



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

**New Evidence Base Documents
Consultation Representation Form**

**Please use a separate sheet for each
representation**

Ref: (For official use only)
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Box 1: Name of the Local Plan Evidence Base Document to which this representation relates:	Document PS_097a Statement of Common Ground: TWBC/ KCC Education/ Persimmon Homes/ Redrow
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Completed forms must be received at our offices by **midnight on Wednesday 23rd October 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

PART A – CONTACT DETAILS

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		Jonathan
Last Name		Coulson
Job title (where relevant)		
Organisation (where relevant)	The Hadlow Estate	Turnberry Consulting Limited
Address Line 1		41-44 Maddox Street
Address Line 2		

Address Line 3		
Address Line 4		London
Postcode		W1S 2PD
Telephone number		
Email address (where relevant)		

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

Name or Organisation	The Hadlow Estate
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3.	To which part of the document listed in Box 1 above does this representation relate to?	
Chapter and (if applicable) sub heading	Chapter 3, Chapter 4 & Chapter 5	
Paragraph number or appendix		

4.	Do you consider the Evidence Base document on which you are commenting, makes the Borough Local Plan Submission Version (2020 – 2038) (please tick or cross as appropriate):				
4.1	Legally Compliant	Yes	X	No	
4.2	Sound	Yes		No	X

5.	<p>Please give details of why you consider the Borough Local Plan Submission Version (2020 – 2038) is not legally compliant or unsound. Please be as precise as possible.</p> <p>If you wish to support the legal compliance or soundness of the Local Plan, 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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We note the evidence presented in document PS_097a concerning the need for additional secondary school provision arising from the proposed strategic allocations at Paddock Wood. We further note that this is agreed between the parties to comprise a requirement for an additional 3FE capacity.

We also note the evidence presented in document PS_097a concerning the feasibility of the deliverability of an additional 3FE of capacity at Mascalls Academy within the boundary of the existing school site. We note that this is also agreed between the parties.

We understand that the capacity of Mascalls Academy to expand to accommodate 3FE of additional capacity is based upon the assumption that the Mascalls Academy current PAN is reduced to 8FE capacity. This reduction is subject to an ongoing statutory consultation process. Paragraph 5.8 confirms that:

“If LAT’s application to reduce their PAN is rejected the parties are agreeable to review the feasibility study to establish if Mascalls has the capacity to expand by 3FE from a 9FE baseline, effectively bringing the school to 12FE in total.”

As such, there remains some uncertainty concerning the deliverability of an extension to Mascalls Academy to support the reduced scale of growth proposed at Paddock Wood. However, it is acknowledged this comprises the preferred approach of all the parties.

No further evidence has been presented concerning the deliverability of a new 4FE secondary school at Paddock Wood, and there is no evidence concerning how the 1FE shortfall in funding will be made up, given the evidence confirms that the developments will only generate a need for 3FE capacity. Given this absence of evidence concerning the deliverability of a new 4FE secondary school at NW Paddock Wood, it is suggested that the safeguarding of land for a 4FE new secondary is removed from Policy STR/SS1 altogether. This requirement is not effective and thereby makes the policy unsound.

6.	<p>Please set out what modification(s) you consider necessary to make the Local Plan 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 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.</p> <p>The text box will automatically expand if necessary.</p>
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Policy SS/STR 1

Part (A) - North Western Parcel Requirements

Delete part vii)

~~Safeguarding of land for 4FE secondary school that has land available to expand to 6FE should it be required;~~

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>

8.	<p>If your representation is seeking a modification, do you consider it necessary to participate at the examination hearing session when it takes place? (please tick or cross as appropriate)</p>
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No, I do not wish to participate at the examination hearing session	
Yes, I wish to participate at the examination hearing session	X

9.	<p>If you wish to participate at the examination hearing when it takes place, please outline why you consider this to be necessary:</p>
<p>To explain in more detail how the proposed amendments to Policy SS/STR 1 will make the plan sound.</p>	

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 hearing session.

