



**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 Monday 26 February 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		
First Name	Wendy / Milton	
Last Name	Owen / Cartwright	
Job title (where relevant)		
Organisation (where relevant)		
Address Line 1	██████████	

Address Line 2	██████████	
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Address Line 4	██████████	
Postcode	██████████	
Telephone number		
Email address (where relevant)	████████████████████	

PART B – YOUR REPRESENTATION
(Please use a separate sheet for each representation)

Name or Organisation	
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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	Chapter 2 Green Belt			
Policy	<ul style="list-style-type: none"> • SHELAA reference site 137: Policy AL/RTW 18 (Regulation 18 reference) Policy AL/RTW 16 (Regulation 19 reference) Land to the West of Eridge Road at Spratsbrook Farm • Policy STR 1 The Development Strategy • PS_035: Green Belt Stage 3 Addendum report – Assessment of Reasonable Alternative Sites • PS_036: SHELAA sheets for all reviewed Green Belt sites 			
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.	<p>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.</p> <p>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.</p> <p>The text box will automatically expand if necessary.</p>
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This submission should be read alongside that submitted by Emma Lester on behalf of Residents Against Ramslye Development (RARD).

Forward

We welcome the opportunity to comment on this Consultation and we note that previous representations we made in respect of Regulation 18 were deemed relevant enough for Policy AL/RTW 18 to be changed e.g. the decision to remove the AONB parcel of the Ramslye Farm site. The task of developing a 15 year Local Plan is challenging; we therefore agree with the statements set out in section 14 ‘Commitment to early review’ of the Development Strategy Topic Paper – Addendum, [“changing policy framework, change to the planning system as well as to national planning policies, more robust planning and land use responses to climate change issues, the Levelling Up and Regeneration Act”] and in the meantime we consider Green Belt sites must be preserved until Brownfield sites have been exhausted.

We consider the proposed changes to the Local Plan as set out in the Topic Paper do not address the issues identified by RARD in its Regulation 18 and Regulation 19 submissions in respect of the Ramslye Farm site. We consider the assessment of sites in the Green Belt has not been undertaken on a consistent basis. If the Inspector considers exceptional circumstances to release a site from the Green Belt have been demonstrated by TWBC, then we consider there are reasonable alternative sites to Ramslye Farm within the Green Belt that if removed would cause less harm to the purposes of the Green Belt.

We consider the Ramslye Farm site is unsuitable for the following reasons:

- In order to conduct a comprehensive assessment of Green Belt harm, all Green Belt sites should have been in scope for the additional study. The Ramslye Farm site should not have been excluded from the scope of the latest study as a full comparison cannot be made if relevant sites have been excluded.
- 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;
- The landscape and visual value of the site is significantly greater than the Local Plan attaches to it;
- 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;

- 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 development of the site would directly contravene many of the policies set out in the 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;
- The case for exceptional circumstances required to remove the site from the Green Belt has not been made as there are sites which would cause less harm if they were removed; and
- The Broadwater ward is disproportionately impacted accounting for c.500 of the c.1500 houses planned for RTW.

We attach a spreadsheet (below) which RARD submitted in response to Regulation 18 which compared the sustainability objective scores and SHELAA issues to consider across a selection of sites which TWBC had deemed unsuitable. The spreadsheet showed there were number of errors and inconsistencies between the various supporting documents and assessments. As part of RARD's response to Regulation 19, it reviewed the new site assessment sheets for those sites and noted some changes had been made e.g. the incorrect AONB classification had been 'reduced' to AONB setting but the corresponding Landscape score had however not been adjusted down. Those site assessment sheets cannot be relied upon and used to determine the suitability of the sites either individually or when compared to the Ramslye Farm site. The spreadsheet has not been updated but its message still stands (and the number of changes was minimal anyway).



Microsoft Excel
97-2003 Worksheet

We would like to draw your attention to three aspects of the assessments:

1. Green Belt

We disagree with the Green Belt findings summarised in section 2 of the Local Plan Development Strategy Topic Paper – Addendum:

“2.22 The overall findings of the review are that the conclusions in the original SA and SHELAA, that resulted in the sites identified as reasonable alternatives not being regarded as suitable for allocation, remain valid.”

“2.23 An important factor in reaching these conclusions is that there are often other reasons or combinations of reasons, sometimes including Green Belt harm, that led officers to conclude a site was not suitable as a potential allocation in the Local Plan.”

