

# **Local Plan Regulation 19 representations in document order**

## **Comments on Section 5: Place Shaping Policies: Brenchley and Matfield**

# **Local Plan Regulation 19 representations in document order**

**Comments on Section 5: Place  
Shaping Policies: Brenchley and  
Matfield: Policy PSTR/BM 1: The  
Strategy for Brenchley and Matfield  
parish**

## Comment

Consultee	Ruth Baker [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] Tonbridge [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Ruth Baker [REDACTED]
Comment ID	PSLP_130
Response Date	12/05/21 12:03
Consultation Point	Policy PSTR/BM 1 The Strategy for Brenchley and Matfield parish ( <a href="#">View</a> )
Status	Processed
Submission Type	Other
Version	0.2
Data inputter to enter their initials here	KJ
Question 1	
Respondent's Name and/or Organisation	Mrs Ruth Baker
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

**Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.**

Paragraph No. 5.485

Policy AL/BM 2: Land at Maidstone Road

*[TWBC: this was marked as a representation on the above Policy, but has been duplicated under Policy PSTR/BM 1: The Strategy for Brenchley & Matfield parish as comments also refer to that Policy. See also Comment Number PSLP\_129 made on Policy AL/BM 2]*

**Question 4**

**Do you consider that the Local Plan:**

**Is legally compliant**

Don't know

**Is sound**

No

**Complies with the Duty to Cooperate**

Don't know

#### **Question 4a**

**If you consider that the Local Plan is not sound, please answer this question.**

**Do you consider that the Local Plan is not sound because:** . It is not effective

#### **Question 5**

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**Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.**

The Plan places a disproportionate amount of development in Matfield, which has only one shop, has lost its post office and already has a traffic problem through the village.

PSTR/BM 1

I want to question the policy of a fixed library building. There is an EXCELLENT MOBILE LIBRARY SERVICE which has served us through the pandemic (when in contrast the Paddock Wood library has been closed).

#### **Question 6**

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A survey of large gardens, suitable for windfall sites would help to find space as an alternative to blocks of houses with no gardens to speak of, as already built in Matfield.

#### **Question 7**

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**If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?**

Yes, I wish to participate in hearing session(s)

#### **Question 7a**

***Please note** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.*

**If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:**

As a former Borough Councillor, I am interested in the formal Inspector's hearing.

#### **Future Notifications**

**Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:**

Yes, I wish to be notified of future stages of the Local Plan

## Comment

Consultee	Mr G Ayers [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] Tonbridge [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Mr G Ayers [REDACTED]
Comment ID	PSLP_227
Response Date	19/05/21 12:00
Consultation Point	Policy PSTR/BM 1 The Strategy for Brenchley and Matfield parish ( <a href="#">View</a> )
Status	Processed
Submission Type	Other
Version	0.3
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Mr G Ayers
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

**Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.**

Policy STR 1 The Development Strategy

Policies PSTR/SS1, PSTR/SS3 & PSTR/BM1

**Question 4**

**Do you consider that the Local Plan:**

Is sound

No

#### Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

- . It is not effective
- . It is not justified

#### Question 5

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##### Section 5 – comments

The comments below focus on the integrity and how sound the Local Plan (LP) has been assembled, having regard to its overall deliverability. In affect, not necessarily questioning its constitute parts (although some of these inevitably come into question - notably the sheer scale of new housing projected without corresponding highways infrastructure improvements) but how sound the thinking has been applied to knitting these together to achieve the overall strategic outcome for the Borough? In so doing, this is not merely looking at the results at the very end of the Plan Period after some 15 years but critically :-

i) at the very dawn of implementation in 2022 and

ii) followed closely in the formative years of its implementation (circa 2022 - 2028) when in stark contrast, unparalleled numbers of new homes (Expected Completions within Plan Period table) are being planned and yet highway infrastructure, classified as 'critical' by TWBC themselves, necessary to unlock the housing development, is worryingly not implemented until beyond year 10 into the overall 15 year plan period ..... thereby leading to:-

- 1 increased volume of residents in the Borough which in turn multiples car usage exacerbating congestion, &
- 2 as a consequence, a reduction in air quality; &
- 3 a detrimental impact on the environment and residents well being in those parts of the Borough most effected during the transition phase.

Whilst recognising pressures and concerns by residents elsewhere in the Borough, the comments below focus on the impact locally to the Parish of Brenchley and Matfield even though many of the problems to be encountered arise outside of the immediate vicinity of the two villages.

There are three key areas to consider - housing, highway infrastructure and air quality. The thrust of the problem is that at no stage in the Local Plan, does it appear that deliverability has been baselined against existing conditions? For example, have the key highway routes to unlock the 'sustainable' housing developments been modelled against *origin & destination* traffic criteria to establish the extent of spare capacity on the **existing** highway network?

Further, to what extent has TWBC demonstrated how deliverable the Local Plan is under scrutiny? ..... particularly at the interplay between the sizeable local housing development along with the A21 and A228 infrastructure improvements required to unlock them?

It is evident sections of the LP have been 'reviewed' individually but less apparent is the extent to which TWBC has undertaken due diligence and executive scrutiny to the critical path weaving its way through spine of the Local Plan? Without a CPA (Critical Path Analysis) or simple bar chart, it is impossible to form a view as to how deliverable or robust the LP is in this sense? Not the minutiae or stand alone

subjects but the big bite sized bits of the Local Plan that have undeniable strategic links and dependencies with each other.

One of the tests for soundness within NPPF (National Planning Policy Framework) is whether the Local Plan is Justified, or not. To support this an acceptable LP should contain .... " ... *an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence.*"

I cannot claim to have read every section of the Local Plan but I am convinced that there is little to no evidence that supports the the LP is based upon proportionate evidence. Similarly, I have no feeling studying the LP, that the strategies adopted are underpinned by any number of various alternatives options. Surely if such alternative scenarios had been interrogated and contrasted in the LP, it would illustrate the current version as the preferred option.

Moving from generic commentary to specifics, my doubt to the soundness of the LP looks at the strategic interplay between the three subject groups below and the impact specifically on Brenchley and Matfield Parish (BAMP) along with nearby Paddock Wood:-

- . The order of magnitude increase in new housing for Paddock Wood, Capel Garden Village and BAMP, generating more traffic leading to congestion and lower air quality on 82160 running through Matfield; and
- . The impact of extra traffic through Matfield until such time as Highways England acquire ring fenced funding for the £1.5m in their 10 year capital programme to implement the enhanced A21 highway & roundabout modelling planned at Kipping Cross and Blue Boys; plus
- . The impact of extra traffic through Matfield (and surrounding village / rural areas) until such time in the future financial contributions from housing developers (via S106, CIL etc) achieve the £20 million necessary to fund the new A228 Colts Hill bypass works.

#### **Item**

#### **Hazard**

#### **Risk**

#### **Consequence**

Increased housing and number of residents at Capel Village, Paddock Wood and Matfield

Extra residential car journeys made by new residents within the Boroughs hotspots and extra HGV's continuing to use B2160 & avoid the dedicated HGV A228 route to join A21

1) additional vehicle trips heading to & from A21 Kipping Cross

2) HGV's continuing to avoid designated HGV route up A228 Colts Hill due to congestion at and poor junction configuration to join the A21

1) Vehicular congestion backing up from Kipping Cross into Matfield village, especially during summer and peak times of the day

2) Additional vehicle traffic and HGV's using B2160 through Matfield village

3) lowering of air quality 4) lowering of residents wellbeing, health and increased journey times.

For the first 6 years, the Boroughs' housing projections (Expected Completions Within Plan Period - Housing Supply and Trajectory Topic Paper for the Pre-Submission) are at the highest level across the whole of the Plan Period to 2038. Yet, the highway infrastructure deemed critical (Infrastructure Delivery Plan) by TWBC themselves to address 1) existing baseline transport problems and 2) unlock the spatial needs for projected housing targets ..... " does not reach even the feasibility/ planning stage until at least year 10 of the 15 year programme (10 years for A21 and beyond year 10 for A228 Colts Hill bypass).Q - what happens to transport congestion, environment, air quality and residents health during the first 10 years of the Local Plan when this critical highway infrastructure is not available?

Q - do the contributions and improvements made in latter years exceed the detrimental impact upon residents wellbeing in the first 10 years?

Under Section 3:Vision and Objectives the following statements are made by TWBC :-

Vision - .... "general concerns about the infrastructure capacity ..... " ...



Vision and Strategic Objectives 1 - Vision .... " and supporting infrastructure will be **achieved over the plan period** (this claim reinforces a lack of deliverability during the plan period.) ..... " and under Local ambitions: for Paddock Wood ..... with timely infrastructure provision ....'

Vision and Strategic Objectives 2 - .... " To achieve the timely delivery of all forms of infrastructure that meets the needs of development... .. " .....

**How** and **when** the Local Plan assures residents these bold claims are supportable not clear, especially when housing is forging ahead in the early years and hard infrastructure doesn't emerge until 2/3rds of the plan period has passed.

## Question 6

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### Section 6 - Recommendations for update to Local Plan

Scale and rate of additional housing plus realisation of A21 and A228 highway improvements

#### **Recommendation 1 - Housing development**

- explore to what extent the volume of new housing developments between 2022 and 2028 can be skewed to later in the plan period until such time as A21 and A228 highway improvements are realised.
- Tailor housing development projections to meet existing A21 and A228 highway capacity until future improvements of A21 and A228 fully funded and implemented.

#### **Recommendation 2 - Traffic modelling**

- using traffic modelling against housing projections and locations, quantify the existing spare highway capacity available on A21 (Kipping Cross and Blue Boys) and A228 to establish if the extra generated journeys made by new residents (in formative LP years) are tenable, or not.
- enforce dedicated HGV routes to service new housing development sites
- Undertake HGV traffic study at junction of B2017 and A228 to establish why, as the KCC preferred HGV route, instead of continuing up Colts Hill A228, HGV lorries divert through Matfield along B2160 to join A21.

#### **Recommendation 3 - Highway Infrastructure**

- Notwithstanding LP safeguarding, explore alternative measures to secure gap funding (reference is made within the LP) A21 & A228 improvements in order to pull forward and thereby retain existing LP year housing projections in the early years 2021 - 2031.
- Ensure A264 Pembury junction **and** A228 Colts Hill bypass improvements are dealt with holistically as one overall highway improvement solution.
- Explore traffic calming technology and improved pedestrian safety in Brenchley and Matfield villages.

#### **Recommendation 4 - Air quality**

- adopt air quality monitoring points between 1) The Star and The Poet on B2160 Matfield, 2) A21 Kipping Cross and 3) Eldon Way and Rosemary PI B2160 at Paddock Wood.

#### **Recommendation 5 - National Planning Policy Framework**

- Along with any supporting evidence trail, highlight to what alternative scenarios have been considered in drafting the LP and methodology employed leading to the option selected in the current version of the Local Plan.

- . Demonstrate how TWBC have assessed the Local Plan as 'deliverable' , what they identify as tier 1 unavoidable adverse impacts to residents, businesses and visitors and the mitigation measures (or compensatory measures) to be adopted.

#### Question 7

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**If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?**

. No, I do not wish to participate in examination hearing session(s)

#### Future Notifications

**Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:**

Yes, I wish to be notified of future stages of the Local Plan

## Comment

Consultee	Rose Harrild [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] Brenchley [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Rose Harrild [REDACTED]
Comment ID	PSLP_313
Response Date	24/05/21 12:57
Consultation Point	Policy PSTR/BM 1 The Strategy for Brenchley and Matfield parish ( <a href="#">View</a> )
Status	Processed
Submission Type	Web
Version	0.4
Question 1	
Respondent's Name and/or Organisation	Rosemary Harrild
Question 3	
To which part of the Local Plan does this representation relate?	Paragraph(s)
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
PSTR/BM1	
PSTR/HOI	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	No
Is sound	No

#### Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because: . It is not consistent with national policy

#### Question 5

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Policy PSTR/ BM1 Brenchley and Matfield Overview

5.479 Not enough weight is given to the Parish being within the High Weald AONB. Although it states a little more than 75% is in the AONB it is not highlighted as being an extremely important consideration for any planning application or proposed development. It should be stressed much more strongly as a major constraint. It should be worded "more than 75% is within the AONB"

PSTR/HOI Strategy for Horsmonden

Land w. of Fernandez Drive and South of Brenchley

5.482 This is an undeveloped site in the countryside. It is grassed fields and there are no buildings on the site.

5.484 It is IMMEDIATELY adjacent to The High Weald AONB boundary and is also next to Sprivers - an historic park and garden which is open to the public (not closed as stated)

5.591 It is completely wrong to propose to develop this site with 80-100 houses and a new village hall.

#### Question 7

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If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . Yes, I wish to participate in hearing session(s)

#### Question 7a

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To press the case that Brenchley and Matfield parish are more than 75% AONB and development is generally undesirable and inappropriate.

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Yes, I wish to be notified of future stages of the Local Plan

# Supporting Information File Ref No: SI\_33a-d

## Comment

Agent	Mr M Hull [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Kember Loudon Williams
Address	[REDACTED] [REDACTED] ROYAL TUNBRIDGE WELLS [REDACTED]
Consultee	Mr and Mrs John & Sarah Garthwaite [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] TONBRIDGE [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Mr and Mrs John & Sarah Garthwaite [REDACTED]
Comment ID	PSLP_507
Response Date	27/05/21 11:39
Consultation Point	Policy PSTR/BM 1 The Strategy for Brenchley and Matfield parish ( <a href="#">View</a> )
Status	Processed
Submission Type	Email
Version	0.12
Files	<a href="#">PSLP_503, 507_KLW for Garthwaite_SI-1_Matfield Bio Net Gain.pdf</a> <a href="#">PSLP_507_KLW for Garthwaite_SI-3_Representation 2.pdf</a> <a href="#">PSLP_503, 507_KLW for Garthwaite_SI-2_Matfield Ecological Appraisal.pdf</a>
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Mr & Mrs Garthwaite
Question 2	

**Agent's Name and Organisation (if applicable)** Kember Loudon Williams Ltd

### Question 3

**To which part of the Local Plan does this representation relate?** Policy

### Question 3a

**Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.**

Policy PSTR/BM 1 The Strategy for Brenchley and Matfield parish

[TWBC: For further comments by K LW Ltd. on Policy STR 1 please see Comment Number PSLP\_503]

### Question 4

**Do you consider that the Local Plan:**

**Is legally compliant** No

**Is sound** No

**Complies with the Duty to Cooperate** No

### Question 4a

**If you consider that the Local Plan is not sound, please answer this question.**

**Do you consider that the Local Plan is not sound because:**

- . It is not effective
- . It is not consistent with national policy

### Question 5

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Objection to Policy PSTR/BM1. The Plan is not legally compliant because insufficient consideration has been given towards the meeting of housing needs in adjoining authority areas and delivering sufficient small sites to ensure the housing trajectory can be delivered. As such it has resulted in a Plan which is unsound and does not properly comply with the duty to cooperate.

As a result of the lack of housing allocations the Plan cannot be said to be effective or consistent with National Policy.

#### 1.0 History and Background

1.1 In the Draft Local Plan (Regulation 18) document, land at Matfield House was allocated for new housing under Policy AL/BM2. The policy anticipated a development of between 20-30 new dwellings and the criteria sought integration through pedestrian links with the wider village, access off Chestnut Lane and a proportion of affordable homes. The policy recognised the opportunities to undertake ecological enhancement to the undeveloped areas to the west of the housing site and the opportunity

for landscaping and amenity space. It was recognised that Matfield House was an important heritage asset but that the now unused orchard could be developed without any material effect. The site was deemed to be in sustainable location, close to the village and would comply with social, economic and environmental sustainability criteria of the NPPF.

1.2 Early Neighbourhood Plan meetings and round table design discussions also recognised the development potential of the site and the opportunities. In the draft Neighbourhood Plan of February 2020 the site was identified as one which was suitable for development (see Appendix 2 of that document).

