

TWLP Consultation on New Evidence Base Documents October 2024

PS 093-094 Gypsy, Travellers, and Travelling Show People.

Capel Parish Council supports the comments made by Save Capel in its representation to this consultation.

PS 095 Revised wording for STR/SS1

1. Capel Parish Council still consider the housing numbers proposed for the parcels A (770) and B (520) to be excessive considering the flood threat that confines residential building to Flood Zone 1. The housing in B will be on a series of islands as a result. These numbers will also place an unacceptable burden on the highway infrastructure in the parish of Capel, which apart from the A228 is not referred to in the SLP. Considering these issues, we suggest that the exceptional circumstances test for the removal of this site from the MGB has not been met. The Plan also continues to neglect the needs of the rest of Capel Parish not included within the STR/SS1, and the policy STR/CA1 should be modified to cater for the needs of existing residents [see Para 10 below].
2. Para 16 p. 9 It is Five Oak Green (not Five Oaks!).
3. Para 16 p.8-9 the speed and volume of traffic through Five Oak Green is the single most important issue to parish residents. It has already been exacerbated by the current build of housing estates in Badsell Road and further afield in Paddock Wood for which no 106 provisions for the parish was made at the time of the permissions (2017). The Parish Council has tried to work with KCC through the Highway Improvement Plan HIP and in 2018 put forward a traffic calming scheme of its own. KCC have not accepted this nor produced a solution for a much needed pedestrian crossing arguing that speeds are too fast on this 'arterial' route. In the spring of 2024 CPC installed a Speed Indicator Device (SID) which is moved between three locations approved by KCC Highways along the B2017. (The expected SID battery life between charging is 30 days, but the volume of traffic meant it only lasted between 11 and 13 days, which goes a long way to demonstrate the existing volume of traffic along the B2017 exceeds that anticipated by KCC Highways).
4. The data readings were:

Date (most recent figures for each)	Count taken at:	Direction of travel	Vehicle count	% exceeding speed limit
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20/5/24 3/6/24	-	Falmouth Place (eastern end of Five Oak Green)	Westbound (entering FOG)	53 382	43.8
12/8/24 28/8/24	-	Opposite Capel Primary School (west end of FOG)	Eastbound (entering FOG)	50,131	50.9
28/8/24 9/9/24	-	Larkfield centre of FOG	Eastbound	43,085	22.9

5. Monitor and Manage clearly has not worked on the B2017 thus far and there is no reason it will be different in the future especially given KCC's financial constraints and their reluctance to permit more than one scheme from the HIP each year which Capel Parish Council with its limited precept is expected to pay for.
6. **There should be financial contributions for traffic management and speed amelioration schemes in the short and medium term for the B2017 from Badsell Road to the Somerhill roundabout.** This is referred to on p.26 of the Final Infrastructure Delivery Plan – so should be subject to 106 contributions. Our previous submissions have referred to the increasing length of the queue westward through Tudeley towards the Somerhill roundabout in the morning rush hour. Housing on STR/SS1 will only exacerbate this and there is no provision for mitigation.
7. **Planned works to the two junctions on the B2017 between the A228 and the B2160 should be carried out before first occupation.** This work has previously been scheduled by KCC and is even more clearly necessary if housing in STR/SS1 is to be built.
8. **We are also concerned that there is no provision for a safe crossing of the A228 at Whetsted should the housing in Parcel A be built.** Whetsted was one settlement before being split by the new road in the 1980's and new and existing residents may well want to cross what is a fast and dangerous road for pedestrians and cyclists. The safest and most effective way would be by a new bridge across the road. This would be essential to access local walking and cycling routes as well as Five Oak Green, which would be closer for many residents than the centre of Paddock Wood.
9. Short/medium term financial contributions should also include **community facilities in Capel Parish (e.g. Village Hall; allotments)** omitted from STR/CA1, given the more than doubling of the parish's

population (959 homes) because of the 990-1026 residential dwellings proposed in east Capel. Capel Village Hall needs urgent refurbishment (which the Hall trustees cannot finance), the parish council faces taking an emergency loan from the DMO to cover the costs and those associated with keeping the preschool functioning while the work is conducted. This is the only community facility in Five Oak Green where most of the parish population live. (This need should also be referenced on p.93 of the Final Infrastructure Delivery Plan).

