

Green Belt Review
LAND AT FINCHES FARM, FIVE OAK GREEN ROAD
Rydon Homes Ltd

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1 INTRODUCTION AND BACKGROUND

1.1 Forward

1.1.1 This report has been commissioned by Rydon Homes Ltd, which has land interests at Finches Farm, Five Oak Green Road.

1.2 The National Planning Policy Framework (NPPF)

1.2.1 The NPPF seeks continued protection of Green Belts and states that,
“the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence”¹.

1.2.2 The NPPF para 143 states that Green Belts serve five purposes;

- a. To check the unrestricted sprawl of large built-up areas;
- b. To prevent neighbouring towns from merging into one another;
- c. To assist in safeguarding the countryside from encroachment;
- d. To preserve the setting and special character of historic towns; and
- e. To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

1.2.3 The NPPF states;
“Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.”²

Similarly, *“New Green Belts should only be established in exceptional circumstances, for example when planning for larger scale development such as new settlements or major urban extensions”³.*

¹ NPPF; Para 142

² NPPF Para 152

³ NPPF Para 144

- 1.2.4 The NPPF encourages Local Authorities to plan positively to enhance the beneficial use of the Green Belt, by providing opportunities for access, outdoor sport, and recreation, enhancing landscapes, visual amenity and biodiversity, or improving damaged and derelict land. These land uses have been interpreted as exhibiting open characteristics which are an essential component of the Green Belt. In identifying opportunities for improving the quality, condition, and accessibility to the landscape,
- “...They should also set out ways in which the impact of removing land from the Green Belt can be offset through compensatory improvements to the environmental quality and accessibility of remaining Green Belt land”⁴.*
- 1.2.5 This could be achieved through a series of measures such as (for example) improving accessibility and connectivity for walkers and/or cyclists to the public right of way network, new strategic planting in the form of hedgerows, new trees and woodland or the reinstatement of historic landscape features, as well as ecological enhancements that result in biodiversity gains⁵.
- 1.2.6 The NPPF (para 148) confirms the approach Local Authorities should take when addressing Green Belt boundaries, in stating that, when doing so, local authorities should:
- *“Ensure consistency with the Local Plan strategy for meeting identified requirements for sustainable development;*
 - *Not include land which it is unnecessary to keep permanently open;*
 - *Where necessary, identify areas of ‘safeguarded land’ between the urban area and the Green Belt, in order to meet longer-term development needs stretching well beyond the plan period;*
 - *Make clear that the safeguarded land is not allocated for development at the present time. Planning permission for the permanent development of safeguarded land should only be granted following a Local Plan review which proposes the development;*
 - *Satisfy themselves that Green Belt boundaries will not need to be altered at the end of the development plan period; and,*

⁴ NPPF Para 147

⁵ NPPF Para 150

- *Define boundaries clearly, using physical features that are readily recognisable and likely to be permanent”.*

1.2.7 The NPPF (150) also confirms that LPAs should plan Green Belts positively to, *“...enhance their beneficial use, such as looking for opportunities to provide access; to provide opportunities for outdoor sport and recreation; to retain and enhance landscapes, visual amenity and biodiversity..”*

1.3 Background

1.3.1 Section 1 of this report, reviews the current process in relation to Green Belt land, forming part of the Council’s evidence base in the preparation of a new local plan. Section 2 of this report assesses the Site currently being promoted for residential use by Rydon (‘the Site’, see **Figure 1 Aerial Overview**), which involves assessing the identified parcel against the five purposes of the Green Belt outlined in the NPPF.

1.3.2 The Site is situated located within the Tunbridge Wells Borough Council, which has a Green Belt Strategic Study, of which Stage 1 was published in 2016 and Stage 2 in 2017, both prepared by LUC. Tunbridge Wells Borough Council (TWBC) has a Local Plan, published 2006, setting out the Council’s strategy and objectives for planning the district, with a new Local Plan set to be published at the end of 2024. They have also produced a Core Strategy, published 2010 and a Site Allocations Local Plan, published 2016.

1.4 Tunbridge Wells Borough Council Green Belt Strategic Study, Stage 1, November 2016

1.4.1 LUC was appointed by Tunbridge Wells Borough Council (TWBC) to prepare a Stage 1 Green Belt Study in 2017, to help inform the new Local Plan for future development up to 2033.