1.3 In the Draft Local Plan (Regulation 19) document published on 26th March 2021, the Matfield House housing allocation is proposed to be removed in its entirety. In correspondence with Stephen Baughen Head of Planning, the key reasons for this change were identified below:

*“As background to the decision which has been made to not include Matfield House (orchards and land) as a site allocation in the Tunbridge Wells Borough Council (TWBC) Pre-Submission Local Plan: - Concern was raised by the High Weald Area of Outstanding Natural Beauty (AONB) Unit at the Regulation 18 TWBC Draft Local Plan consultation stage relating to notable or priority grassland habitats on sites proposed to be allocated within the AONB. In response to this the Council commissioned a grassland survey of all sites with significant areas of grassland within the AONB. This survey was conducted during August 2020 and the report finalised in the autumn. - The report indicated that there were no grassland priority habitats on the proposed allocated sites but land at Matfield House might meet the criteria to be considered a priority habitat as Old Orchard. - The council then commissioned Kent Wildlife Trust (KWT) to undertake an assessment of the site against the criteria for ‘Old Orchard’. The priority habitat was confirmed by this report and the possibility of the allocation was discussed with KWT about whether to take the allocation forward. At the end of October KWT concluded in discussions that they could not support the proposed allocation. - Priority habitats receive a high level of protection through the National Planning Policy Framework NPPF)*

(see web link)

*and through the Local Plan, and there would be a very strong policy objection to any loss. It was therefore concluded to not include this site as an allocation in the TWBC Pre-Submission Local Plan.”*

1.4 Following this, the landowner has engaged Grass Roots Ecology to test the reasons given for removing the site. The conclusions are noted below and in the accompanying reports. It is noted that Grass Roots Ecology adopted the same criteria as used by the Kent Wildlife Trust, however, the Kent Wildlife Trust make some slightly favourable conclusions as to the condition of the orchard. However, the existence of bramble and also undesirable species such as dock would suggest it is of moderate condition. 1.5 The grassland survey (provided by Greenspace Ecological Solutions for the Council) is generally in line with the conclusions drawn in the ecological appraisal report prepared by the landowner's ecologist, categorising the grassland as semi-improved neutral grassland of moderate to low botanical interest. The orchard therefore does not meet local wildlife site criteria with reference to the surveys that have been carried out as it lacks notable grassland, lichen, bryophyte, and invertebrate assemblages. Consequently, this site cannot be identified as priority grassland habitat or a Local Wildlife Site. There are no trees present which support bryophytes / lichen flora or support other features of substantive nature conservation value, such as unimproved grassland or wide hedges. In this context there are no inherent ecological reasons why the site should not be allocated for housing since its moderate quality and priority habitat can be off set with the net gain that is achievable. The following sections will review these conclusions in more detail.

## **2.0 Ecology Results**

### **Habitats**

2.1 It is noted that the development of the site would require the loss of Traditional Orchard (0.55ha), neutral semi-improved grassland (0.36ha), and amenity grassland (0.09ha). If proposed to be allocated, all hedgerows at the site would be retained.

2.2 Although the traditional orchard at the site qualifies as a NERC Act (2006) Habitat of Principal Importance (Maddock, 2011) when assessed against the Condition Assessment Criteria in the orchard is assessed at ‘moderate’ condition. The Bryophyte and Lichen surveys at the site demonstrate that important assemblages of these species are not present. In addition to this, the grassland at the site is only of neutral semi-improved quality, with the presence of injurious weeds and scattered bramble /scrub. It is therefore considered that the traditional orchard habitat at the site is of moderate condition



and does not meet Local Wildlife Site criteria. It is also noted that the grassland is not of sufficient quality to warrant protection for environmental reasons. As noted in the accompanying reports, the mitigation includes a 10% net bio-diversity gain and a more than 50% gain in Traditional Orchard. The reinstatement of the allocation would therefore deliver a material benefit. In relation to other fauna, there are none which would prevent the allocation from being reinstated:

**Badger** 2.3 No badger setts were observed during the survey, although what appears to be movement pathways to the northwest exist and indicate foraging. These should be retained and habitat enhanced.

#### Bats

2.4 No trees with bat roosting suitability are present at the Development Site. The activity surveys revealed the presence of foraging and commuting bats of at least eight species and mitigation through enhanced planting corridors is suggested.

#### Birds

2.5 During the breeding bird surveys a total of eighteen species of bird were recorded, of which three were BoCC 4 Red listed birds and listed in the Kent red data book: House sparrow, starling, and song thrush. House sparrow and Starling were recorded as probably breeders on site, and song thrush as possible breeder on site. One Kent Biodiversity Action Plan species was recorded on Site, dunnoek, recorded as a possible breeder. Mitigation in the form of retention of boundary hedgerows and trees is necessary together with enhanced foraging opportunities.

#### Great Crested Newt GCN

2.6 No GCN were recorded during the surveys.

#### Hazel Dormouse

2.7 No dormice were recorded within the Site Boundary. Dormice were only recorded in the hedgerows on the land under applicant ownership to the west of the site, within the west and north site boundaries at a distance of 145m west and 171m north west from the development site boundary. The hedgerow connections between these locations and the site are generally gappy and poor and the orchard trees are generally spaced wide apart with open crowns offering suboptimal habitat for dormice. It is therefore considered that impacts to hazel dormouse are unlikely to occur.

#### Invertebrates

2.8 The invertebrate surveys found five nationally scarce invertebrate species and one invertebrate Species of Principal Importance in England under Section 41 of the Natural Environment and Rural Communities (NERC) Act 2006 (formerly UK BAP). However, these were all recorded within the land to the west of the Development Site where impacts will not occur. The orchard trees didn't yield any of the scarce associated species. The orchard trees failed to support a notable invertebrate assemblage. The grassland is not species rich which is reflected in the limited number of phytophagous species present. This supports the 'moderate' classification.

#### Reptiles

2.9 Common lizard and grass snake were recorded on site during the reptile surveys. The proposed allocation would require the translocation to suitable receptor areas.

### **3.0 Suitability of the site and Need**

#### Previous Allocation

3.1 In the Regulation 18 draft Local Plan, the site was allocated for between 20 and 30 new dwellings under Policy AL/BM2. In doing so the Council accepted that the site was in a sustainable location being located adjacent to the northern edge of the settlement of Matfield. Access was proposed off Chestnut Lane and this was supported by the Highway Authority, who reviewed all potential housing allocations. Neither the Council nor the applicant disagreed that the site could deliver the required affordable housing, mix of units and sufficient integration to secure pedestrian links to the centre of the village to the south. The land owner had discussions with Town and Country, who are the affordable housing provider which operate Marchants (adjacent and to the east of the site) to consider a pedestrian access through their land but in any event land ownership allowed access to the south between a residential cottage and sub station. It was noted that the site was close to Matfield House, a Grade 1 Listed Building, but since the site was related to land beyond its curtilage, redundant orchards and outside the conservation area, the effect on heritage assets was considered limited.

## Regulation 19 Plan

3.2 The site was removed as an allocation when the Regulation 19 Plan was published. The reason given was very specific and related to the points noted in paragraph 1.3 above. However, the ecological reasoning for removing the allocation have been overcome by the submissions made here. Consequently, and based upon the evidence below, it is considered that site AL/BM2 of the Regulation 18 Local Plan should be reinstated as a housing allocation.

### AONB and Conservation Area

3.3 In allocating the site under Policy AL/BM2 of the Regulation 18 Plan the Council accepted that the site would not impact unduly upon the AONB and that housing need justified the site. The removal of the site was undertaken as a reaction to the perceived grassland priority habitat. However, given the various surveys of this site it is considered that this is not now an issue and that the site can be reinstated. NPPF allows sites to be developed within the AONB where they meet certain criteria and the Council deemed these criteria to be met when they published the Regulation 18 draft Plan. In a similar fashion, the Council considered the effect of the Regulation 18 allocation on the nearby Conservation Area, the site is beyond the Conservation Area boundary and throughout the process the Council and landowner have agreed to preserve the integrity of the Conservation Area, despite initial proposals by the Parish Council neighbourhood Plan working group to see a larger site included within the Conservation Area. The proposed allocation retains the important views of the conservation area from the north including of Matfield House and the cupola of the clock tower.

### Bio-diversity Enhancement and Loss of Orchard

3.4 In the net bio-diversity gain document, the landowner's ecologist has put together a series of mitigation and assessments which demonstrate that in reinstating the allocated site, a far greater benefit to bio-diversity can be delivered. A net gain of 10% gain can be achieved across the board and there can be a net gain in Traditional Orchard area of over 50% with enhancements to move it from 'moderate' to 'good'. If the allocation is not reinstated, then the ecological value of the site will continue to deteriorate as trees continue to die and eventually the traditional orchard will be lost.

3.5 We note that the Council has been comfortable in allocating strategic sites which also include sensitive habitat. Draft Policy STR/SS 1 – Paddock Wood and East Capel. In the master plan extract from Map 28 below, employment provision is directly proposed on Traditional Orchard as noted in the Tunbridge Wells Biodiversity Evidence base 2019 – see images:

*[TWBC: For extract images please see full representation attached as a supporting document]*

3.6 The orange areas denote Traditional Orchard. Swatland Farm is also noted as employment yet includes Traditional Orchard. In the context of the supply of Traditional Orchard, the table below clearly notes that such designations are the second most prolific in hectareage within the Borough, after deciduous woodland and setting aside river headwaters, which are materially different. The proposals only result in 0.55ha of traditional orchard lost which is 0.17% of the total habitat notwithstanding the bio net gain that is achievable on the promoted site. In view of the clear net biodiversity gain the reinstatement of the allocation would bring to this very small remnant orchard (in particular the enhancement of remaining orchard at the site) we feel that the allocation is warranted.

*[TWBC: For table please see full representation attached as a supporting document]*

## 4.0 Conclusions

4.1 The site was allocated under Policy AL/BM2 of the Regulation 18 Plan and was considered suitable, deliverable and achievable. Discussions with the Local Authority made significant headway in securing interest from an affordable housing provider and in securing pedestrian integration with the surrounding village.

4.2 The site was deemed to be sustainable and would help the village grow in a proportionate and sustainable manner.

4.3 The housing need situation in the area is complicated by the recent failings of two Local Authority development Plans and potentially the failure of the Tonbridge and Malling Plan (see other representations). In practice, these authorities form part of the same housing market area. Housing delivery in Tunbridge wells should seek to address more than the 1,000 buffer identified (see other representations). It is not to say that Tunbridge Wells should secure all the unmet need but a greater

proportion. This is especially warranted given the removal of sites from the Regulation 18 Plan, where such sites have been demonstrated to be acceptable.

4.4 Since this site is suitable from an environmental, social and economic perspective, we would seek the Inspector's support for further housing allocations and this site in particular.

## Question 6

**Please note:** In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

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Modify STR9PSTR/BM1, inset map 20 and 21, to include the site previously identified as AL/BM2 of the Regulation 18 Plan as a housing allocation for 20-30 dwellings and to lift the requirement for Brenchley and Matfield to 66-90 new dwellings.

## Question 7

**Please note** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

**If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?** . Yes, I wish to participate in hearing session(s)

## Question 7a

**Please note** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

**If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:**

Should housing numbers be required to be increased, the landowner reserves the right to be present to discuss alternate sites.

**If you would like to attach a file in support of your comments, please upload it here.** [PSLP 503, 507 K LW for Garthwaite SI-1 Matfield Bio Net Gain.pdf](#)

**If you would like to attach a file in support of your comments, please upload it here.** [PSLP 503, 507 K LW for Garthwaite SI-2 Matfield Ecological Appraisal.pdf](#)

**If you would like to attach a file in support of your comments, please upload it here.** [PSLP 507 K LW for Garthwaite SI-3 Representation 2.pdf](#)

## Future Notifications

**Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:**

Yes, I wish to be notified of future stages of the Local Plan

## Comment

Consultee	Julie Davies [REDACTED]
Email Address	[REDACTED]
Company / Organisation	CPRE Kent
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	CPRE Kent [REDACTED]
Comment ID	PSLP_552
Response Date	28/05/21 11:02
Consultation Point	Policy PSTR/BM 1 The Strategy for Brenchley and Matfield parish ( <a href="#">View</a> )
Status	Processed
Submission Type	Web
Version	0.1
Question 1	
Respondent's Name and/or Organisation	CPRE Kent
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
PSTR/BM1	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes
Is sound	No

Complies with the Duty to Cooperate

Don't know

#### Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because: . It is not consistent with national policy

#### Question 5

**Please note:** In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

**Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.**

CPRE Kent objects to the allocation of site AL/BM1 as a major site within the AONB. However, both outline and reserved matters permissions have unfortunately now been granted on this site and construction appears to have started. We therefore have to accept that this allocation has been pre-determined.

AL/BM2 is a less prominent site close to the village centre which will also provide community benefits in the form of additional parking for the village hall and a fully equipped children's play space. We recognise that the site contains some mature trees and hedgerows that should be preserved and is very close to the conservation area. However, even taking those factors into account, the proposed housing density is relatively low and 11-15 dwellings do not appear to make efficient use of this area of AONB Grade 2 agricultural land. Therefore while we accept the allocation of this site, we recommend that the housing density should be increased in order to reduce the need to sacrifice AONB greenfield land elsewhere and to provide more of the smaller dwellings that are the most needed in the parish.

Please also refer to our responses to STR1, STR2 and H2.

We strongly support the Council's decision not to allocate the two other major sites in the AONB in Matfield that had been proposed for allocation in the Reg 18 draft. We also agree with the Council that the other sites that have not been selected for allocation are either unsuitable for development or unlikely to provide sufficient dwellings to qualify for allocation.

#### Question 6

**Please note:** In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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**Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each 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.**

Increase the number of dwellings to be provided on AL/BM2.

#### Question 7

**Please note** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

**If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?** . Yes, I wish to participate in hearing session(s)

#### **Question 7a**

**Please note** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

**If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:**

To discuss whether the density can be increased on AL/BM2. Also to participate in discussions if the hearing is to consider any sites within this parish that have not been selected for allocation.

#### **Question 8**

**If you have any separate comments you wish to make on the accompanying Sustainability Appraisal, please make them here.**

We question the scores given for education, given that there is no primary school within safe active travel distance.

We agree with the Council that the sites that have not been selected for allocation are either unsuitable for development or unlikely provide sufficient dwellings to qualify for allocation.

## Comment

Consultee	Mr and Mrs Jonathan & Nicola Marriott [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] TONBRIDGE [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Mr and Mrs Jonathan & Nicola Marriott [REDACTED]
Comment ID	PSLP_870
Response Date	01/06/21 16:59
Consultation Point	Policy PSTR/BM 1 The Strategy for Brenchley and Matfield parish ( <a href="#">View</a> )
Status	Processed
Submission Type	Email
Version	0.3
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Jonathan & Nicola Marriott
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

**Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.**

Policy PSTR/BM 1 The Strategy for Brenchley and Matfield parish

Paragraph No(s) 5.479 & 5.508

**Question 4**

**Do you consider that the Local Plan:**



Don't know

No

Don't know

**If you consider that the Local Plan is not sound, please answer this question.**

### Question 5

*After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.*

- 1 There should be no further development in Matfield. Within the last five years, planning consent has been granted for twenty dwellings (17/01142), three detached houses (18/02627) and, on AL/BM1, forty five dwellings. This represents nearly seventy dwellings, all at the north end of the village of Matfield, all within the AONB. This is a very substantial increase in the number of dwellings in Matfield, despite the fact that the Sustainability Appraisal states that, "Matfield (where all development is proposed) lacks many facilities and services, thus making the housing less suitable for the elderly or disabled." The suggestion is that "travel to Paddock Wood is more convenient from Matfield and thus there is an advantage in this proposed pattern of growth." This approach means that the traffic flow to and from Paddock Wood is increased as is the traffic flow to those places where services and facilities exist such as Brenchley village. Bus services between the villages and Paddock Wood are poor so most journeys will be made by private car. Maidstone Road and Brenchley Road are already busy and unsuitable for any but the most experienced cyclists. On that basis, it is better to build any additional housing at the central hubs, which have the necessary infrastructure, and employment opportunities, to minimise car journeys and to preserve the AONB. An additional 11-15 houses would make very little difference in Paddock Wood, which is scheduled to receive thousands of new homes, with supporting infrastructure and which is outside the AONB. We submit that any further development in Matfield is unjustified and that the PSLP is not sound in this respect.
- 2 A recent report by the CPRE, reported in The Times, 22.04.2021, states the development of green field sites in the AONBs has increased from an average of 128 acres per year for the five years to 2017 to an average of 294 acres per year for each year since that date. The High Weald AONB has seen the greatest amount of development, 932 homes having been approved since 2017. Much of this has been executive housing with only 16% being affordable. There is a real need to protect the AONB from inappropriate development and to ensure that what is built serves a local housing need.
- 3 The National Planning Policy Framework (NPPF) paragraph 115 requires that, in any decision, "great weight should be given to conserving landscape and scenic beauty in AONBs. This applies not only to developments proposed within an AONB but, if proposed, in its setting such that the AONB would be affected." The development already consented has completely changed, or will change, the character of the northern end of Matfield. AL/BM1 was originally considered to be an important part of the open character of the village. This will now be densely built upon, in

cul de sac design, contrary to the design recommendations of the High Weald AONB Management Team. The Landscape and Biodiversity Officer, commenting on the planning application for 45 homes on AL/BM1 (19/01099), said that this would constitute “a permanent change in settlement pattern” that would have “at least major adverse effect” “in the short and medium term” “although (that effect) *may* reduce in the longer term”. This must not be allowed to happen to any other part of the village. We submit that further development will be contrary to national planning policy and that damage has already been done.