“2.24 In addition, with the obvious exception of the strategic sites, it can be seen that the Council has generally proposed those sites with least harm to the Green Belt. This is evident in Figure 3.1 in the Green Belt Stage 3 Addendum, which shows that the allocated sites (excepting the strategic sites) generally compare favourably in terms of harm rating with the reasonable alternatives in that they generally have lower harm ratings.”

We consider Ramslye Farm site 137 / AL/RTW 16 Land to the West of Eridge Road at Spratsbrook Farm should be **excluded** from the Local Plan for a number of reasons, including the level of Green Belt harm.

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. 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 Green Belt Stage 3 Addendum assesses 71 sites/79 parcels of land. It specifies the following harm ratings and numbers of parcels at each level (105 parcels in total):

- No-very low: 1 parcel
- Low: 7 parcels
- Low-moderate: 9 parcels
- Moderate: 28 parcels
- Moderate-high: 25 parcels
- High: 20 parcels
- Very high: 10 parcels
- Whole site constrained: 3 parcels
- Assessed at Stage 3: 2 parcels

The Ramslye Farm site had previously been assessed as Moderate - an assessment we dispute given the higher rating of comparable sites. To our knowledge, the Ramslye Farm site had not been split into parcels like similar sites when it was assessed.

Notwithstanding the disputed assessment of the Ramslye Farm site, there are 28 parcels rated at the same level as Ramslye Farm and 17 parcels rated lower so we consider it likely there are several alternative suitable sites with less Green Belt harm, fewer SHELAA issues and higher scoring sustainability objectives.

Taking one example alternative site: Unsuitable site 146 TW golf club / RA/RU3 has been assessed as four parcels: (A) Moderate-high, (B) Moderate, (C) Moderate-high, (D) High. We have reviewed the information provided in LUC’s Green Belt Stage 3 Addendum (pages 245-258) and we do **not** accept development of the TW golf club site would cause more harm than to the Ramslye Farm site. Looking at the contribution to Green Belt purposes:

- Relationship with settlement: Ramslye Farm is very visible from the road on the A26 approach to TW, it is bounded by residential gardens on one side, AONB land to the rear and further agricultural land to the other side; the golf club is assessed as “Public views of the site are limited”, it sits adjacent to a car dealership, between residential houses with TW on one side and Rusthall on the other, part of the boundary is adjacent to Rusthall common.
- Purpose 1: checking sprawl of the large built-up area: Ramslye Farm is on the edge of TW with agricultural land beyond it; the golf club sits between TW housing and Rusthall housing
- Purpose 2: preventing neighbouring towns merging: n/a to either site, “Rusthall is not considered a town for the purposes of this study” (Green Belt study 2) yet the October 2023 SHELAA for golf club site 146 states “Release of the whole site would also result in the loss of an important green gap between the settlements of Royal Tunbridge Wells and Rusthall.” **Another error or inconsistency.**

- Purpose 3: safeguarding the countryside from encroachment: Ramslye Farm is on the edge of TW with agricultural land beyond it; the golf club sits between TW housing and Rusthall housing
- Purpose 4: preserving the setting and special character of historic towns: Ramslye Farm is adjacent to the AONB and therefore contributing to its setting, adjacent to a Scheduled Monument, listed buildings, a historic farmstead and close to a conservation area and therefore contributing to its setting; the golf club is close to a conservation area.
- Purpose 5: assisting in urban regeneration, by encouraging recycling of derelict and other urban land: Ramslye Farm is grade 3a and 3b agricultural land, a fact the various iterations of the Local Plan has consistently got wrong; the golf club is urban land and we understand it is no longer operating as a golf club.

We consider the Ramslye Farm site makes more of a contribution to Green Belt purposes than TW golf club. Given there was a developer interested in building housing on the golf club site Dandara's availability to develop the Ramslye Farm site should not be an influencing factor.

This is just one example of assessment inconsistencies and an alternative suitable site. RARD's previous submissions identified other sites such as those at Pembury Road (73, 99 and 116) and Sandown Park (114 and 411) which had been assessed as unsuitable by the SA and SHELAA. We consider many of the scores in the SA understate the negative impact of the development of Ramslye Farm site 137 and the reasons given to exclude reasonable alternatives do not bear scrutiny. Desk based reviews are inevitable in circumstances like this but those results must be reviewed with real, local knowledge. To help demonstrate this point, three photographs (taken today) are provided below showing the Ramslye Farm site, TW golf club and Pembury Road, all of which are within walking distance of TW town centre. These show the Ramslye Farm site as productive and clearly connected to the countryside, whereas the TW golf club and Pembury Road sites are not productive and are more connected to the urban environment. We do not consider a case to release Ramslye Farm site 137 from the Green Belt has been made as reasonable alternatives of at least the same area exist that would cause less harm.