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	J Coulson	Date	23/10/24
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**Tunbridge Wells
Borough Local Plan (2020 – 2038)**

**New Evidence Base Documents
Consultation Representation Form**

**Please use a separate sheet for each
representation**

Ref:
(For official use only)

Box 1:	Document PS_109
Name of the Local Plan Evidence Base Document to which this representation relates:	Post Hearing Stage 3 - Revised wording for Policy STR 1 - The Development Strategy

Completed forms must be received at our offices by **midnight on Wednesday 23rd October 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/>

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	1. Personal Details	2. Agent Details (if applicable)
Title		
First Name		Jonathan
Last Name		Coulson
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Address Line 1		41-44 Maddox Street
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Address Line 3		
Address Line 4		London
Postcode		W1S 2PD
Telephone number		
Email address (where relevant)		

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

Name or Organisation	The Hadlow Estate
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3.	To which part of the document listed in Box 1 above does this representation relate to?	
Chapter and (if applicable) sub heading	Policy STR 1 - supporting text	
Paragraph number or appendix		

4.	Do you consider the Evidence Base document on which you are commenting, makes the Borough Local Plan Submission Version (2020 – 2038) (please tick or cross as appropriate):				
4.1	Legally Compliant	Yes	X	No	
4.2	Sound	Yes		No	X

5.	<p>Please give details of why you consider the Borough Local Plan Submission Version (2020 – 2038) is not legally compliant or unsound. Please be as precise as possible.</p> <p>If you wish to support the legal compliance or soundness of the Local Plan, 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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In line with the approach adopted by the Council in December 2023, it is noted that Document PS_109 continues to propose modifications to the Plan to remove Tudeley Garden Village from the Development Strategy. This notwithstanding, paragraph 4.54 advises the following:

“It is noted that the Inspector did not conclude that the proposal for a new settlement at Tudeley Village was inevitably unsound; rather, that due to a number of uncertainties the exceptional circumstances test had not been met.”

Within this context, the Estate notes the proposed modification to Policy STR1 to require an early and partial review of the Plan. The Estate acknowledges that this review must be undertaken in accordance with legal requirements, most notably the requirement to consider all ‘reasonable alternative’ ways of meeting unmet housing needs (and other development needs).

Defining the scope of Reasonable Alternatives – Option 1

The Council’s published evidence base, notably document PS_035, has confirmed that in the absence of Tudeley, there are no other better/preferable reasonable alternatives or other land available to meet TWBC’s identified housing needs.

The NPPF (September 2023) at paragraph 31 states: *“The preparation and review of all policies should be underpinned by relevant and up-to-date evidence.”* The Estate notes that much of the Council’s extensive evidence base has been recently prepared, with the key elements being produced following the publication of the Inspector’s initial findings. The Council’s evidence base is thereby extant and ‘up-to-date’ for the purpose of plan-making.

In the interests of expedience, specifically the need to complete the early partial review with 30 months, the Estate suggests that early review should therefore be restricted to the completion of any outstanding technical assessment of Tudeley Garden Village alongside consideration of any new sites that have not already been submitted or otherwise assessed through the preparation of the Local Plan.

The Estate thereby suggests that the Policy STR1 is modified as per Option 1 set out below, so that only New Sites are considered ‘reasonable alternatives’.

Defining the scope of Reasonable Alternatives – Option 2

If the Council is not minded to amend the Plan in accordance with Option 1, the modifications should provide greater clarity as to the definition of 'reasonable alternatives' in its approach to meeting unmet development needs.

The supporting text already provides strong guidance on the definition of 'reasonable alternatives' sites at paragraph 4.51:

*“Central to proposing a new settlement at Tudeley Village was that it is **reasonably close to Tonbridge, Paddock Wood and Royal Tunbridge Wells, would be of a size large enough to provide and support various facilities on the site, including retail, education, employment, health, and leisure, and capable of being planned in a coordinated, master-planned way, with a distinctive identity. Also, critically, it was located beyond the High Weald National Landscape area.**” (bold = our emphasis)*

The Estate therefore proposes an alternative modification to Policy STR1 as per Option 2 set out below to clearly define the scope of reasonable alternatives.