- 4 Whilst any of the developments proposed or already carried out might, in themselves, constitute only “minor development”, the combination of several sites amounts to major development and affects the village and the AONB holistically. Major development in the AONB is not permitted, except in exceptional circumstances, under the terms of the NPPF. There are no such circumstances at play here so further development is again contrary to national policy.
- 5 Part of the charm and character of Matfield is that it is a very spread out, rural village. The southern approach to the village from the A21 is peppered with old houses, scattered randomly along the B2160, generally well spaced out. The Village Hall, built in the mid 1990s is in the style of a barn and is well set back behind a screen of trees and hedges, care being taken to preserve the character of the area. It is through this rural uncluttered scene that the road approaches the wide open space of Matfield village green, surrounded by a mix of old houses, all set back from the road. Any plans to develop to the south of the village would change the open rural character of the approach to the village and the village itself, which is in sharp contrast to Brenchley village where the village centre is tightly grouped around All Saints church. The contrast of the style of two villages so close together is one of the attractions of this area. The proposal to allow development on AL/BM2 close to the village hall would adversely affect the character of this AONB village and its southern approach. It will be difficult to preserve much of the hedgerow fronting the Maidstone Road because of the bend in the road, which will necessitate wide sight lines. The impact of this can be seen at Standings Close (consent number 17/01142) where the original hedge has been damaged or destroyed so that the housing is plainly visible, impinging on the first view of the listed building housing The Poet restaurant. Thus, allowing further development would be contrary to the principles of the NPPF, regarding conserving landscape and scenic beauty in the AONB.
- 6 As previously stated, the village green is very open with several large old houses, including the Grade 1 listed Matfield House, set back around its edges. This Conservation Area (CA) should be protected against any further development that might impact on its setting.
- 7 The Strategy of the PSLP for the parish of Brenchley and Matfield states (para 1) that it will set built limits for the parish’s two main villages for the Plan period to 2038. In the original draft Local Plan, the built limits for Matfield to the south west of the CA were retained. This was in order that potential further development of the site now known as AL/ BM2 would be constrained due to its proximity to the CA and its position within the High Weald AONB. The PSLP has changed this so that only the landscape buffers to the south are outside the LBD. We submit that the revised proposal is unsound. The original provision better serves the protection and enhancement of the AONB and that the entire site should remain outside the LBD.
- 8 The PSLP has allocated only one further site AL/BM2, within the Parish, AL/BM1 having already received consent. In view of the foregoing we consider that it is unnecessary and inappropriate for this to be included in the site allocation. However, in the event that the site is allocated for housing within the PSLP, we would ask the following:-
  - I. the number of dwellings allocated does not exceed 11 to minimise any adverse impact on the AONB and the CA. The dwellings should be built on the land to the south of the Village Hall so that the open rural aspect is retained adjoining the CA;
  - II. the LBD are retained as at present so that the site is excluded from them, to maximise the control of further inappropriate development within the AONB, adjacent to the CA;
  - III. Landscape buffering is extended along the western boundary of the site to protect the historic Court Farm House and views towards the site from the High Weald Landscape Trail, which runs along the footpath that is parallel to the western boundary;
  - IV. any sight lines from the site onto Maidstone Road are kept to the minimum necessary to protect the character of the southern approach to the village and hedgerows should be reinstated after the development is complete;

V. careful consideration is given to the nature of any community use of the land coloured purple on the plan. Additional parking should be kept to a minimum to prevent a green site adjacent to the CA being concreted over. Preference should be given to uses that preserve the character of the land;

VI. Provision for parking within the development site should not include parking parallel with Maidstone Road to avoid “suburbanising” the area and detracting from the character;

VII. any development should include a proportion of affordable housing and smaller units suitable for first time buyers and “downsizers”;

VIII. public transport should be improved to serve the needs of any older people who do purchase units within the development and who no longer drive so that they can readily access the facilities in the adjoining settlements;

IX. consideration should be given to the environmental implications of development. The entire site has become a haven for wildlife, particularly within the wooded areas, including badgers and dormice and many species of birds. The site also falls within the water catchment area.

## Question 6

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To make the Local Plan sound, Strategy PSTR/BM should be modified by removing the allocation of AL/BM2 and by not permitting any further allocations within Matfield in this plan period except for brownfield allocations. This is in order to protect the AONB, protect the character of Matfield and to ensure that all development is sustainable. If the development of that site is permitted then all precautions should be taken to protect the CA and the AONB, to preserve the character of the village and to ensure the necessary supporting infrastructure is in place, including public transport and medical facilities that are within easy reach of the village to minimise journeys by private car. The Limits to Built Development should remain as they are around the CA to prevent inappropriate development.

## Question 7

**Please note** *the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.*

**If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?**

No, I do not wish to participate in examination hearing session(s)

## Question 8

**If you have any separate comments you wish to make on the accompanying Sustainability Appraisal, please make them here.**

It is noted that, under Table 59 and the accompanying Commentary, regarding Brenchley and Matfield, “sites in Brenchley were rejected for allocation due to landscape, biodiversity and/or setting concerns for example sites 215 and LS\_7”. We do not disagree that substantial development would impact on Brenchley’s landscape, but why were the same considerations not afforded to Matfield? As previously

stated, Matfield's character is defined by its open rural nature, in contrast to Brenchley. The Borough's Landscape and Biodiversity Officer has previously commented on this in connection with other proposed developments (19/01099 Consent for AL/BM1) where he refers to "the loose-knit character of Matfield and the immediate context of loose ribbon development are significant factors." That particular consent will impact hugely on the northern end of the village, which will become one block of dense housing. Matfield has no doctors (the proposed new surgery will be in Horsmonden, beyond Brenchley); there are few employment opportunities within the village; there is just one shop in the village (a speciality butchers) and there is a poor bus service. It is considered a less sustainable site but its connections to other centres, including Brenchley, are considered favourable. This will increase the traffic flows to adjoining villages, and, realistically, most journeys will be made by private car. Further development is not appropriate in terms of sustainability. For the sake of between 11 and 15 houses, these would be better placed in Paddock Wood or even Tunbridge Wells and there should certainly be no further site allocations.

### **Future Notifications**

**Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:**

<input type="checkbox"/> Yes, I wish to be notified of future stages of the Local Plan
--

# Supporting Information File Ref No: SI\_50

## Comment

Consultee	Mr John Barsley [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Matfield Village Hall Management Committee
Address	[REDACTED] [REDACTED] Matfield [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Matfield Village Hall Management Committee [REDACTED] [REDACTED]
Comment ID	PSLP_874
Response Date	01/06/21 16:41
Consultation Point	Policy PSTR/BM 1 The Strategy for Brenchley and Matfield parish ( <a href="#">View</a> )
Status	Processed
Submission Type	Email
Version	0.2
Files	<a href="#">PSLP_874_Matfield_Village_Hall_Management_Committee_SI.pdf</a>
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Matfield Village Hall Management Committee
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy PSTR/BM 1 The Strategy for Brenchley and Matfield parish  
Paragraph No(s) 5.479-5.508

#### Question 4

Do you consider that the Local Plan:

Is legally compliant	No
Is sound	Don't know
Complies with the Duty to Cooperate	Don't know

#### Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

. It is not effective
. It is not justified

#### Question 5

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**Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.**

#### **Representations by Matfield Village Hall Committee in respect of Tunbridge Wells Borough Council's Pre-Submission Local Plan (PSLP)**

The Committee of Matfield Village Hall (MVHC) considers that the PSLP is not sound with regard to PSTR/BM1 or AL/BM2 in that the views of MVHC were not specifically sought on the PSLP, or on the previous Draft Plan, or with regard to the allocation of adjacent land for development (now AL/BM2). This is despite the Village Hall being a community hub within the Parish of Brenchley and Matfield. MVHC made comments on the Draft Local Plan but did not have the opportunity to make its wishes and requirements known through consultation. MVHC is therefore of the view that the PLP is not positively prepared in that it did not take account of MVHC's views and that the allocation of the purple land for parking is not justified or effective and that better use can be made of this for community purposes. MVHC now makes the following representations:-

1) MVHC is prepared to accept, in principle, the allocated number of houses for this site, being 11-15 units, but would object to any increase in this number, because of the impact upon the Village Hall, upon the AONB and upon the adjoining Matfield Village Green Conservation Area. MVHC would have particular concerns about the security of the Hall and the possible use of the car park for overflow parking from the development. Parking for the Village Hall should be kept entirely separate from the development.

2) MVHC notes the provision of additional car parking on the land coloured purple and designated for "community use". Whilst MVHC previously made submissions that extra parking would be beneficial for the Hall, having reviewed the situation, the allocated area would be far in excess of that needed. Instead the majority of the land coloured purple should be used for community purposes outlined in paras (3) and (4) below. Some additional parking could be provided against the south wall of the Village Hall away from the "community use" land. An aspirational sketch, suggesting a possible layout for the land to the rear of the Village Hall, included in the purple land is attached.

3) A children's play area is considered essential for the village of Matfield and it is sensible for it to be sited near the community hub that is the Village Hall. The PSLP suggests that this could be sited on some of the landscape buffering land next to the Village Hall. MVHC suggests that this is sited on the land coloured purple, visible from the road (see sketch). It could be used in combination with an area of land, adjacent to the allocated site, behind the public lavatories. This land is in the ownership of Brenchley and Matfield Parish Council and was previously used as a small, preschool playground associated with the previous Village Hall. The provision of an adjacent area of land from within the allocated site would enable a proper play area for children of primary school age and younger to be created. A donation from the developer to equip it would be welcome.

It is envisaged that an allocation of approximately six to eight parking spaces could be made on land to the north of the Village Hall and should be sufficient to serve the playground. This would enable the rest of the Village Hall car park to be secured against random parking by installing chains across the car park to the island in the middle of the car park and then to the wall of the Village Hall.

4) MVHC request that the remainder of the land designated for community use should be made available to the Village Hall for use associated with the Hall such as receptions, outside exercise classes etc. This would be accessible from the rear of the Village Hall and would be a valuable addition to community use as well as providing landscape buffering for the Conservation Area and the adjoining AONB (see sketch).

5) Access to the land to the rear of the Village Hall should be for pedestrian use only apart from access for vehicles for mowing and maintenance purposes only. The Village Hall Committee objects to the laying of any roadway for general vehicle use as this would adversely affect the landscape buffering, which is crucial in the AONB, and visually impact upon the Matfield Green Conservation Area and the use of the land for community purposes.

6) MVHC would wish to see the imposition of speed controls along the B2160, Maidstone Road, outside the development and the Village Hall, particularly with the increase in traffic serving the proposed allocated site and the playground. The site is on a bend in the road and vehicles travel at speed heading north towards Paddock Wood with the result that the entrance and exit from the Village Hall can be dangerous. With a separate entrance to the site proposed, this will be even more dangerous.

It is accepted that speed humps, islands and chicanes are not appropriate but use could be made of speed cameras and signage. A pedestrian crossing, with appropriate warning signs, would also be welcome. This would be the case even if the site is not allocated for development.

*[TWBC: Sketch added as supporting document]*

## Question 6

**Please note:** *In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.*

*After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.*

**Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each 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.**

Please see above (5) with our Committees comments and proposed community use of the site. MHVC had not been consulted for such a major opportunity in our village

## Question 7

**Please note** *the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.*

**If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?**

No, I do not wish to participate in examination hearing session(s)

**Future Notifications**

**Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:**

Yes, I wish to be notified of future stages of the Local Plan



## Comment

Consultee	Mr Jeff Fenton [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] Tonbridge [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Mr Jeff Fenton [REDACTED]
Comment ID	PSLP_893
Response Date	01/06/21 13:16
Consultation Point	Policy PSTR/BM 1 The Strategy for Brenchley and Matfield parish ( <a href="#">View</a> )
Status	Processed
Submission Type	Email
Version	0.3
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Jeff Fenton
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

**Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.**

Policy PSTR/BM 1 The Strategy for Brenchley and Matfield parish

Paragraph Numbers: 5.494 and 5.5

*[TWBC: This representation has been input against Policies PSTR/BM 1 and AL/BM 1 - please see Comment Numbers PSLP\_893 and PSLP\_895]*

**Question 4**

**Do you consider that the Local Plan:**

**Is legally compliant**

Don't know

**Is sound**

No

**Complies with the Duty to Cooperate**

No

#### **Question 4a**

**If you consider that the Local Plan is not sound, please answer this question.**

**Do you consider that the Local Plan is not sound because:**

- . It is not positively prepared
- . It is not effective
- . It is not justified
- . It is not consistent with national policy

#### **Question 5**

**Please note:** In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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**Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.**

This site at Coppers Lane/Maidstone Road Matfield is approx. 2.88 hectares. The number of dwellings approved by TWBC in a recent application is just 45, whereas if the standard 30 dwellings per hectare is used then there should be approx. 86 dwellings on this site. A similar site just across the main Maidstone road from this site achieved a very much greater number per hectare.

The alleged 40% affordable homes appears to be a very much exaggerated figure as the cost of these properties will be well above what any person on average or possibly medium salaries could ever afford.

#### **Question 6**

**Please note:** In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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**Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each 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.**

If we are to respect the need for improved numbers per hectare on all sites as large as this one, TWBC needs to explain why that is not the case for this site? Compare this to All Saints Church at Tudeley, recognised as one of the most visited country churches in the UK with its Marc Chagall windows and surrounded by open countryside, yet on their doorstep they will have 2,800 houses and a view of a primary school. It really is disgraceful.

### Question 7

**Please note** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

**If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?** . Yes, I wish to participate in hearing session(s)

### Question 7a

**Please note** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

**If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:**

I think we deserve to see fairness in the system and this site does not respect a fair number of homes for the size of site.

### Future Notifications

**Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:** Yes, I wish to be notified of future stages of the Local Plan

## Comment

Consultee	Ms Alison Burchell [REDACTED]
Email Address	[REDACTED]
Company / Organisation	NHS Kent and Medway Clinical Commissioning Group
Address	[REDACTED] [REDACTED] Ashford [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	NHS Kent and Medway Clinical Commissioning Group [REDACTED]
Comment ID	PSLP_1570
Response Date	04/06/21 09:16
Consultation Point	Policy PSTR/BM 1 The Strategy for Brenchley and Matfield parish ( <a href="#">View</a> )
Status	Processed
Submission Type	Email
Version	0.3
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	NHS Kent and Medway Clinical Commissioning Group
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

**Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.**

Policy PSTR/BM 1 The Strategy for Brenchley and Matfield parish

Paragraph Number: 5.487

[TWBC: this representation has been input against Policies AL/RTW 8, AL/RTW 15, STR/CRS 1, AL/HA 5, STR/SS 3, PSTR/HO 1, PSTR/BM 1, STR/SS 1, PSTR/GO 1 and AL/HO 3– see Comment Numbers PSLP\_1550, PSLP\_1551, PSLP\_1552, PSLP\_1553, PSLP\_1556, PSLP\_1568 PSLP\_1570, PSLP\_1554, PSLP\_1559 and PSLP\_1569]

#### Question 4

Do you consider that the Local Plan:

Is legally compliant	Don't know
Is sound	Yes
Complies with the Duty to Cooperate	Yes

#### Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

#### Question 5

**Please note:** In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

**Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.**

I can confirm that the CCG has been engaged in the local plan development process in order to assess implications for primary medical care provision. The impacts are set out in the IDP and will be regularly reviewed and updated in line with the CCG's GP Estates Strategy. The following comments are provided on specific policies in relation to general practice provision for completeness.