1.4.2 The scope of this review includes a strategic assessment of the Green Belt in the Borough of Tunbridge Wells in the context of the wider Metropolitan Green Belt and Green Belt within adjacent local authorities. The assessment is undertaken in relation to the contribution of areas of land to each of the five Green Belt Purposes as defined in the National Planning Policy Framework, (NPPF).

1.4.3 Following the Stage 1 assessment, 33 parcels and 10 broad areas, were subsequently suggested for assessment at Stage Two, where the parcels have been identified as:

“The parcels represent the areas in which there is a possibility that land may not be found to make a strong contribution to Green belt purposes.”

1.4.4 The Site was identified as falling in Broad Area BA3: Between Tonbridge and Paddock Wood – south of railway. This was considered for the Stage 2 assessment due to the:

“Contribution to gap between Tonbridge and Paddock Wood; extent of openness; distinction between Low and High Weald landscapes.”

1.4.5 The Site was further identified as falling within Parcel FG1: Five Oak Green, for assessment at Stage 2 due to the:

“Relationship between settlement and countryside and role in settlement gap between Tonbridge and Paddock Wood”.

1.5 Tunbridge Wells Borough Council Stage 2 Green Belt Study (July 2017)

1.5.1 LUC then prepared a Stage 2 Green Belt Study in July 2017, following on from the Stage 1 assessment. It was informed by the Stage 1 assessment that identified key assessment considerations, such as:

“Identifying those parts of the borough and adjacent districts which were considered to clearly make a strong contribution to one or more Green Belt purpose, and dividing them into broad areas of Green Belt to reflect significant variations in their relationship with settlements;

Subdividing those areas potentially not making a strong Green Belt contribution into smaller assessment parcels, reflecting variations in the relationship between settlement and countryside.”

1.5.2 Subsequently, 37 parcels and 10 broad areas were identified and assessed on their contribution to the five Green Belt purposes identified in the NPPF.

1.5.3 The Stage 2 Green Belt Study assesses the current Green Belt designation against four of the five criteria set out within the NPPF. Assessment is not made against the fifth, ‘to assist in urban regeneration by encouraging the recycling of derelict and other urban land’, as it was considered that

“individual parcels are considered to make an equal contribution to this purpose and so have not been assessed”.

- 1.5.4 The Site lies within Parcel FG1, which forms the western edge of Five Oak Green, being bounded by Five Oak Green Road and settlement to the south, and a well vegetated, elevated railway line to the north, together with strong defensible tree belt along the western field boundary. These features are clear evidence of the Site’s strong, defensible and robust Green Belt boundaries, which marks its containment locally, and reinforces its separation both spatially and also from the wider landscape.
- 1.5.5 Overall, the parcel (the Site) FG1 was one of the worst performing parcels of Green Belt in the District, with Weak or No contribution for all purposes except for a Moderate contribution to purpose 3 (safeguarding the countryside from encroachment).
- 1.5.6 Further Green Belt parcel lies to the south of the Site, FG2, and to the south east of the Site, FG3.
- 1.5.7 Further analysis of the Council’s evidence base and the Site is necessary to assess the extent to which Green Belt purposes are fulfilled this parcel of land.
- 1.5.8 We have reviewed the assessment carried out by LUC for TWBC and comment as follows.

Review of first Purpose: ‘to check the unrestricted sprawl of large built-up areas’

- 1.5.9 Parcel FG1 was assessed by LUC and scored as weak or no contribution on the basis that,
- “The parcel is not adjacent to the large built-up area and development here would be associated with a different settlement”.*
- 1.5.10 We concur with this assessment and note that the Site is not adjacent to a large built-up area (town or city). The parcel prevents further outward or unrestricted sprawl into open land, as it is clear that the Site itself is contained by built development and infrastructure on three sides at a local level, adjoining the settlement. As such the Site is well contained spatially, with strong boundaries preventing sprawl on all four sides.