Ramslye Farm:



TW golf club:



Pembury Road:



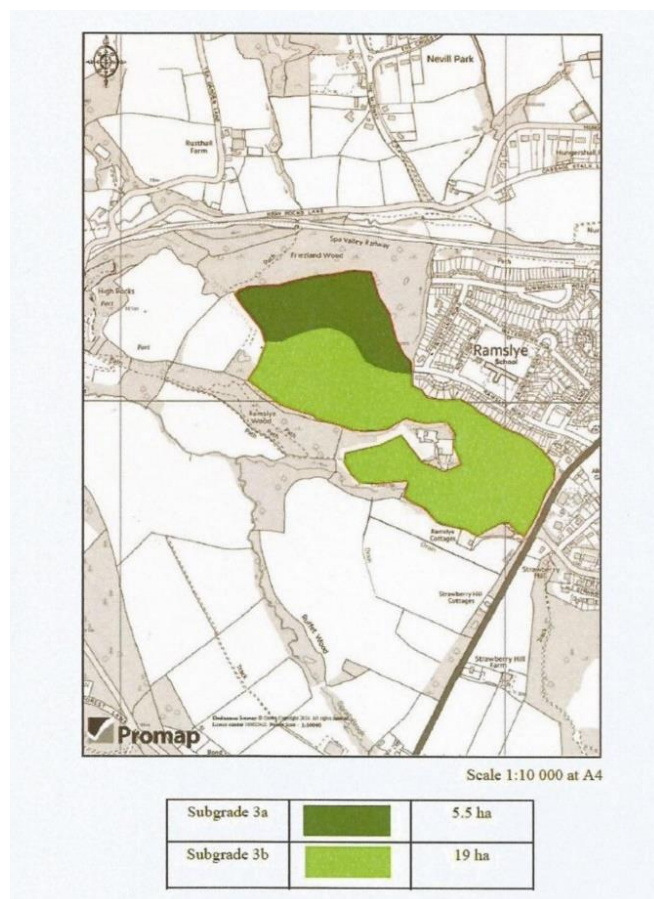
We consider the errors and inconsistencies make the plan unsound and unlawful and Ramslye Farm should be removed from the Local Plan.

2. Ramslye Farm Agricultural Land Classification

The Proposed Changes to the Local Plan as set out in the Development Strategy Topic Paper Addendum do **not** apply the correct Agricultural Land Classification (ALC) to Ramslye Farm site 137. The site was graded 4, Urban (poor quality agricultural land) in the Strategic Housing and Economic Land Availability Assessment (SHELAA) which used

a Natural England desktop survey despite Natural England itself stating “these maps are not sufficiently accurate for use in assessments of individual fields or sites”.

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 3a (good to moderate quality agricultural land) and 3b (moderate quality agricultural land). Grade 3a means it should be protected under the “Best and Most Versatile” (BMV) rules as the land is 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. These classifications are shown below on the map of Ramslye Farm:



TWBC has consistently **failed** to correct the ALC error despite it being formally drawn to TWBC’s attention in RARD’s Regulation 18 and Regulation 19 responses and informally at meetings.

Developing this site clearly contravenes 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 appropriate to build on this actively farmed land, whereas sites such as AL/RTW 99 and AL/RTW 114 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 sites available that are not as productive and do not contribute to the land use objectives as much the Ramslye Farm site.

The Ramslye Farm site is managed agricultural land which we understand produces a good crop every year. The site is on the border with Wealden District Council (WDC) land. The Wealden SHELAA concludes within its Unsuitable Sites Summary (at Page 24 Appendix 4 under site reference 729/1610) that the Land at Ramslye Farm:

1. Is not suitable for housing.
2. Is not suitable for employment.
3. Is not suitable for new development.

We consider that if the correct ALC had been used, the Ramslye Farm site would have been deemed unsuitable for development at the SHELAA stage in line with Wealden District Council's conclusion for the land on its side of the county border.

We consider the errors and inconsistencies make the plan unsound and unlawful and Ramslye Farm should be removed from the Local Plan.

3. Heritage matters

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.

We consider the Ramslye Farm site should be considered as contributing to the setting of the Scheduled Monument. The Local 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".

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 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 the 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.