#### **Brenchley and Matfield**

**5.487 The Howell Surgery provides main general medical service provision for the parish and has premises in Brenchley (main) and Horsmonden (branch). The existing premises do not have capacity to accommodate the estimated growth of registered patients within Brenchley and Matfield (and Horsmonden). To meet the increased demand identified, land has been identified and safeguarded for the provision of a new health centre/doctors surgery as part of the wider development of the site Land to the east of Horsmonden (at Horsmonden village; site allocation Policy AL/HO 3) as part of a wider development. This will serve the wider area, including the parish of Brenchley and Matfield.**

Comments (Horsmonden, Brenchley and Matfield): To clarify the delivery of services from a single site for the practice population has not been considered at this time. The CCG has highlighted that an allocation or safeguarding of land for a doctors practice in Horsmonden may be required to ensure delivery of required infrastructure in the future. It is however important to stress that a more detailed discussion and assessment is required in this area to define any future requirements; specifically noting that the majority of housing growth proposed in Horsmonden is expected in the latter part of the plan period.

The statement regarding safeguarding of land for a new health centre in Policy AL/HO3 is noted as an opportunity to inform the planning for primary medical care services in the area.

### Question 7

**Please note** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

**If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?**

No, I do not wish to participate in examination hearing session(s)

### Future Notifications

**Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:**

No, I do not wish to be notified of future stages of the Local Plan

# Supporting Information File Ref No: SI\_95a-c

## Comment

Agent	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Samson Space
Address	[REDACTED] Stratford London [REDACTED]
Consultee	Benjamin & Jonathon Bernstein [REDACTED]
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Benjamin & Jonathon Bernstein [REDACTED]
Comment ID	PSLP_1719
Response Date	03/06/21 15:32
Consultation Point	Policy PSTR/BM 1 The Strategy for Brenchley and Matfield parish ( <a href="#">View</a> )
Status	Processed
Submission Type	Email
Version	0.6
Files	<a href="#">PSLP_1719_Samson_Space_for_Bernstein_SI-3_1_Title_Deed_Gedges_Hill_Matfield_Tonbridge_TN12_7EA.pdf</a> <a href="#">PSLP_1719_Samson_Space_for_Bernstein_SI-2_Site_Location_digimap.pdf</a> <a href="#">PSLP_1719_Samson_Space_for_Bernstein_SI-1_Consultation_Statement.pdf</a>
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Benjamin & Jonathon Bernstein
Question 2	
Agent's Name and Organisation (if applicable)	Samson Space

### Question 3

To which part of the Local Plan does this representation relate? Policy

### Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy PSTR/BM 1 The Strategy for Brenchley and Matfield parish

### Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

### Question 5

**Please note:** In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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#### Gedges Hill, Matfield, Tonbridge TN12 7EA

Site to be considered as development opportunity for new local plan

This document is to be read in conjunction with all associated documents submitted. The site has been outlined in the title deed drawing '1\_Title\_Deed\_Gedges Hill, Matfield, Tonbridge TN12 7EA'. This site consideration is being submitted on behalf of Benjamin & Jonathon Bernstein.

*[TWBC: for associated documents, including the full Consultation Statement, please see supporting documents]*

The site is located in Gedges Hill, Matfield off of the road B2160 and is approximately 20,500 square meters. The existing garages on the site form the Matfield MOT centre which as part of the proposal can be retained and re appropriated as necessary.

*[TWBC: for site location plan, please see the Consultation Statement attached as a supporting document]*

The proposed scheme would offer high quality, affordable residential units being developed through a pragmatic, pre application and community involved lead scheme. The design of which would involve the consultation and complete services of local architects and planning consultants in addition to the planning authority's advisory assistance. The scheme would comprise of a environmentally friendly lead approach with directed elements of biodiversity, sustainable drainage and renewable energy.

The scheme would also propose to retain the commercial elements as per the existing site by improving and enhancing the current arrangements in addition to being open to creating new commercial aspects. The site benefits from good access with options to improve upon this within the general appraisal. A community lead approach would be the forefront of any development scheme proposal. The site therefore should be considered to be a designated development opportunity area.



For office use only

**New Site Submission? Enter site address**

Gedges Hill, Matfield, Tonbridge, TN12 7EA

**Question 7**

**Please note** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

**If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?**

For office use only

**If responder hasn't ticked an option on this box, data inputter to tick 'not stated' box.**

Not Stated

**If you would like to attach a file in support of your comments, please upload it here.**

[PSLP 1719 Samson Space for Bernstein SI-1 Consultation Statement.pdf](#)

**If you would like to attach a file in support of your comments, please upload it here.**

[PSLP 1719 Samson Space for Bernstein SI-2 Site Location digimap.pdf](#)

**If you would like to attach a file in support of your comments, please upload it here.**

[PSLP 1719 Samson Space for Bernstein SI-3 1 Title Deed Gedges Hill Matfield Tonbridge TN12 7EA.pdf](#)

# Supporting Information File Ref No: SI\_101

## Comment

Consultee	Lynne Butler [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Brenchley & Matfield Parish Council
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Brenchley & Matfield Parish Council [REDACTED] [REDACTED]
Comment ID	PSLP_1780
Response Date	03/06/21 17:19
Consultation Point	Policy PSTR/BM 1 The Strategy for Brenchley and Matfield parish ( <a href="#">View</a> )
Status	Processed
Submission Type	Web
Version	0.6
Files	<a href="#">B&amp;M comments Local Plan.docx</a>
Question 1	
Respondent's Name and/or Organisation	Brenchley & Matfield Parish Council
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

**Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.**

STR1, STR5, STR6, STR, STR8, STR10, PSTR/BM1, AL/BM1, AL/BM2, EN1, EN19, OSSR1, OSSR2.

*[TWBC: relevant parts of this representation have been duplicated against the above policies: see PSLP\_1775-1786 inclusive]*

**Question 4**

**Do you consider that the Local Plan:**

Is legally compliant	Yes
Is sound	No
Complies with the Duty to Cooperate	Don't know

#### Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because: . It is not effective

#### Question 5

**Please note:** In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

**Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.**

The language is not sufficiently robust in some of the policies and introduces ambiguity. Small rural parishes have very different requirements to the larger settlements, having less housing allocations, limited facilities and poor public transport. Consequently some policies have no relevance in rural areas and include no provision of additional facilities. Although the parish has a small housing allocation, the quality of life will be significantly affected by development in Paddock Wood/Capel/Horsmonden/Pembury. There should be some provision for the mitigation of the effects within other parts of the borough of increased traffic on safety, noise and air quality.

#### **Pre-submission Comments from Brenchley and Matfield Parish C council**

#### **TWBC Pre-Submission Local Plan**

#### **STR1: The Development Strategy**

It is noted that at every stage of the TWBC Local Plan the base and end date has changed and been pushed on. Draft Local Plan Reg 18 covered 2018 – 2026 and now the Reg 19 is 2020 – 2038. The Parish Council (PC) questions how the data of completed house builds in the borough from 2016 are incorporated into TWBC's housing calculations. It remains disappointing to note that the twenty units constructed by Rydon Homes in 2019 had been excluded from any projected numbers for the parish.

The number of houses from solely the Rydon and Fernham developed sites already sits at 65 new dwellings for Matfield. It is noted in "Table 4 – Distribution of housing allocations" that 56-60 dwellings distributed within the parish is a high number and yet the parish has already exceeded that number.

It is noted that Southborough rated as an urban area only has 42 dwellings allocated and this does not support point 1 of Policy STR 1. The PC is not convinced that the case for the approach of dispersed growth across the borough has been soundly made, and Matfield village in the TWBC Settlement Role and Function Study 2017 was deemed one of the least sustainable settlements in the borough.

In a Borough such as Tunbridge Wells, with nearly 70% of its land in the AONB and 22% in the Green Belt, with a high proportion of ancient woodland and a vast number of listed buildings and other heritage assets, the housing numbers surely need to be moderated to take account of all these constraints.

#### **Housing Need and Supply**

The Office of National Statistics estimates that the population of the borough is likely to increase by 6,155 over the plan period, with a reduction in the 0-14 age group of 11% and an increase in the over-65s age group of 26%. These projections are linked to past rates of development and are not forecasts.

In contrast the NPPF expects Local Plans to use the 'Standard Method', set out in national planning policy guidance. Using the standard method has determined a need for 678 dwellings a year in the borough and some 12,200 dwellings over the plan period. This a factor of approximately four times the number of dwellings required by a population predicted to grow by only 6,155! The standard method also concentrates new housing in areas of the country of the least affordability, refuting the government's aspiration to create a Northern Powerhouse.

The Government is currently undergoing a consultation on changes to the standard method formula as set out by the NPPF 2019 for assessing local housing need, and revisions could be proposed in due course. The consultation commenced in August 2020 and there are wider reforms proposed in the "Planning for the Future" consultation. There has been general support for incorporating housing stock into future methodology and targeting more homes into areas where they are less affordable. Hopefully the any new homes proposed will be dispersed more evenly throughout the UK.

MHCLG has asserted that the 'Objectively Assessed Need' is not a target but a starting point, stating on May 25th, "the numbers mentioned are a starting point for local councils to help them understand how much housing is needed in their area and are not legally binding. Put simply, it is a measure of an area's housing need, against which councils must then consider their local circumstances and supply pipeline. Councils draw up a local housing target, considering factors including land availability and environmental constraints such as Green Belt".

The PC questions if it is appropriate for TWBC to adopt the figure of building 678 homes per year into its policy framework when Government policy might possibly change in the future? Since the introduction of the standard method the country has experienced Brexit and the Covid pandemic, which may have significant effects on the future population of the borough. So much has changed since the 2014 population figures, which was the starting point for the standard method. These figures will surely be difficult or possibly impossible to reduce once the Local Plan has been submitted for inspection.

#### **STR5: Infrastructure and Connectivity**

It is felt there are insufficient plans on infrastructure in the parish and surrounding area. This matter has not been addressed and the language used is ambiguous. There is a lack of information about the funding of infrastructure and its timing in relation to development.

The borough is in a high stress water area and there is concern about the adequacy of the water supply for additional housing and whether planning policies reduce consumption and conserve grey water sufficiently.

The OSSR policies do not meet the needs of small rural communities like Brenchley and Matfield Parish where the size of developments falls below the threshold for the provision of facilities or funding contributions.

#### **STR6: Transport and Parking**

The proposals are inadequate to prevent further major deterioration of the quality of life in the parish from traffic and rat running through rural lanes whenever there are problems on the A21 or other main roads. The current problems will be exacerbated by the major developments planned for Paddock Wood and East Capel, unless the A228 improvements have already been made.

There is no provision for highways improvements within the parish to mitigate against the effects of increased traffic from the developments planned for the north and east of the parish. The situation is already hazardous for pedestrians and cyclists, with no safe crossing points on Maidstone Road or Brenchley Road. While the Borough Council appears to be encouraging active travel there appears to be no real and effective action included in the plan to provide safe cycle routes within our parish or connections to nearby settlements. A safe off-road travel route for schoolchildren in the parish to reach Mascalls Secondary School and Brenchley and Matfield Primary School would be desirable. The provision of cycle parking spaces in developments is welcome but people will not be able to cycle unless there are safe routes to use them.

The strategy of active travel and public transport within STR6 is ambitious and encouraging but to date the PC sees little evidence of TWBC being proactive to provide any improved measures in the parish to date. The PC finds this disappointing and is of the opinion single occupancy car-based trips within the Borough will prevail.

#### **STR7: Climate Change**

The PC supports this policy but it will only be effective if TWBC is 100% committed to implementing it. In the IDP section 3.178 it is stated that "Borough -wide new developments will require new gas supply". This is in direct conflict with the stated aim that the entire Borough will be carbon neutral by 2030.

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#### **STR8: Conserving and Enhancing the Natural, Built and Historic Environment**

Residents' contributions to the Parish Plan Survey and the Neighbourhood Development Plan have shown the great importance they attach to conserving and enhancing these assets.

#### **STR10: Neighbourhood Plans**

The Parish Council is currently conducting its Regulation 14 consultation on a Neighbourhood Plan for the parish and trusts that TWBC will make every effort to avoid any delay in the later stages for which TWBC will be responsible. It is hoped that the Neighbourhood Plan will have been made (adopted) before this new Local Plan reaches adoption

#### **PSTR/BM1: The Strategy of Brenchley and Matfield**

Changes and improvements are noted from the DLP Reg 18 especially in the number of residential dwellings reducing to 56-60. The changed LBD's are noted, and it is recognised that there will be a number of windfall applications in the parish. It should be considered these applications will not result in harm to the parish's character and setting. There have already been a number of windfall TWBC granted applications in the parish. Naturally with all these sites having 8/9 dwellings there are no affordable houses included: Tibbs Court Farm, Brenchley Garage and The Old Piggeries in Chantlers Hill.

Questions are raised about the reinstatement of the Hop Pickers Line for recreation, cycling and walking as it is understood parts of the line are covered by new development and numerous different landowners are involved. The PC questions how this route will be viable. Less than 5% of the route lies in Brenchley and Matfield Parish.

Recreation/sport provision in Paddock Wood as referred to in Policy STR/SS 1 is vital and an indoor swimming pool is required. Robust language is required from TWBC in confirming these decisions and not the use of language as "potentially or possibly".

**AL/BM1: Land between Brenchley Road, Coppers Lane and Maidstone Road** has been approved with 45 dwellings. In view of the new total required number, it would have been favourable to reduce number of houses on this site and have an increased green open space and buffer around the perimeter. At present it will be impossible for any schoolchildren to walk or cycle safely to primary/secondary schools and residents will be predominantly relying on private car transport for day-to-day living.

Some of the planning conditions yet to be implemented lack sufficient detail. The relocation of the 30 mph speed limit northwards on Maidstone Road is a priority and its new location should coincide the new LBD designated in the PCLP. The speed sign referred to in AL/BM1 should be a speed indicator sign, preferably with number recognition. The policy seeks an improvement in pedestrian permeability through the site to link with the surrounding footway network. This could be achieved by a pedestrian link onto Coppers Lane, by retaining the gap in the hedge that will be created during the installation of utilities to the site.

**AI/BM2: Land at Maidstone Road.** 11-15 dwellings allocated for this site with community use around Matfield Village Hall together with a buffer zone. There are many trees on this site and as many as possible must be retained.

The PSLP has suggested that a children's play space be delivered within the green area on the site map in the PSLP. The view of the Parish Council and the Trustees of Matfield Village Hall Charity is that a large fully equipped children's play area should be sited in the purple area marked for community use in the PSLP. MVH Trustees have agreed that an open green area to the rear of the hall and a playground would be a more effective use of this community area than additional car park spaces.

With speeding and increasing traffic being serious problems along Maidstone Road, the community also seeks a speed indicator sign to the south of the proposed site, to replace the sign previously situated outside MVH.

### **EN1: Sustainable Design**

**Highway safety and access:** “Traffic from new developments should not result in severe residual cumulative impacts on the road network”. Traffic queueing at the Hawkhurst junction of the A21 with the A268 will impact on Matfield and Brenchley parish and the draft Local Plan states that the increased amount of traffic will hopefully “establish an acceptable impact”. The impact is already unacceptable and this language is not sufficiently robust.

As soon as there are traffic hold-ups on the A21, the parish of Brenchley and Matfield is used as a cut through/rat run. It is agreed that the parish is mainly served by minor rural roads, many of which are designated as Rural Lanes, as referred in the Rural Lane Supplementary Planning Guidance. It is noted that this document is dated 1998 but is viewed as a relevant paper. The lanes are narrow with blind bends, often with insufficient space for vehicles to pass each other. Natural verges are an important feature of the rural lane and these get eroded away to deep mud.

The PC urges TWBC to quantify the cumulative impact of traffic in the parish from the proposed developments in Paddock Wood, (especially to the east), Horsmonden, Capel and Pembury. The number of proposed new homes is noted in Horsmonden and some 300 new households will mostly need to go through Brenchley and Matfield parish to go anywhere to the north or west.