6.	<p>Please set out what modification(s) you consider necessary to make the Local Plan 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 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.</p> <p>The text box will automatically expand if necessary.</p>
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Option 1:

“Following adoption of the Local Plan, the Council will publish an update to its Local Development Scheme (LDS). This shall set out a timetable for a partial early review of the Local Plan, which shall commence within six months of adoption of the Local Plan. The LDS shall provide an indicative timescale for submission of an updated Local Plan for Examination, to take place no later than 30 months from commencement of the early review of the Local Plan. The Council shall then undertake the early review which shall include investigation of ways of meeting identified unmet housing needs until the end of the plan period (2038).

The early review shall be conducted with the objective of securing sustainable development to:

- (1) meeting the Council’s unmet objectively assessed housing need for the period post adoption of the Local Plan to the end of the plan period (2038), including unmet housing needs for Gypsy and Traveller and Travelling Show People, and*

(2) provide other requisite development (including such employment development as may be necessary) and supporting infrastructure to meet the needs of the population for the whole of the plan period and beyond.

The partial review will consider all reasonable alternative ways of meeting identified unmet housing needs. Given the timescales for the partial review process, reasonable alternatives will be defined with reference to the existing Local Plan evidence base and will not need to include site already assessed and rejected.

Option 2:

“Following adoption of the Local Plan, the Council will publish an update to its Local Development Scheme (LDS). This shall set out a timetable for a partial early review of the Local Plan, which shall commence within six months of adoption of the Local Plan. The LDS shall provide an indicative timescale for submission of an updated Local Plan for Examination, to take place no later than 30 months from commencement of the early review of the Local Plan. The Council shall then undertake the early review which shall include investigation of ways of meeting identified unmet housing needs until the end of the plan period (2038).

The early review shall be conducted with the objective of securing sustainable development to:

- Meeting the Council’s unmet objectively assessed housing need for the period post adoption of the Local Plan to the end of the plan period (2038), including unmet housing needs for Gypsy and Traveller and Travelling Show People, and
- Provide other requisite development (including such employment development as may be necessary) and supporting infrastructure to meet the needs of the population for the whole of the plan period and beyond.

The partial review will consider all reasonable alternative ways of meeting identified unmet housing needs. Reasonable alternatives will be defined with reference to the following criteria:

- Located beyond the High Weald National Landscape area;
- Reasonable proximity to Tonbridge, Paddock Wood and Royal Tunbridge Wells;

Alternatives which do not meet these criteria will not be considered reasonable.”

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>
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	<p>It is considered that defining the scope of reasonable alternative sites is entirely justified and sound, given that the requirement is for a <i>partial</i> rather than a <i>complete</i> review of the Plan: a <i>partial</i> review must necessarily sit within the established strategic framework of the Plan.</p> <p>Furthermore, it is considered that defining the scope of reasonable alternatives is necessary to make the plan effective and sound. Without defining the scope of reasonable alternative sites at this stage it is entirely likely that a fundamental review of the development strategy would need to be undertaken as part of the review process, removing any prospect that the review is completed within the required 30 months, and thereby resulting in a significant continued shortfall in housing.</p>
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8.	If your representation is seeking a modification, do you consider it necessary to participate at the examination hearing session when it takes place? (please tick or cross as appropriate)	
	No, I do not wish to participate at the examination hearing session	<input type="checkbox"/>
	Yes, I wish to participate at the examination hearing session	<input checked="" type="checkbox"/>

9.	If you wish to participate at the examination hearing when it takes place, please outline why you consider this to be necessary:	
	<p>To explain in more detail how these proposed modifications to Policy STR1 will make the Plan sound.</p>	

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Signature	J Coulson	Date	23/10/24
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