Policy STR 1 The Development Strategy

We consider the inclusion of the Ramslye Farm site is contrary to the following statements about the Local Plan:

- 1. Promotes the effective use of urban and previously developed (brownfield) land, having due regard to relevant Plan policies;
- 7. Provides for some reductions in the area of the Green Belt, notably for land in east Capel (adjacent to Paddock Wood) and around Royal Tunbridge Wells and Pembury, where exceptional circumstances warrant this, and where an effective long-term Green Belt is maintained;
- 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.

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.

6. 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.

The text box will automatically expand if necessary.

We consider the Local Plan should go forward **without** Ramslye Farm site 137 / AL/RTW 16 Land to the West of Eridge Road at Spratsbrook Farm.

TWBC should draft a Policy which sets out how the order of development sites should be determined to minimise Green Belt sites from being developed needlessly or before absolutely necessary.

Ramslye Farm site 137 / AL/RTW 16, like all Green Belt sites, should be reviewed and assessed in line with such a Policy. Failing this, an addition should be made to STR1 that has the effect of prioritising development of Brownfield and non-Green Belt sites so sites in the Green Belt are not developed until all other sites have been exhausted thus giving effect to the original planned development dates of 2035/36 and 2036/37.

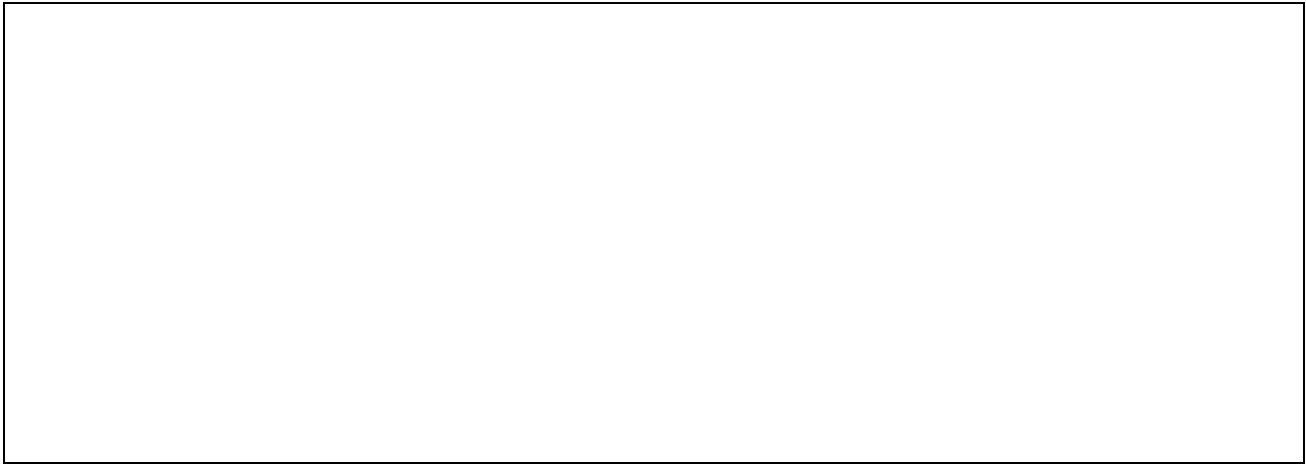
7.	<p>Please use this box for any other comments you wish to make.</p> <p>The text box will automatically expand if necessary.</p>
	<p>There appears to have been no analysis or consideration of the distribution of sites within RTW itself. In the Broadwater ward the plan proposes c.500 new dwellings on six sites (RTW11 Former Plant & Tool Hire, RTW12 Land at Tunbridge Wells Telephone Engineering Centre, RTW13 Turners Pie Factory, RTW15 Land at Showfields Road and Rowan Tree Road, and RTW16 Spratsbrook/Ramslye Farm). If this approach is adopted, the Broadwater ward will account for c.35% of the overall allocation for RTW. We consider this unsustainable in terms of the available infrastructure (particularly primary healthcare), road network and the appropriate use of land in the case of the Ramslye Farm site. We support the development of the Brownfield sites in the ward but not the Ramslye Farm Green Belt site. The total allocation to the Broadwater ward is disproportionate (particularly when some wards are hardly affected at all) and inappropriate.</p> <p>We are grateful for the support we have received from the two Broadwater ward Councillors, most notably voting against the Local Plan at the December Council meeting.</p> <p>The Save Capel campaign has been successful in the removal of the Tudeley Village site and we applaud this preservation of the countryside. We however consider the Ramslye Farm site has suffered because it has not had the same resources to draw upon.</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.	<p>If you wish to participate at the examination hearings stage once it resumes, please outline why you consider this to be necessary:</p>
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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 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		Date	26/02/24
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