Details of the A228 Colts Hill Bypass are vague and disappointing with wording such as “potentially” and “mitigate the impact of strategic growth” when it is obvious how much this infrastructure is required. The same situation is said for the dualling of the A21 Kippings Cross to Lamberhurst with no immediate plans for improvement.

The PC points out the significant weaknesses within this policy, and requests confirmed information on funding and timing for the planned infrastructure.

### **EN19: The High Weald Area of Outstanding Natural Beauty**

Open land below Brenchley Memorial playing fields was designated EN23 in 2006, an important Landscape Approach which was taken out of the DLP in 2016. The land is currently designated EN19 Area of Outstanding Natural Beauty. The High Weald AONB must be at the forefront of all planning decisions and TWBC should resist the temptation to encroach upon the protections provided by the NPPF.

E19 must be rewritten. The importance of AONB is covered in point 6.234 but it is not mentioned again in Policy EN19. The PC would have expected the wording of (para 172) NPPF 2019 to be highlighted and it was mentioned in the final paragraph of Policy EN 21 of DLP Reg 18 2019. The PC would like to see this reinstated in EN19. TWBC has a statutory duty to conserve and enhance the AONB, but this is constantly undermined by TWBC's unproven justification for major development of meeting housing needs and targets. The loophole of “exceptional circumstances” will without doubt be interpreted by developers as “may be possible”.

To have the designation of HWAONB should give the highest status of protection in relation to the landscape and scenic beauty but to be given the designation of EN19 from TWBC certainly appears to dilute the protection and is a far cry from the “highest planning protection” that AONB's are meant to enjoy. The actual policy requires robust language giving this highest planning protection rather than the wording in EN19 majoring on development details.

### **OSSR1**

On Inset Map 20 (Brenchley) two areas are still designated as OSSR1, even though these areas have been in private ownership for many years.

- 1 A large area north of the parish, formerly occupied by Moatlands Golf Club, which was sold in 2008 and is now owned by several private landowners.
- 2 The former allotments on Tibbs Court Lane, north west of Southfield Cottages.

### **OSSR2**

The proposed provision of publicly accessible open space and recreation on new housing or mixed use development sites falls below the standard recommended by Fields in Trust in its 'Guidance for Outdoor Sport and Play', which is adopted by many local authorities. The thresholds for facilities required in new developments in the PSLP are relatively high. OSSR2 Table 16 indicates that sites with less than 20 homes are not required to provide any facilities, with sites between 20 and 49 dwellings only required to provide an amenity or natural green space.

For parishes that lie within the HWAONB, developments tend to be smaller. The consequence in protected rural areas, which generally have limited facilities, is that developers will have no obligation to provide much needed sports or recreation facilities under the PCLP. Windfalls sites of nine homes or less, which have formed a significant proportion of new housing in Brenchley & Matfield Parish, also have no obligation to provide OSSR facilities.

Developers should have an obligation to either provide OSSR facilities or a contribution towards them, regardless of the size of a development. Perhaps there should be a standard levy based on the number of dwellings?

#### Question 7

**Please note** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

**If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?**

No, I do not wish to participate in examination hearing session(s)

#### Question 8

**If you have any separate comments you wish to make on the accompanying Sustainability Appraisal, please make them here.**

The Parish Council supports the overall negative scores of the sites in Brenchley and Matfield that were put forward in the Call for Sites. There are very few positive scores for any of the sites and a significant number of high negative scores. Many of the sites involve the loss of high-grade agricultural land and would have a negative impact on biodiversity, landscape and heritage. Sustainability is also a factor for many of the sites, which lack a proximity to facilities and public transport.

The villages of Brenchley and Matfield have limited sustainability, with poor facilities in Matfield but a reasonable bus service to Paddock Wood and Tunbridge Wells. Brenchley has more facilities but three bus services to Paddock Wood on only two days during the week. There are no bus services in the evenings that would allow commuters to use public transport.

**If you would like to attach a file in support of your comments, please upload it here.** [B&M comments Local Plan.docx](#)

## Comment

Agent	Mr David Maher [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Barton Willmore LLP
Address	- Ebbsfleet -
Consultee	[REDACTED]
Company / Organisation	Clarendon Homes
Address	[REDACTED] [REDACTED] Harrietsham [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Clarendon Homes [REDACTED]
Comment ID	PSLP_1854
Response Date	04/06/21 09:42
Consultation Point	Policy PSTR/BM 1 The Strategy for Brenchley and Matfield parish ( <a href="#">View</a> )
Status	Processed
Submission Type	Email
Version	0.6
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Clarendon Homes
Question 2	
Agent's Name and Organisation (if applicable)	Barton Willmore
Question 3	
To which part of the Local Plan does this representation relate?	Policy



### Question 3a

**Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.**

Policy PSTR/BM 1 The Strategy for Brenchley and Matfield parish

Map 56

*[TWBC: this representation has been input against Policies PSTR/BM 1 and AL/BM 2 – see Comment Numbers PSLP\_1849 and PSLP\_1854]*

### Question 4

**Do you consider that the Local Plan:**

Is sound

No

### Question 4a

**If you consider that the Local Plan is not sound, please answer this question.**

**Do you consider that the Local Plan is not sound because:** . It is not justified

### Question 5

**Please note:** In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

*After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.*

**Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.**

**POLICY NUMBER: PSTR/BM 1 (The Strategy for Brenchley and Matfield Parish)**

The Policies Map needs amending. Inset Map 21 should be amended to show the same red line boundary as Map 56 to be consistent with the site allocation.

### Question 6

**Please note:** In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

*After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.*

**Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each 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.**

**POLICY NUMBER: PSTR/BM 1 (The Strategy for Brenchley and Matfield Parish)**

The Policies Map needs amending. Inset Map 21 should be amended to show the same red line boundary as Map 56 to be consistent with the site allocation.

#### Question 7

**Please note** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

**If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?** . Yes, I wish to participate in hearing session(s)

#### Question 7a

**Please note** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

**If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:**

We trust our above points can be dealt with as proposed modifications as submitted to the Local Plan Examination. However, should TWBC not include such proposed modifications as part of the submitted Local Plan, we would seek to make our case at the Examination on the specific policy requirements for the site.

#### Future Notifications

**Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:** Yes, I wish to be notified of future stages of the Local Plan

# Supporting Information File Ref No: SI\_116a-j

## Comment

<b>Agent</b>	Mr Steve Brown [REDACTED]
<b>Email Address</b>	[REDACTED]
<b>Company / Organisation</b>	Woolf Bond Planning
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<b>Consultee</b>	[REDACTED]
<b>Company / Organisation</b>	Millwood Designer Homes Ltd
<b>Address</b>	Bordyke End 59 East Street Tonbridge TN9 1HA
<b>Event Name</b>	Pre-Submission Local Plan
<b>Comment by</b>	Millwood Designer Homes Ltd [REDACTED]
<b>Comment ID</b>	PSLP_1881
<b>Response Date</b>	03/06/21 16:15
<b>Consultation Point</b>	Policy PSTR/BM 1 The Strategy for Brenchley and Matfield parish ( <a href="#">View</a> )
<b>Status</b>	Processed
<b>Submission Type</b>	Email
<b>Version</b>	0.4
<b>Files</b>	<a href="#">App 07 Tandridge Inspector-Preliminary-Conclusions-Advice.pdf</a> <a href="#">App 06 Hundal v S Bucks DC 2012 EWHC 7912 Admin.pdf</a> <a href="#">App 09</a> <a href="#">Examiners Report on the Examination of NEA S1 10th Dec 2020.pdf</a> <a href="#">App 03 Sevenoaks DC v CLG [2020] EWHC 3054.pdf</a> <a href="#">WBP Reps for Millwood - Matfield - 3 June 2021.pdf</a> <a href="#">App 01 Inspectors letter to Tonbridge and Malling 15.12.20.pdf</a> <a href="#">App 05 St Albans v Hunston Properties 2013 EWCA Civ 1610.pdf</a> <a href="#">App 04 Calverton v Nottingham City 2015 EWHC 1078 Admin.pdf</a> <a href="#">App 02 Sevenoaks Final Report Mar 2020.pdf</a> <a href="#">App 08 Uttlesford Post stage 1 hearings letter to the Council 10.1.20 .pdf</a>
<b>Data inputter to enter their initials here</b>	KJ
<b>Question 1</b>	

**Respondent's Name and/or Organisation** Millwood Designer Homes Ltd

**Question 2**

**Agent's Name and Organisation (if applicable)** Woolf Bond Planning

**Question 3**

**To which part of the Local Plan does this representation relate?** Policy

**Question 3a**

**Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.**

PSTR/BM 1 The Strategy for Brenchley and Matfield parish

[TWBC: full representation attached has been separated into Policy STR1 (PSLP\_1876, Policy STR9 (PSLP\_1879), Policy PSTR/BM1 (PSLP\_1881) and Policy STR/SS3 (PSLP\_1882). See also appendices attached].

**Question 4**

**Do you consider that the Local Plan:**

**Is legally compliant** No

**Is sound** No

**Complies with the Duty to Cooperate** No

**Question 4a**

**If you consider that the Local Plan is not sound, please answer this question.**

**Do you consider that the Local Plan is not sound because:**

- . It is not positively prepared
- . It is not effective
- . It is not justified
- . It is not consistent with national policy

**Question 5**

**Please note:** In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

**Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.**

## 1. INTRODUCTION

1.1 Our clients (Millwood Designer Homes Ltd) have a controlling interest in land at Ashes Plantation, Maidstone Road, Matfield (Site Ref: 353).

1.2 The site was allocated in the Regulation 18 Draft Local Plan (Sept 2019) as a suitable and sustainable location to provide for 30-60 dwellings under Policy AL/BM3.

1.3 The council's decision to deallocate the site is not supported by the evidence base including this site assessment set out in the sustainability appraisal. Accordingly, the site should be reinstated as a housing allocation on similar terms to the wording set out in former Policy AL/BM3.

1.4 For the reasons set out below, we are of the view that the Council has failed to provide an appropriate strategy which seeks to meet the Borough's development needs, especially with respect of housing. Consequently, for the reasons outlined in these submissions, it is not considered that the Draft Submission Plan adequately addresses the Borough's housing needs in locations which are accessible to existing infrastructure and services such as those available at Matfield. Such locations should be considered in advance of the unjustified removal of land from the Green Belt which as detailed in the representations, which approach would be wholly consistent with the approach of national policy in the NPPF. We therefore advocate changes to the Local Plan to address these matters.

1.5 Having regard to the concerns with respect of the appropriateness of the approach and its challenges of delivering sustainable growth, we therefore advocate the removal of the proposed allocation at Tudeley Village and the allocation of deliverable sites in sustainable locations, including land controlled by our client at Ashes Plantation, Matfield. The site affords a logical opportunity in helping to meet identified housing needs and could provide for up to 60 dwellings, to include a policy-compliant level of affordable housing.

## 2. REPRESENTATIONS AND SUPPORTING INFORMATION

2.1 Our comments upon the various draft policies and proposals are set out below and are accompanied by the following Documents:

- Duly Completed Response Form.
- Copy of Inspector's assessment of the Tonbridge & Malling Local Plan (15th December 2020) (appendix 1)
- Inspector's Report into Examination of the Sevenoaks Local Plan (2nd March 2020) (appendix 2)
- Sevenoaks DC v Secretary of State for Communities, Housing & Local Government [2020] EWHC 3054 (appendix 3)
- Calverton PC v Nottinghamshire County Council [2015] EWHC 1078 (Admin) (appendix 4)
- St Albans City & District v Hunston Properties [2013] EWCA Civ 1610 (appendix 5)
- Hundal v South Bucks DC [2012] EWHC 7912 (Admin) (appendix 6)
- Tandridge LP Inspector's interim conclusions (11th December 2020) (appendix 7)
- Uttlesford Local Plan post Stage 1 hearings Inspector's letter to Council 10th January 2020 (appendix 8)
- North Essex Authorities (Braintree, Colchester & Tendring) Inspector's Report (10th December 2020) (appendix 9)

2.2 Our client's representations upon the Draft Local Plan can be summarised as relating to the following:

### **Policy**

#### **Representation**

Policy STR1: The Development Strategy and extent of Built Development Limits

Objection

Policy STR9: Green Belt

Objection

Policy PSTR/BM1: The Strategy for Brenchley and Matfield Parish and the omission of land at Ashes Plantation as a housing allocation for up to 60 dwellings.

Objection

Policy STR/SS3: The Strategy for Tudeley Village

Objection

Omission site – Land at Ashes Plantation, Maidstone Road, Matfield (SHLAA Ref: 353)

Objection

### 3. OVERARCHING POSITION

3.1 We have a strong belief in the principle of the plan-led system and in setting out our representations upon these polices, we hope to be able to work with the Council between now and the formal submission of the Draft Local Plan pursuant to Regulation 22 of The Town and County Planning (Local Planning) (England) Regulations 2012 (as amended), to ensure the Local Plan satisfies the tests of soundness at paragraph 35 of the NPPF.

3.2 We have considerable experience and expertise in dealing with and realising development schemes through the planning system. In this context, a principal constraint to the timely delivery of housing is the way in which policies for the allocation of sites have been formulated.

3.3 Local Plans must be capable of delivering from the point at which they are adopted. This means scrutinising the policy wording to ensure the Plans are sound and that the allocations contained therein are capable of being delivered at the point envisaged. This is particularly the case in relation to the need for Councils to collate a robust evidence base to justify the imposition of certain policies and/or their wording so as not to over burden and/or stifle sustainable and appropriate development.

3.4 In this instance, the draft Local Plan needs to be amended in order to ensure it robustly plans for the delivery of sufficient housing to address a housing requirement established in accordance with national planning policy and guidance. This therefore indicates that the Plan must seek to deliver the minimum of 14,364 dwellings between 2020 and 2039 rather than 12,204 dwellings from 2020 to 2038 as currently envisaged.

3.5 To address this requirement for additional homes, we contend that land at Ashes Plantation, Maidstone Road, Matfield (SHELAA Ref: 353) should be allocated for housing development.

3.6 Our representations also highlight a failure of the Local Plan as currently drafted to contribute towards addressing the acknowledged unmet needs of neighbouring authorities and the allocation of Site Ref: 353 (Reg 18 Local Plan allocation Ref: AL/BM3), can also supply homes to resolve this issue.

3.7 As detailed in the representations, the site represents a logical addition to the existing development in Matfield and should be included in the defined extent of the village. This requires consequential amendments to the Limits to Build development for Matfield as defined on the Local Plan Proposals Map (Inset Map 21).

3.8 We also advocate other revisions to the Draft Submission Local Plan to ensure it is consistent with the evidence base prepared by the Council.

3.9 We are concerned to ensure that the Local Plan is robust, and it is in this context that we set out our representations.

### 4. THE NPPF TESTS OF SOUNDNESS

4.1 Section 3 of the NPPF (Feb 2019) sets out the principal components to be included in Local Plans. Paragraph 35 requires that to be “sound” a DPD should be positively prepared, justified, effective and consistent with national policy.

4.2 A positively prepared plan provides a strategy which, as a minimum, seeks to meet the area's objectively assessed needs, and is informed by agreements with other Authorities so that unmet need from neighbouring areas is accommodated where practical to do so and is consistent with achieving sustainable development.

4.3 In order to be justified, the Draft Submission Local Plan must have an appropriate strategy, taking into account reasonable alternatives and be based on proportionate evidence.

4.4 Effective means the document must be deliverable over the plan period and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred and evidenced by the statements of common ground.

4.5 The Local Plan should seek to meet the Council's full housing need. However, we have concerns regarding the rationale for and robustness of the housing numbers the Council is seeking to accommodate within the Draft Submission Local Plan. We also have concerns regarding the appropriateness of the sites selected for contributing towards addressing the Borough's development needs.

4.6 For the reasons set out in these representations there are several shortcomings with the Plan, as currently drafted, that result in the need for amendments.

4.7 These amendments relate to the need to increase the level of housing provision within a more appropriate plan period, thereby ensuring the emerging plan is consistent with the Government's planning advice and policy. They also advocate changes to the extent of the defined settlement area of Matfield together with amendments to other policies of the plan.