10. This would be in line with Policy C11 of the Capel Neighbourhood Plan made by TWBC on 2nd October 2024 following an 89.5% YES vote by Capel parishioners on 5th September 2024. This supports **development which would provide new or improve existing facilities** within the parish.
11. **The Strategy for Capel Parish (STR/CA1) needs to be rewritten in a Modification of the Plan** to reflect the above issues of highway and community provision. The present wording (excluding reference to the Limits of Built Development and the proposed new Strategic sites – now partially obsolete) is confined to the following:

“Provide compensatory improvements to the Green Belt, including measures to reduce flooding to particular areas of Five Oak Green; 5. Provide transport improvements, including on-line and off-line improvements to the A228, potential provision of the safeguarded A228 Colts Hill bypass, and a highway to bypass Five Oak Green; 6. Seek developer contributions, either in kind (normally land) and/or financial, from residential schemes to be used towards the provision of: a. primary education facilities, namely the expansion of Capel Primary School by one form of entry; b. open space, sports, and recreations facilities, including improvements to the football pitches [sic] at Five Oak Green Recreation Ground”

PS 096-097 Education

Capel Parish Council agree with the comments of Save Capel on this issue.

PS 098 Flooding and Flood Risk

Capel Parish Council endorse the comments made by Save Capel this issue. We would particularly like to draw the Inspector’s attention to the fact that the point where Tudeley Brook passes under the B2017 is the lowest point in the parish and prone to extensive flooding of the roadway and surrounding fields. The consequent need to move housing on to FZ1 in ‘islands’ in Parcel B does not make for connected communities and will require expensive drainage measures ideally including upstream storage. We are unsure how a sequential test conducted over the whole Borough could have concluded this was the best site for housing in a time of climate change.

PS 099-PS104 Highways modelling and mitigation

1. Capel Parish Council endorse the comments made by Save Capel and would point the Inspector to the comments of our shared transport consultant John Russell from Motion
2. We are particularly concerned about the impact of the proposed development on the Pembury Corridor junctions particularly Woodgate Corner and the A21 Dumbbell Roundabouts (as that will affect our residents the most) and would highlight Motion's view that the mitigations proposed are either unachievable or would give rise to serious safety concerns.¹
3. We also support the questioning of TWBC's assertion that they can provide a 10% modal shift. There does not seem to be any meaningful evidence to support this. The lack of an adequate bus service from Paddock Wood via Pembury to Tunbridge Wells (and none from Five Oak Green) with no mechanism provided to improve this, and no offline provision for a cycle route, (meaning a highly dangerous and improbable journey along a section of the A228), means the council's case is unconvincing and unrealistic.

PS 105 Final Infrastructure delivery plan

1. 3.206 p.93 There needs to be a reference to Capel Village Hall where plans for a refurbishment/rebuild are in their initial stages.
2. 3.210 p.4 Delete "Additionally, it is considered that a new community hall should be provided as part of the proposed garden settlement at Tudeley Village." But include reference to east Capel as well as Paddock Wood.
3. P.106 table 14 i) amend "Requires improvements to football pitches at Five Oak Green recreation ground" there is only one football pitch ii) insert column three Capel "need for new/refurbished community hall".
4. Delete reference to Tudeley village on table p.127.

PS 106 Viability Appraisal

CPC endorse the observations made by Save Capel.

PS107 Action Note 5 year land supply

No additional comment

PS 108 Action note from KCC Highways

No comment

PS 109 Revised Policy wording and supporting text:

- 4.57 Supporting text: **Delete** "The findings in respect of Tudeley Village set out above mean that..." **Start** sentence "In carrying out..."

1. [See para 2.4 to 2.18 TN03-TWBC further additional new transport evidence John Russell 29/9/24]

The above findings also relate to the reduced amount of development at east Capel Paddock Wood and might lead an observer to conclude the council favours future development in Tudeley as no other site has been named.

Comments agreed by Capel Parish Council at its meeting on 29/9/24 with agreed subsequent minor additions.