".

I am unable to find that appendix so cannot comment.

## 5 Transport

5.13 “The masterplan envisages new developments being designed to operate on the principles of low traffic neighbourhoods, with good pedestrian and cycling grids and managed vehicle movements.”

This is quite simply, fanciful. The councils much-repeated belief that far greater numbers will walk and cycle does not bear scrutiny. The packages of land proposed for development in East Capel (in particular) but also Paddock Wood will be separate semi-remote communities from which potential residents will drive to Paddock Wood or elsewhere. There is no convincing infrastructure included in the plan.

A separate mention for the proposal (Strategic Sites Masterplanning and Infrastructure Study) in table 8. Unfortunately, I don't have time to consider all aspects of this but I notice what looks like a traffic light system for Paddock Wood rail bridge. If my understanding is correct, I despair at who is behind these plans. Long waits to cross the rail bridge; isolating the ambulance station; traffic fumes; difficulty entering/leaving roads such as Allington Road, Mount Pleasant, Station Road, Eldon Way.

## 6 Infrastructure

I cannot comment on this area because the overall plan is flawed.

## 8 Conclusions

The council states “The further Green Belt assessments do not provide a basis for concluding that other previously rejected “omission sites” should come forward into the Local Plan, save for a couple of possible small-scale exceptions”. The council has not reviewed all greenbelts options but more importantly it has not reviewed sites previously dismissed – see particularly my comments at section 3. There are other examples.

C The council states “Paddock Wood can accommodate major expansion without building homes within higher flood zones; while this will reduce the overall level of housing on the strategic sites by some 1,000 dwellings, it would still support the necessary improvements in local community and transport infrastructure; however, no reasonably available options exist for providing employment sites on the lowest flood risk land (Flood Zone 1), but there is enough land within the medium risk land (Flood Zone 2) adjoining the main Transfesa Road Key Employment Area, while avoiding high risk, Flood Zone 3 – which would involve some sites being deallocated and the boundary of that to the east of Transfesa Road amended”. To consider building in known flood zones (including zone 2 for industrial units) is madness. Does the council see what is happening around the country? Areas flooding for the first time; others flooding every few years whereas it was every 50 years.

I suppose those making these reckless decisions now will not be in office/responsible when the folly is displayed.

## 10 Development Strategy Options

10.1 The council states “Ahead of considering these options, it is pointed out that, of course, other distribution options that may provide the full 15-years' housing land supply were assessed as part of

the formulation of the Pre-Submission Local Plan through rigorous consideration. However, there was not an obvious alternative strategy to the one proposed at the SLP stage”.

This is simply incorrect. There was not an adequate assessment initially; false conclusions were drawn and there was no adequate review following the Inspector’s findings and no review of non-greenbelt sites. I’m not sure how the council make a statement as that repeated above.

## 12 Conclusions

Throughout this process the term housing need has been used repeatedly. At each talk by the council or developer that I have attended the term “local need” has been used. I find it strange that Capel needed approx 5,000 houses in a rural parish with only around 2,000 residents.

That Paddock Wood which is already building 1,300 new houses has such a need. The reality is that many houses are being purchased by London Boroughs and others are being advertised overseas.

It is also strange that the rural parish of Capel which is in greenbelt, adjacent to AONB, large parts in a flood zone require 4,500 houses when villages such as Speldhurst, Rusthall, Sandhurst, Lamberhurst, Goudhurst, Frittenden, Bidborough, Sissinghurst have no or minimal housing needs. The plan is/was to sacrifice Capel to service Paddock Wood (as confirmed by Cabinet Member for Housing & Planning Estates).

Housing numbers are advisory (a fact not mentioned anywhere by TWBC) Instead, the target will be “advisory” and councils will be allowed to build fewer homes if they can show reaching target it would significantly change the character of an area. To my knowledge the council has made no attempt to claim special circumstances despite a high level of AONB and greenbelt.

At regulation 19 the Inspector asked the council to assess reasonable alternatives to the Strategic Sites. I believe the council has failed to carry out that request. By not doing this the council has simply reviewed a narrow area to enable it to conclude that there is nowhere else suitable for development.

Greenbelt land is being given up to development on a large and increasing level. With the comments provided here, it seems clear and obvious that the council does not meet the exceptional test. That there are other sites available (see 3 above) causes me great disappointment at the actions of the council officers responsible (current and past).