4.8 These amendments would reflect the view taken by the Council in allocation the site at the Regulation 18 stage in preference to locations where development conflicts with the approach of the NPPF i.e. Tudeley Village. In the case of Tudeley village, due to its identification in advance of locations which are to be preferred having regard to the approach of the NPPF, we contend that the new settlement proposal should be omitted from the Plan with the site retained in the Green Belt.

4.9 The remainder of this submission is focused on providing responses to the Council's draft policies in the Local Plan.

## 7. POLICY PSTR/BM1: THE STRATEGY FOR THE PARISH OF BENCHLEY AND MATFIELD

7.1. This policy provides an overview of the allocations and development proposed for the parish of Brenchley and Matfield.

7.2. In order to be consistent with the amendments advocated elsewhere in these representations it is essential that the policy is revised to ensure that it reflects the changes associated with the allocation of land at Ashes Plantation, Maidstone Road, Matfield.

## 9. OMISSION SITE: FAILURE TO INCLUDE ALLOCATION OF LAND AT ASHES PLANTATION, MAIDSTONE ROAD, MATFIELD AS AN ALLOCATION WITHIN POLICY PSTR/BM1 (SHLAA SITE REF 353)

9.1. Through the other representations submitted to the policies of the Plan, there is a need to allocate additional land for housing development.

9.2. Informed by the evidence based to the regulation 18 draught local plan it is clear that the site at Ashes plantation, Maidstone Rd, Matfield should be reinstated as a housing allocation for approximately 60 dwellings.

9.3. Their site was identified as an appropriate location to accommodate housing growth under Policy AL/BM3 of the Regulation Draft Local Plan, the content of which was informed by a Sustainability Appraisal ("SA") and the 'Limits to Built development' Topic Paper (Aug 2019).

9.4. Figure 16 in the Topic Paper includes the site within the settlement boundary, the designation of which was justified through be sustainability appraisal.

9.5. The omission of the site in the Regulation 19 version of the Local Plan is not justified when assessed against the reasonable alternatives.

9.6. Page 168 of the Feb 2021 SA to the Regulation 19 Local Plan states in relation to the site as follows:

"Since Draft Local Plan stage, cumulative impact scores for landscape and heritage have been improved following the removal of Site 253 for allocation. Site 353 was a relatively large site in a location out of keeping with the existing settlement pattern with some adverse landscape impacts, as well as having regard to the overall limited services role of the settlement."

9.7. However, when the site assessment at Appendix L on page 199 of the SA to the Regulation 18 draft Local Plan is compared with the more recent version on page 335 at Appendix M of the SA to the Regulation 19 Local Plan, there has been no change to the sites score as set out in the matrices. As such, there is no sound basis or evidential support for the deletion of the site as a housing allocation.

9.8. Paragraphs 5.483 to 5.487 provide the context in support of providing further growth at Matfield, where development would, inter alia, help support and sustain local shops, public houses, and other services, including the primary school.

9.9. The site represents a logical extension to the LBD and development can be designed in a landscape setting in order that it relates well to the settlement pattern. Moreover, and in accordance with the approach set out at Policy AL/BM3 of the Regulation draft Local Plan, development can come forward that would be sympathetic to the form and character of the settlement and its rural surrounds.

9.10. As to highways, we are seeking a flexible approach to the reinstatement of Policy AL/BM3 to allow for access to be taken either from Maidstone Road or from Oakfield Road.

9.11. Overall, the opportunities provided by development of the site for housing include as follows:

- Provision of new homes that will help to support and sustain local services and facilities
- Provide much needed affordable housing to meet identified local needs
- Reducing the need to remove land from the Green Belt
- Create and enhance amenity space within the development that can be used by existing and future residents
- Create recreational walking routes within the site to provide an attractive environment for local residents whilst increasing access to the countryside

## 10. OVERALL CONCLUSIONS

10.1. Our representations to the draft submission Local Plan have identified a number of concerns with the document as drafted, especially with respect of its soundness.

10.2. As indicated in the representations, changes to policies of the Plan are advocated, including the borough's housing requirement in policy STR1.

10.3. To ensure adequate supply of housing arises, the land at Ashes Plantation, Maidstone Road, Matfield should be included as a housing allocation for up to 60 dwellings.

10.4. These matters can be addressed through Main Modifications to the Plan allowing for a Sound Plan.

## 11. FINAL REMARKS

11.1. We trust the above comments are of assistance in preparing the necessary main modifications to provide for a sound Local Plan.

11.2. We welcome the opportunity to engage in constructive dialogue with the Council in relation to our observations, including the allocation of our client's site at Ashes Plantation, Matfield (Site Ref: 353).

11.3. Additionally, we confirm that we wish to be notified of each further step in the preparation of the Local Plan, including its submission to the Inspectorate for examination.

## Question 6

**Please note:** In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

**Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each 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.**

Changes sought to the Local Plan with respect of the policy PSTR/BM1

7.3. As drafted, the Plan cannot be said to be sound having regard to the following:

a) Not positively prepared as the policy (alongside others in the document) fails to meet the areas housing needs, including a contribution towards unmet needs of neighbouring authorities, b) Is not justified as the evidence does not support the omission of land at Ashes Plantation, Maidstone Road, Matfield as a housing allocation, when other sites are included which are inconsistent with the assessments and appraisals of the Council; and c) The policy is not consistent with national policy as it fails to deliver sufficient housing to meet the Borough's needs, including that arising in neighbouring ones.



7.4. To address these matters of soundness, several amendments are proposed. The proposed changes are.

1. That policy PSTR/BM1 (and STR1 and Inset Map 21 relating to the Limits to Built Development) is amended to ensure that it identifies the allocation of land at Ashes Plantation, Maidstone Road, Matfield as a development site for circa 60 dwellings, with policy wording akin to that set out under Policy AL/BM3 of the Regulation draft Local Plan reinstated.

Change sought to the Local Plan.

9.12. For the reasons set out above, we consider that part of the solution to addressing the identified shortfall in the provision and delivery of housing across the Borough, is to reinstate this site as a housing allocation (Reg 18 draft Local Plan Policy AL/BM3 (with a flexible approach to the means of access)) with consequential amendments to the LBD as shown on Inset Map 21.

## Question 7

**Please note** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

**If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?** . Yes, I wish to participate in hearing session(s)

## Question 7a

**Please note** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

**If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:**

To clarify any points the Inspector has with respect of the detailed representations submitted

## Future Notifications

**Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:** Yes, I wish to be notified of future stages of the Local Plan

# Supporting Information File Ref No: SI\_156

## Comment

<b>Consultee</b>	Strategic Planning ( [REDACTED] )
<b>Email Address</b>	[REDACTED]
<b>Company / Organisation</b>	Kent County Council (Planning and Environment)
<b>Address</b>	Invicta House County Hall MAIDSTONE ME14 1XX
<b>Event Name</b>	Pre-Submission Local Plan
<b>Comment by</b>	Kent County Council (Planning and Environment) ( Strategic Planning - [REDACTED] )
<b>Comment ID</b>	PSLP_2211
<b>Response Date</b>	04/06/21 16:56
<b>Consultation Point</b>	Policy PSTR/BM 1 The Strategy for Brenchley and Matfield parish ( <a href="#">View</a> )
<b>Status</b>	Processed
<b>Submission Type</b>	Email
<b>Version</b>	0.4
<b>Files</b>	<a href="#">Kent County Council-full representation.pdf</a>
<b>Data inputter to enter their initials here</b>	KJ
<b>Question 1</b>	
<b>Respondent's Name and/or Organisation</b>	Kent County Council (Growth, Environment & Transport)
<b>Question 3</b>	
<b>To which part of the Local Plan does this representation relate?</b>	Policy
<b>Question 3a</b>	

**Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.**

Policy PSTR/BM 1 The Strategy for Brenchley and Matfield parish

[TWBC: see attached full representation, which has been input against the following: Section 1 (PSLP\_2164), Section 2 (PSLP\_2168), Section 3 (PSLP\_2169), Policies STR1 (PSLP\_2170), STR2 (PSLP\_2171), STR4 (PSLP\_2172), STR5 (PSLP\_2174), STR7 (PSLP\_2175), STR8 (PSLP\_2176), Section 5 (PSLP\_2177), Section 5: Royal Tunbridge Wells (PSLP\_2178), Policies AL/RTW1 (PSLP\_2180), AL/RTW5 (PSLP\_2181), AL/RTW7 (PSLP\_2183), AL/RTW14 (PSLP\_2184), AL/RTW17 (PSLP\_2185), AL/RTW21 (PSLP\_2187), STR/SO1 (PSLP\_2188), AL/SO1 (PSLP\_2190), Strategic Sites (PSLP\_2192), STR/SS1 (PSLP\_2193), STR/SS2 (PSLP\_2195), STR/SS3 (PSLP\_2196), STR/PW1 (PSLP\_2199), AL/PW1 (PSLP\_2200), STR/CA1 (PSLP\_2201), AL/CRS1 (PSLP\_2202), AL/CRS2 (PSLP\_2203), AL/CRS3 (PSLP\_2204), AL/CRS4 (PSLP\_2205), AL/CRS6 (PSLP\_2206), AL/CRS7 (PSLP\_2207), STR/HA1 (PSLP\_2208), PSTR/BE1 (PSLP\_2209), PSTR/BI 1 (PSLP\_2210), PSTR/BM1 (PSLP\_2211), PSTR/FR1 (PSLP\_2212), PSTR/GO1 (PSLP\_2213), PSTR/HO1 (PSLP\_2214), AL/HO1 (PSLP\_2215), PSTR/LA1 (PSLP\_2216), AL/LA1 (PSLP\_2217), PSTR/PE1 (PSLP\_2218), AL/PE4 (PSLP\_2219), PSTR/RU1 (PSLP\_2220), PSTR/SA1 (PSLP\_2221), AL/SA1 (PSLP\_2222), PSTR/SP1 (PSLP\_2223), EN1 (PSLP\_2224), EN3 (PSLP\_2225), EN4 (PSLP\_2226), EN5 (PSLP\_2227), EN8 (PSLP\_2228), EN9 (PSLP\_2229), EN10 (PSLP\_2230), EN12 (PSLP\_2231), EN13 (PSLP\_2232), EN14 (PSLP\_2233), EN18 (PSLP\_2234), EN19 (PSLP\_2235), EN20 (PSLP\_2236), EN25 (PSLP\_2237), EN26 (PSLP\_2238), H1 (PSLP\_2239), H3 (PSLP\_2240), H7 (PSLP\_2241), ED1 (PSLP\_2242), ED2 (PSLP\_2243), ED3 (PSLP\_2244), ED4 (PSLP\_2245), ED5 (PSLP\_2246), ED6 (PSLP\_2247), Town, Rural Service, Neighbourhood, and Village Centres (PSLP\_2248), Policies TP1 (PSLP\_2249), TP2 (PSLP\_2250), TP3 (PSLP\_2251), TP4 (PSLP\_2252), TP5 (PSLP\_2253), TP6 (PSLP\_2254), OSSR1 (PSLP\_2255), Appendix 4 (PSLP\_2256) and Evidence Base (whole Plan) (PSLP\_2257)

#### Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:

#### Question 5

**Please note:** In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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**Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.**

The County Council has set out its full response to the consultation in the attached Appendix. Comments are linked to relevant policies where appropriate.

#### Public Rights of Way

The County Council requests that the policy includes reference to the need for appropriate development contributions to be made towards improvements to the PRow network to provide Active Travel opportunities in the area.

#### Question 6

**Please note:** In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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The County Council has set out its full response to the consultation in the attached Appendix. Comments are linked to relevant policies where appropriate.

#### **Question 7**

***Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.***

**If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?**

#### **Question 7a**

***Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.***

**If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:**

The County Council may wish to attend hearing sessions in respect of its statutory and non statutory functions.

#### **Future Notifications**

**Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:**

Yes, I wish to be notified of future stages of the Local Plan

# **Local Plan Regulation 19 representations in document order**

**Comments on Section 5: Place  
Shaping Policies: Brenchley and  
Matfield: Policy AL/BM 1: Land  
between Brenchley Road, Coppers  
Lane and Maidstone Road**

## Comment

Consultee	Mr Jeff Fenton [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] Tonbridge [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Mr Jeff Fenton [REDACTED]
Comment ID	PSLP_895
Response Date	01/06/21 13:16
Consultation Point	Policy AL/BM 1 Land between Brenchley Road, Coppers Lane and Maidstone Road ( <a href="#">View</a> )
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Jeff Fenton
Question 3	
To which part of the Local Plan does this representation relate?	Policy

Question 3a

**Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.**

Policy AL/BM 1 Land between Brenchley Road, Coppers Lane and Maidstone Road

Paragraph Numbers: 5.494 and 5.5

*[TWBC: This representation has been input against Policies PSTR/BM 1 and AL/BM 1 - please see Comment Numbers PSLP\_893 and PSLP\_895]*

Question 4

**Do you consider that the Local Plan:**

**Is legally compliant**

Don't know

**Is sound**

No

**Complies with the Duty to Cooperate**

No

#### **Question 4a**

**If you consider that the Local Plan is not sound, please answer this question.**

**Do you consider that the Local Plan is not sound because:**

- . It is not positively prepared
- . It is not effective
- . It is not justified
- . It is not consistent with national policy

#### **Question 5**

**Please note:** In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

**Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.**

This site at Coppers Lane/Maidstone Road Matfield is approx. 2.88 hectares. The number of dwellings approved by TWBC in a recent application is just 45, whereas if the standard 30 dwellings per hectare is used then there should be approx. 86 dwellings on this site. A similar site just across the main Maidstone road from this site achieved a very much greater number per hectare.

The alleged 40% affordable homes appears to be a very much exaggerated figure as the cost of these properties will be well above what any person on average or possibly medium salaries could ever afford.

#### **Question 6**

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If we are to respect the need for improved numbers per hectare on all sites as large as this one, TWBC needs to explain why that is not the case for this site? Compare this to All Saints Church at Tudeley, recognised as one of the most visited country churches in the UK with its Marc Chagall windows and surrounded by open countryside, yet on their doorstep they will have 2,800 houses and a view of a primary school. It really is disgraceful.

### Question 7

**Please note** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

**If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?** . Yes, I wish to participate in hearing session(s)

### Question 7a

**Please note** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

**If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:**

I think we deserve to see fairness in the system and this site does not respect a fair number of homes for the size of site.

### Future Notifications

**Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:** Yes, I wish to be notified of future stages of the Local Plan



# Supporting Information File Ref No: SI\_76

## Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Natural England
Address	International House Dover Place ASHFORD TN23 1HU
Event Name	Pre-Submission Local Plan
Comment by	Natural England [REDACTED]
Comment ID	PSLP_1464
Response Date	04/06/21 13:41
Consultation Point	Policy AL/BM 1 Land between Brenchley Road, Coppers Lane and Maidstone Road ( <a href="#">View</a> )
Status	Processed
Submission Type	Email
Version	0.6
Files	<a href="#">PSLP_1444_Natural_England_SI.pdf</a>
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Natural England
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

**Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.**

Policy AL/BM 1 Land between Brenchley Road, Coppers Lane and Maidstone Road

*[TWBC - Full representation attached as Supplementary Information]*

*[TWBC: This representation has been input against Policies PSTR1, AL/RTW17, AL/CRS 1, AL/CRS 2, AL/CRS 3, AL/HA 4, AL/BM 1, AL/PE 1, AL/PE 2, AL/PE 3, AL/RTW 16, STR/SS1, STR/SS3, EN11,*

Section 3, STR 8, Section 5, EN1, EN9, EN10, EN12, EN13, EN14 AND EN19 – see Comment Numbers PSLP\_1444, PSLP\_1459, PSLP\_1460, PSLP\_1462, PSLP\_1489, PSLP\_1463, PSLP\_1464, PSLP\_1465, PSLP\_1466, PSLP\_1467, PSLP\_1468, PSLP\_1469, PSLP\_1470, PSLP\_1472, PSLP\_1478, PSLP\_1480, PSLP\_1481, PSLP\_1482, PSLP\_1483, PSLP\_1484, PSLP\_1485, PSLP\_1486, PSLP\_1487, PSLP\_1488]

#### Question 4

Do you consider that the Local Plan:

Is legally compliant	Yes
Is sound	No
Complies with the Duty to Cooperate	Yes

#### Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because:	<input type="checkbox"/> It is not justified
	<input type="checkbox"/> It is not consistent with national policy

#### Question 5

**Please note:** In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.

#### Appendix 2: Major development allocations within the High Weald AONB

Our core reason for considering the local plan as unsound is due to the proposed allocations within the AONB that have been defined by TWBC as major development. These include some sites that have been granted planning permission without the support of an allocation in the adopted local plan and we continue to object to the draft allocations for major development.

Natural England objects to the inclusion of these major development allocations sites within the AONB because we consider that these policies fail the test of soundness (see our Soundness comments above). We therefore recommend that alternative approaches are taken that avoid impacts on the designated landscape. Our specific comments regarding these allocations are outlined as follows:

#### AL/BM 1 - Land between Brenchley Road, Coppers Lane and Maidstone Road

Natural England recognises that a planning application for development at this site (19/01099/OUT), which Natural England objected to on the basis of major development within AONB, has been granted permission.

#### Question 6

**Please note:** In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

*After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.*

**Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each 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.**

Natural England welcomes the reduction in scale and number of major development site allocations within the AONB since the Regulation 18 stage of the draft local plan, but we do not consider the current draft local plan to be sound and have highlighted our reasons in our full response letter for this regarding the remaining major development allocations within the AONB. We advise that these allocations should not be pursued, and alternative options should continue to be explored. While we have objected to major development proposed within the AONB, we remain committed to the plan-led scrutiny of the proposals to ensure soundness of approach, which enhances the High Weald's highly valuable and special landscape for future generations. We wish to work with TWBC to help ensure the best possible outcomes for the AONB and the environment.

#### **Question 7**

***Please note** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.*

**If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?** . Yes, I wish to participate in hearing session(s)

#### **Question 7a**

***Please note** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.*

**If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:**

Natural England are a statutory consultee for local plan consultations and, under the CROW Act, have powers regarding AONBs. The development strategy and major development allocations within the AONB are the core reason for why we consider the local plan as unsound.

In addition, Natural England objected to a planning proposal (20/00815/FULL) for the Turnden Farm site (AL/CRS 3) in 2020 and requested that the decision by TWBC to approve the development was called in by the Secretary of State. The proposal is now subject to a Public Inquiry which Natural England is engaged in as a Rule 6 party.

#### **Question 8**

**If you have any separate comments you wish to make on the accompanying Sustainability Appraisal, please make them here.**

Appendix 3: Sustainability Appraisal

There are several alternative growth strategy options within the Sustainability Appraisal (SA) and the Council has chosen a growth strategy with significant negative landscape impacts. Natural England's view is that the preferred approach should afford sufficient weight to environmental factors. This is supported by NPPF Paragraph 8 which states that economic, environmental and social objectives need to be pursued in mutually supportive ways to support net gains across each of these objectives. Paragraph 32 also states that (emphasis added):

'Local plans and spatial development strategies should be informed throughout their preparation by a sustainability appraisal that meets the relevant legal requirements (The reference to relevant legal requirements refers to Strategic Environmental Assessment. Neighbourhood plans may require Strategic Environmental Assessment, but only where there are potentially significant environmental effects.'). This should demonstrate how the plan has addressed relevant economic, social and environmental objectives (including opportunities for net gains). Significant adverse impacts on these objectives should be avoided and, wherever possible, alternative options which reduce or eliminate such impacts should be pursued. Where significant adverse impacts are unavoidable, suitable mitigation measures should be proposed (or, where this is not possible, compensatory measures should be considered). However, the SA appears to prioritise social and economic considerations over environmental ones as Section 6.2.19 states:

'The term 'preferable' is used in this sense to mean the option that has the highest scores for the economic and social pillars, and the least negative scores for the environmental pillar'

We also refer to Paragraph 11(b) of the NPPF which states that:

"(b) strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas, unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area;"

Given the provisions of paragraph 11 (and consequently paragraph 172), we consider that the weight afforded to protecting nationally designated landscapes has not been sufficiently considered as part of exploring alternative options and the environmental value of the AONB has been underestimated. It is our view that significant impacts have not been avoided as far as possible and, as outlined in other sections, we advise that major development within the AONB has not been appropriately justified. Given the above, we are concerned that the underpinning assessment and recommendations of the SA are not giving an appropriate level of consideration for the environmental benefits associated with alternative growth strategies, especially given the great weight that should be afforded to designated landscapes.

Natural England has significant concerns that the SA underestimates the value of avoiding major development within the AONB and the scale of impact of including it. The chosen growth strategy achieves a very positive score ('+++') for housing as it assumes it will meet standard housing need and local housing needs across the borough. However, it scores neutral or negative scores for environmental factors, including 'slightly negative' ('-') for Landscape, despite the scale and size of major developments directly within the AONB and its setting including the large strategic sites at Tudeley and Paddock Wood.

As outlined in other sections of this letter, our view is that we consider that securing effective enhancement and mitigation measures for major development within the AONB is very challenging and therefore scores for environmental/landscape factors are likely to be overstated in the SA conclusions. Similarly, the SA finds that sites such as Turnden (AL/CRS 3) are still allocated despite scoring a very negative score for landscape (Appendix J, Page 321).

Furthermore, for Growth Strategy 2 (no major development within the AONB), climate change is scored as negative ('-' in table 14) despite having lower growth in the AONB and Borough compared with Growth Strategy 13 (adopted approach for Pre-Submission Local Plan) which includes higher growth and major development within the AONB but only scores slightly negatively for climate change ('-' in table 25). It is our view that Growth Strategy 2 would reduce carbon emissions associated with transport and new dwellings as well as carbon sequestration (which is not mentioned in the SA) when compared with Growth Strategy 13.

Given the scale of development within the AONB and its setting in the chosen growth strategy, we also question the neutral score given for biodiversity. While we support biodiversity net-gain, approaches should be in addition to applying the mitigation hierarchy which should aim to avoid negative impacts on biodiversity in the first instance. As the SA states that nature conservation designations are more common in the AONB, we advise that any benefits for biodiversity (including those which contribute to the neutral score for the chosen growth strategy) are interpreted with some caution.

Finally, point 3.2.8 does not reflect the findings of the HRA and mitigation proposed for Ashdown Forest SPA (see the HRA section below). We advise this section of the SA is amended to reflect the findings of the HRA.

## Future Notifications

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Yes, I wish to be notified of future stages of the Local Plan

# Supporting Information File Ref No: SI\_101

## Comment

Consultee	Lynne Butler [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Brenchley & Matfield Parish Council
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Brenchley & Matfield Parish Council [REDACTED] [REDACTED]
Comment ID	PSLP_1781
Response Date	03/06/21 17:19
Consultation Point	Policy AL/BM 1 Land between Brenchley Road, Coppers Lane and Maidstone Road ( <a href="#">View</a> )
Status	Processed
Submission Type	Web
Version	0.4
Files	<a href="#">B&amp;M comments Local Plan.docx</a>
Question 1	
Respondent's Name and/or Organisation	Brenchley & Matfield Parish Council
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

**Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.**

STR1, STR5, STR6, STR, STR8, STR10, PSTR/BM1, AL/BM1, AL/BM2, EN1, EN19, OSSR1, OSSR2.

*[TWBC: relevant parts of this representation have been duplicated against the above policies: see PSLP\_1775-1786 inclusive]*

**Question 4**

**Do you consider that the Local Plan:**

Is legally compliant	Yes
Is sound	No
Complies with the Duty to Cooperate	Don't know

#### Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because: . It is not effective

#### Question 5

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**Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.**

The language is not sufficiently robust in some of the policies and introduces ambiguity. Small rural parishes have very different requirements to the larger settlements, having less housing allocations, limited facilities and poor public transport. Consequently some policies have no relevance in rural areas and include no provision of additional facilities. Although the parish has a small housing allocation, the quality of life will be significantly affected by development in Paddock Wood/Capel/Horsmonden/Pembury. There should be some provision for the mitigation of the effects within other parts of the borough of increased traffic on safety, noise and air quality.

#### Question 6

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#### Pre-submission Comments from Brenchley and Matfield Parish C council

#### TWBC Pre-Submission Local Plan

#### PSTR/BM1: The Strategy of Brenchley and Matfield

Changes and improvements are noted from the DLP Reg 18 especially in the number of residential dwellings reducing to 56-60. The changed LBD's are noted, and it is recognised that there will be a number of windfall applications in the parish. It should be considered these applications will not result in harm to the parish's character and setting. There have already been a number of windfall TWBC

granted applications in the parish. Naturally with all these sites having 8/9 dwellings there are no affordable houses included: Tibbs Court Farm, Brenchley Garage and The Old Piggeries in Chantlers Hill.

Questions are raised about the reinstatement of the Hop Pickers Line for recreation, cycling and walking as it is understood parts of the line are covered by new development and numerous different landowners are involved. The PC questions how this route will be viable. Less than 5% of the route lies in Brenchley and Matfield Parish.

Recreation/sport provision in Paddock Wood as referred to in Policy STR/SS 1 is vital and an indoor swimming pool is required. Robust language is required from TWBC in confirming these decisions and not the use of language as “potentially or possibly”.

#### Question 7

**Please note** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

**If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?** . No, I do not wish to participate in examination hearing session(s)

#### Question 8

**If you have any separate comments you wish to make on the accompanying Sustainability Appraisal, please make them here.**

The Parish Council supports the overall negative scores of the sites in Brenchley and Matfield that were put forward in the Call for Sites. There are very few positive scores for any of the sites and a significant number of high negative scores. Many of the sites involve the loss of high-grade agricultural land and would have a negative impact on biodiversity, landscape and heritage. Sustainability is also a factor for many of the sites, which lack a proximity to facilities and public transport.

The villages of Brenchley and Matfield have limited sustainability, with poor facilities in Matfield but a reasonable bus service to Paddock Wood and Tunbridge Wells. Brenchley has more facilities but three bus services to Paddock Wood on only two days during the week. There are no bus services in the evenings that would allow commuters to use public transport.

**If you would like to attach a file in support of your comments, please upload it here.** [B&M comments Local Plan.docx](#)



# **Local Plan Regulation 19 representations in document order**

**Comments on Section 5: Place  
Shaping Policies: Brenchley and  
Matfield: Policy AL/BM 2: Land at  
Maidstone Road**

## Comment

Consultee	Ruth Baker [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] Tonbridge [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Ruth Baker [REDACTED]
Comment ID	PSLP_129
Response Date	12/05/21 12:03
Consultation Point	Policy AL/BM 2 Land at Maidstone Road ( <a href="#">View</a> )
Status	Processed
Submission Type	Other
Version	0.3

Data inputter to enter their initials here KJ

### Question 1

Respondent's Name and/or Organisation Mrs Ruth Baker

### Question 3

To which part of the Local Plan does this representation relate? Policy

### Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Paragraph No. 5.485

Policy AL/BM 2: Land at Maidstone Road

[TWBC: this was marked as a representation on the above Policy, but has been duplicated under Policy PSTR/BM 1: The Strategy for Brenchley & Matfield parish as comments also refer to that Policy. See also Comment Number PSLP\_130 made on Policy PSTR/BM 1]

### Question 4

**Do you consider that the Local Plan:**

**Is legally compliant**

Don't know

**Is sound**

No

**Complies with the Duty to Cooperate**

Don't know

#### **Question 4a**

**If you consider that the Local Plan is not sound, please answer this question.**

**Do you consider that the Local Plan is not sound because:** . It is not effective

#### **Question 5**

**Please note:** In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

**Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.**

The Plan places a disproportionate amount of development in Matfield, which has only one shop, has lost its post office and already has a traffic problem through the village.

PSTR/BM 1

I want to question the policy of a fixed library building. There is an EXCELLENT MOBILE LIBRARY SERVICE which has served us through the pandemic (when in contrast the Paddock Wood library has been closed).

#### **Question 6**

**Please note:** In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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A survey of large gardens, suitable for windfall sites would help to find space as an alternative to blocks of houses with no gardens to speak of, as already built in Matfield.

#### **Question 7**

**Please note** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

**If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?**

Yes, I wish to participate in hearing session(s)

#### **Question 7a**

***Please note** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.*

**If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:**

As a former Borough Councillor, I am interested in the formal Inspector's hearing.

#### **Future Notifications**

**Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:**

Yes, I wish to be notified of future stages of the Local Plan

## Comment

Consultee	Julie Davies [REDACTED]
Email Address	[REDACTED]
Company / Organisation	CPRE Kent
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	CPRE Kent ([REDACTED])
Comment ID	PSLP_554
Response Date	28/05/21 11:07
Consultation Point	Policy AL/BM 2 Land at Maidstone Road ( <a href="#">View</a> )
Status	Processed
Submission Type	Web
Version	0.1
Question 1	
Respondent's Name and/or Organisation	CPRE Kent
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
AL/BM2	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes
Is sound	No
Complies with the Duty to Cooperate	Don't know

#### Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because: . It is not consistent with national policy

#### Question 5

**Please note:** In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

**Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.**

AL/BM2 is a less prominent site close to the village centre which will also provide community benefits in the form of additional parking for the village hall and a fully equipped children's play space. It is only those social benefits for the village that can justify the allocation of this site, since AL/BM1, combined with the recent development opposite AL/BM1, will provide more than enough dwellings to fulfil the village's local housing need.

We recognise that the site contains some mature trees and hedgerows that should be preserved and that it is very close to the conservation area and the arcadian area of Matfield. However, even taking those factors into account, the proposed housing density appears to be relatively low and therefore 11-15 dwellings do not appear to make efficient use of this area of AONB Grade 2 agricultural land. Therefore, while we accept the allocation of this site, we recommend that the housing density should be increased in order to reduce the need to sacrifice AONB greenfield land elsewhere and to provide more of the smaller dwellings that are the most needed in the parish.

Please see CPRE Kent comments on density/making efficient use of land under policies STR1 and STR2 with respect to compliance with paragraph 123 of the NPPF and the need to optimise the use of land by increasing the density of development. Also H2.

#### Question 6

**Please note:** In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

**Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each 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.**

Increase housing numbers to ensure that development will optimise the use of this land, in accordance with paragraph 123 of the NPPF.

#### Question 7

**Please note** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

**If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?** . Yes, I wish to participate in hearing session(s)

#### **Question 7a**

**Please note** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

**If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:**

Only if this has not been adequately covered under PSTR/BM1.

#### **Question 8**

**If you have any separate comments you wish to make on the accompanying Sustainability Appraisal, please make them here.**

We question the scores given for education, given that there is no primary school within safe active travel distance.

We agree with the Council that the sites that have not been selected for allocation are either unsuitable for development or unlikely provide sufficient dwellings to qualify for allocation.

## Comment

Consultee	Phil Bilney [REDACTED]
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	Phil Bilney [REDACTED]
Comment ID	PSLP_1174
Response Date	04/06/21 00:02
Consultation Point	Policy AL/BM 2 Land at Maidstone Road ( <a href="#">View</a> )
Status	Processed
Submission Type	Web
Version	0.2

### Question 1

Respondent's Name and/or Organisation	Philip Bilney
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### Question 3

To which part of the Local Plan does this representation relate?	Policy
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### Question 3a

Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.

Policy AL/BM2 - Land at Maidstone Road

### Question 4

Do you consider that the Local Plan:

Is legally compliant	No
Is sound	No
Complies with the Duty to Cooperate	No

### Question 4a

If you consider that the Local Plan is not sound, please answer this question.



**Do you consider that the Local Plan is not sound because:**

**Question 5**

**Please note:** In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

*After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.*

**Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.**

As previously stated in an earlier round of consultation, part of the Land at Maidstone Road to the north of the site is subject to a number of restrictive covenants which are interrelated and enjoyed by the neighbouring properties Matfield Court and Little Court.

As stated on the charges register to title number TT48431 (which I believe covers the north end of the site proposed at Maidstone Road) the transfer of land dated 20 July 1998 contains a number of restrictive covenants which affect the land. I understand this transfer makes reference to a number of earlier deeds which bind successors in title, including a deed of variation dated 19 December 1993.

The restrictive covenants are not the easiest to navigate and understand but the summary position is that there are obligations on Matfield Court to oppose any development of the orchard/land behind Matfield Court and Little Court (excluding the village hall) and where necessary Matfield Court must exercise their option to purchase the land which we at Little Court will support and if necessary enforce should the proposed land at Maidstone Road continue to form part of the Local Plan (particularly the north end which I understand has been identified for community use).

As yet no one from the council has contacted us to discuss the various deeds affecting the land and associated restrictive covenants which we find odd considering the possible legal ramifications. We do not wish to resort to formal legal action to enforce our rights but will do so should the land at Maidstone Road continue as proposed.

**Question 6**

**Please note:** In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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**Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each 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.**

As indicated in my answer to Question 5 above the land proposed to be developed at Maidstone Road is impacted by a number of restrictive covenants. To remove those legal issues from the picture and thereby arguably make the policy concerning the land at Maidstone Road legally compliant and/or sound would be to simply remove the land which has title number TT48431 from the proposal.

**Question 7**

**Please note** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

**If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?**

No, I do not wish to participate in examination hearing session(s)

#### **Future Notifications**

**Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:**

Yes, I wish to be notified of future stages of the Local Plan

## Comment

Consultee	Claire Sandford [REDACTED]
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	Claire Sandford [REDACTED]
Comment ID	PSLP_1250
Response Date	04/06/21 12:30
Consultation Point	Policy AL/BM 2 Land at Maidstone Road ( <a href="#">View</a> )
Status	Processed
Submission Type	Web
Version	0.3

### Question 1

**Respondent's Name and/or Organisation** Ms Claire Sandford & Mr Andrew Peaple

### Question 3

**To which part of the Local Plan does this representation relate?** Policy

### Question 3a

**Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.**

Policy AL/BM2 - Land at Maidstone Road. As shown on Map 56 Site Layout Plan.

### Question 4

**Do you consider that the Local Plan:**

Is legally compliant	No
Is sound	Don't know
Complies with the Duty to Cooperate	Don't know

### Question 4a

**If you consider that the Local Plan is not sound, please answer this question.**

**Do you consider that the Local Plan is not sound because:**

#### **Question 5**

**Please note:** In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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**Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.**

Policy AL/BM2 does not comply with existing covenants over the land as set out in titles and covenants filed with HM Land Registry with regard to title K805433, as per Deed containing covenants dated 20 July 1998 with regard to covenants held by Matfield Court, The Green, Matfield.

In summary, the covenants (paragraph 6c) require the transferor 'not to construct any buildings other than equestrian or domestic shelters on the land hatched purple and the land coloured yellow on the Plan [the Plan is filed with this Deed]'. On map 56 site layout plan for the Land at Maidstone Road, this paragraph of the covenant pertains to both the land coloured purple (commercial use) behind the village hall, and the north west half of the land coloured yellow (ie circa 50% of the land coloured yellow and marked for residential use).

In addition, the 20 July 1998 covenants include a covenant (paragraph 7) 'not to construct on the land coloured orange or the land coloured green on the Plan any buildings for social, low cost housing or local dwellings for agricultural use and in any event only to construct dwelling houses with garages and the usual outbuildings for owner occupation on the land coloured orange and the land coloured green on the Plan'. The land coloured green as referenced in the covenant is the remaining south eastern section of the land coloured yellow (residential use) in the Site Map 56.

Therefore, covenants exist over the full Site Map 56 which restrict development of this site. The current site map indicates a breach of these covenants.

#### **Question 6**

**Please note:** In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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Our recommendation, in order to comply with the covenants, is that

1) owner occupied private dwellinghouses are only constructed on the south eastern half of the area marked in yellow (residential use) on Site Map 56, ie that part of the Site which is not constrained by the covenants as noted above.

- 2) No buildings are erected on the north west half of the section marked in yellow and the full section marked in purple on the Site Map 56.
- 3) No social or low cost housing is built on the site.

#### Question 7

**Please note** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

**If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?** . Yes, I wish to participate in hearing session(s)

#### Question 7a

**Please note** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

**If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:**

As owners of Matfield Court and the adjoining field covered by the covenants in the Deed 20 July 1998, we would participate to ensure the existing covenants are adhered to.

#### Future Notifications

**Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:** Yes, I wish to be notified of future stages of the Local Plan

## Comment

Consultee	Angela and Ian McEwen [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] Matfield [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Angela and Ian McEwen [REDACTED]
Comment ID	PSLP_1264
Response Date	04/06/21 13:22
Consultation Point	Policy AL/BM 2 Land at Maidstone Road ( <a href="#">View</a> )
Status	Processed
Submission Type	Web
Version	0.3
Question 1	
Respondent's Name and/or Organisation	Ian McEwen
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy AL/BM2	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Don't know
Is sound	No
Complies with the Duty to Cooperate	Don't know

**If you consider that the Local Plan is not sound, please answer this question.**

### Question 5

*After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.*

The Plan's discussion of sustainability issues with regard to Matfield is misleading and therefore unsound. It states (para. 5.486) that "the level of growth takes account of its proximity to Brenchley, better travel connection to Paddock Wood, and local benefits". Although the two villages are little more than a mile apart they are not easily accessible from each other except by car. It is not feasible to walk

from Matfield to Brenchley to access education and health (or other) facilities as there is no paved path between the two villages, cycling on the narrow but fairly busy road is dangerous, and the bus service only runs once every hour and a half to two hours.

Similarly, Paddock Wood is not easily accessible from Matfield without a car. As the Plan itself states, Matfield is only 0.2 miles closer to Paddock Wood than Brenchley is. Walking is impractical, cycling is dangerous on a very busy road with much HGV traffic and bus services are no better than once an hour. Also, the Plan does not expand on what it means by the "local benefits" of Matfield; and the proposal to build additional GP facilities at Horsmonden (because existing facilities will not be able to cope with the planned growth in population) will make life more difficult (not easier) for residents of Matfield who might have to travel an additional two miles to visit a doctor.

With regard to biodiversity, Policy EN9 states that development will only be permitted where it can be demonstrated that "that completion of the development will result in a measurable long-term net gain for biodiversity". The policy sets out various ways of achieving this but states that the net gain should be a minimum of 10%. The site in AL/BM2 is currently very diverse as it has been, effectively, a wildlife reserve for many years. It supports bats, badgers, foxes and rabbits as well as a variety of birds, smaller mammals and insects. While it might be possible for development there to mitigate some of its adverse effects on biodiversity, it does not seem to be feasible that any action could be taken which would lead to a 10% gain in biodiversity once 11-15 houses had been built. In this respect, therefore, the Plan is also unsound in seeking to develop the site on Maidstone Road.

## Question 6

**Please note:** In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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As set out above, I consider that the Plan's proposals to develop land for housing on the area described in Polcy AL/BM2 are unsound for several reasons. My suggested modification would be to remove that location as an allocated site.

## Question 7

**Please note** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

<b>If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?</b>	<input type="checkbox"/> No, I do not wish to participate in examination hearing session(s)
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## Future Notifications

<b>Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:</b>	<input checked="" type="checkbox"/> Yes, I wish to be notified of future stages of the Local Plan
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# Supporting Information File Ref No: SI\_101

## Comment

Consultee	Lynne Butler [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Brenchley & Matfield Parish Council
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Brenchley & Matfield Parish Council [REDACTED] [REDACTED]
Comment ID	PSLP_1782
Response Date	03/06/21 17:19
Consultation Point	Policy AL/BM 2 Land at Maidstone Road ( <a href="#">View</a> )
Status	Processed
Submission Type	Web
Version	0.4
Files	<a href="#">B&amp;M comments Local Plan.docx</a>
Question 1	
Respondent's Name and/or Organisation	Brenchley & Matfield Parish Council
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

**Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.**

STR1, STR5, STR6, STR, STR8, STR10, PSTR/BM1, AL/BM1, AL/BM2, EN1, EN19, OSSR1, OSSR2.

*[TWBC: relevant parts of this representation have been duplicated against the above policies: see PSLP\_1775-1786 inclusive]*

**Question 4**

**Do you consider that the Local Plan:**

Is legally compliant	Yes
Is sound	No
Complies with the Duty to Cooperate	Don't know

#### Question 4a

If you consider that the Local Plan is not sound, please answer this question.

Do you consider that the Local Plan is not sound because: . It is not effective

#### Question 5

**Please note:** In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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**Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.**

The language is not sufficiently robust in some of the policies and introduces ambiguity. Small rural parishes have very different requirements to the larger settlements, having less housing allocations, limited facilities and poor public transport. Consequently some policies have no relevance in rural areas and include no provision of additional facilities. Although the parish has a small housing allocation, the quality of life will be significantly affected by development in Paddock Wood/Capel/Horsmonden/Pembury. There should be some provision for the mitigation of the effects within other parts of the borough of increased traffic on safety, noise and air quality.

#### Question 6

**Please note:** In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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#### Pre-submission Comments from Brenchley and Matfield Parish C council

#### TWBC Pre-Submission Local Plan

**AI/BM2: Land at Maidstone Road.** 11-15 dwellings allocated for this site with community use around Matfield Village Hall together with a buffer zone. There are many trees on this site and as many as possible must be retained.

The PSLP has suggested that a children's play space be delivered within the green area on the site map in the PSLP. The view of the Parish Council and the Trustees of Matfield Village Hall Charity is

that a large fully equipped children's play area should be sited in the purple area marked for community use in the PSLP. MVH Trustees have agreed that an open green area to the rear of the hall and a playground would be a more effective use of this community area than additional car park spaces.

With speeding and increasing traffic being serious problems along Maidstone Road, the community also seeks a speed indicator sign to the south of the proposed site, to replace the sign previously situated outside MVH.

-

#### Question 7

**Please note** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

**If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?**

No, I do not wish to participate in examination hearing session(s)

#### Question 8

**If you have any separate comments you wish to make on the accompanying Sustainability Appraisal, please make them here.**

The Parish Council supports the overall negative scores of the sites in Brenchley and Matfield that were put forward in the Call for Sites. There are very few positive scores for any of the sites and a significant number of high negative scores. Many of the sites involve the loss of high-grade agricultural land and would have a negative impact on biodiversity, landscape and heritage. Sustainability is also a factor for many of the sites, which lack a proximity to facilities and public transport.

The villages of Brenchley and Matfield have limited sustainability, with poor facilities in Matfield but a reasonable bus service to Paddock Wood and Tunbridge Wells. Brenchley has more facilities but three bus services to Paddock Wood on only two days during the week. There are no bus services in the evenings that would allow commuters to use public transport.

**If you would like to attach a file in support of your comments, please upload it here.** [B&M comments Local Plan.docx](#)

## Comment

Agent	Mr David Maher [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Barton Willmore LLP
Address	- Ebbsfleet -
Consultee	[REDACTED]
Company / Organisation	Clarendon Homes
Address	[REDACTED] [REDACTED] Harrietsham [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Clarendon Homes [REDACTED]
Comment ID	PSLP_1849
Response Date	04/06/21 09:42
Consultation Point	Policy AL/BM 2 Land at Maidstone Road ( <a href="#">View</a> )
Status	Processed
Submission Type	Email
Version	0.7
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Clarendon Homes
Question 2	
Agent's Name and Organisation (if applicable)	Barton Willmore
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

**Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.**

Policy AL/BM 2 Land at Maidstone Road

Map 56

*[TWBC: this representation has been input against Policies PSTR/BM 1 and AL/BM 2 – see Comment Numbers PSLP\_1849 and PSLP\_1854]*

#### **Question 4**

**Do you consider that the Local Plan:**

**Is sound**

**No**

#### **Question 4a**

**If you consider that the Local Plan is not sound, please answer this question.**

**Do you consider that the Local Plan is not sound because:** . It is not justified

#### **Question 5**

**Please note:** In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

*After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.*

**Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to cooperate, please also use this box to set out your comments.**

##### **POLICY NUMBER: AL/BM 2 (Land at Maidstone Road, Matfield)**

Clarendon Homes, as promoters to this site, broadly supports this policy as including the objective of securing approximately 11 – 15 dwellings at the site. Clarendon does however make the following representations concerning the policy.

##### **Fully equipped children's play space/additional parking for Village Hall**

As above, Policy AL/BM2 seeks to secure 11 – 15 dwellings at the site, subject to 8no. policy requirements.

Requirement no. 5 requires the provision of a fully equipped children's play area, to be delivered on the area of the site indicated in "green" on the site layout plan (i.e. Map 56).

Requirement no. 6 seeks for additional public car parking to serve the Village Hall to be sited in the area indicated as "purple" (i.e. "community use") on the site layout plan (Map 56). Requirement no. 7 goes on to seek to align the delivery of the car parking area with new housing at the site.

Clarendon has undertaken extensive recent engagement with the Matfield Village Hall Management Committee and the Neighbourhood Plan Group. Through this engagement Clarendon has established that there is no salient demand/need for additional parking facilities to serve the adjacent Village Hall. In this context, the Village Hall already provides ample and abundant parking facilities in front of/east of the Village Hall building.

This is reflected in the Brenchley and Matfield Neighbourhood Plan (Reg 14 - Pre-Submission Draft) which is currently the subject of consultation (17 May - 28 June 2021). Refer to [www.bandmnp.com](http://www.bandmnp.com) for details of the Neighbourhood Plan consultation document.

The draft Neighbourhood Plan (policy H11b) seeks to provide the fully equipped children's play area as well as allotments at the site. The Neighbourhood Plan proposes that these facilities are provided in the "purple area" identified in the TWBC Local Plan for car parking - refer to requirements 2b and 2d of policy H11b and figure 17 of the Neighbourhood Plan.

Clarendon supports part of the NP requirement and considers that the "purple area" to the rear/west of the Village Hall is best suited to provide children's play area, but that allotments would not be a suitable use of any part of the site.

The Neighbourhood Plan does not seek to directly secure the additional parking area for the Village Hall, yet it refers to the need to "assess the need for extra parking spaces to serve the Village Hall and provide them if necessary. Any extra parking will be located in the non-allocated area of the site, to the rear of the Matfield Village Village" (requirement 2a – NP policy H11a).

Clarendon does not consider there to be a need for extra parking to serve the Village Hall. The request for additional parking from TWBC has not been evidenced so should be removed from the policy requirement. The Matfield Village Hall Management Committee have not requested additional parking and confirm the existing parking is sufficient for their requirements. The Neighbourhood Plan Group has also recognised there is no current parking problem, however it seems that the suggestion to assess the need for additional parking is a response to the Local Plan requirement.

## Question 6

**Please note:** In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

**Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each 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.**

**POLICY NUMBER: AL/BM 2 (Land at Maidstone Road, Matfield)**

**Outline Policy – amendments set out in red text**

[TWBC: red text replaced with underlining due to formatting differences]

**This site, as defined on the Branchley and Matfield Policies Map, is allocated for residential development providing approximately 11-15 dwellings, of which 40 percent shall be affordable housing and a fully equipped children's play space shall be provided, and additional car parking provision for the village hall.**

**Requirement no. 5 – amendments set out in red text**

[TWBC: red text replaced with underlining due to formatting differences]

**Provision of a fully equipped children's play space, to be delivered on the area of the site indicated in green purple on the site layout plan.**

**Requirement no. 6 and 7 – as above it is recommended that both of these requirements are deleted.**

**Amendments to Map 56 – Site Layout Plan**

It is recommended that the Site Layout Plan (Map 56) is amended to align with the proposed modifications set out above. In this context the children's play area should be provided within the "purple shaded" community use area.

Accordingly, the area shaded green (directly south of the Village Hall) should form the "orange shaded" development area. This area is unconstrained in land use terms and is expected to deliver part of the housing numbers within the allocation. The orange shaded area should continue through the south of

the site to the boundary. Adjacent to the south of the site is an access drive which is itself lined with trees on its southern boundary, so an additional landscape buffer would not be warranted and would also be a poor waste of developable land.

The Site Layout Plan also includes an “indicative access” entering the site at a point south of the Village Hall. Clarendon does not necessarily object to this, however from initial work, Clarendon has established that there are other suitable access points south of this along Maidstone Road. This matter can be firmed up/considered further at the planning application stage.

#### Question 7

**Please note** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

**If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)?** . Yes, I wish to participate in hearing session(s)

#### Question 7a

**Please note** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

**If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:**

We trust our above points can be dealt with as proposed modifications as submitted to the Local Plan Examination. However, should TWBC not include such proposed modifications as part of the submitted Local Plan, we would seek to make our case at the Examination on the specific policy requirements for the site.

#### Future Notifications

**Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:** Yes, I wish to be notified of future stages of the Local Plan