Review of the second Purpose: ‘to prevent neighbouring towns merging into one another’

1.5.11 The Council’s (LUC) assessment states that Parcel FG1 has been assessed as weak or no contribution on the basis that,

“Tonbridge and Paddock Wood are over 6km apart and although Five Oak Green lies between the two towns and reduces the perceived openness of the gap, the distance is still such that development to the west of Five Oak Green would cause little or no perception of the narrowing of the gap.”

1.5.12 We concur with this assessment for the parcel and agree that the Site itself at local level does not result in any perceived reduction of the gap or the perception of the narrowing of a gap between Tonbridge and Paddock Wood, given the extensive containment from existing features (housing, infrastructure and mature vegetation).

Review of third Purpose: ‘to assist in safeguarding the countryside from encroachment’

1.5.13 The LUC assessment for Parcel FG1 scored as Moderate on the rating for Purpose 3, on that basis that the parcel,

“The parcel relates to both the settlement and the wider countryside.”

1.5.14 As an undeveloped piece of land, the Site itself is acknowledged to be open as is commonly the case for all similar Green Belt sites in the District; however, it is important to consider the aspects which affect openness, including the influence of surrounding development, relationship with built form and settlement, and features (rail and road infrastructure).

1.5.15 Whilst it is acknowledged that the parcel itself displays an absence of built development or urban uses (and this is commonplace with almost all Green Belt parcels of land being considered) it is not entirely open. As such, the Site itself is (in spatial terms) is largely enclosed, and in close proximity on three sides to existing built development. These built developments influence the openness and rural character of the Site, reducing their contribution to the purpose. The railway line, which is elevated and vegetated provides visual and spatial containment. There is only a small gap of c.100m or so on one side of the

Parcel's four boundaries, along Five Oak Green Road, between Capel Primary School and the first properties that is not contained by something built or influenced by development (notwithstanding the permanent built road edge) or a strongly planted boundary.

- 1.5.16 As such, the Site has a stronger relationship spatially, physically and visually with the settlement and a reduced role within the context of the wider landscape.

Review of fourth Purpose: 'to preserve the setting and special character of historic towns'

- 1.5.17 The LUC assessment confirms the parcel as scoring a weak or no contribution in relation to Purpose 4, confirming in its assessment that the,

"The parcel does not form part of the setting of an historic town."

We concur with this assessment for the parcel and note that the Site itself at local level does not form part of the setting of a historic town or contribute to the character of a historic town (and Five Oak Green is not a town, it is classed as a village in the settlement hierarchy), as such there is nothing further to add to this assessment.

1.6 Summary

- 1.6.1 Following the LUC assessment, the Site, Parcel FG1 was rated overall as having a harm rating of 'Moderate – Makes a moderate contribution to one or more GB purposes. No strong or relatively strong contribution to any purpose'.

- 1.6.2 It would appear that there will be a number of suitable Sites (including the Site being promoted by Rydon at Five Oak Green) that fulfil the Council's criteria with limited or no harm to the purposes of the Green Belt.

- 1.6.3 Indeed Inspector Birkenshaw (TWBC Local Plan Examination ID-012-Inspectors Initial Findings), acknowledge Green Belt land was likely to be required to meet housing needs, but was also highly critical of the Council's approach to Green Belt stating at paragraph 6⁶,

"However, the Green Belt Study Stage 3 only considers sites allocated for development in the submitted Plan - i.e. sites which the Council has already

⁶ TWBC Local Plan Examination ID-012

determined are sound and concluded that exceptional circumstances exist to remove them from the Green Belt. If it is accepted that Green Belt land will be required, then why did the Council not carry out a comparative assessment of reasonable alternatives at Stage 3 in order to avoid, or at least minimise, harmful impacts where possible? This is especially relevant when the two largest allocations in the Plan (Tudeley Village and Paddock Wood) were found to cause “high” levels of harm to the Green Belt.”

and..

“..the Government attaches great importance to Green Belts and that boundaries should only be amended in exceptional circumstances. Reaching that conclusion should be based on a thorough assessment process which includes an understanding of the likely impacts when compared with other site options, especially where the magnitude of harm from the two largest allocations is “high”.

1.6.4

As such the Council have not demonstrated that all options have been explored, given that there are potential Sites coming forward (like the one being promoted by Rydon). Therefore, in the absence of a Council assessment, the following sections 2 and 3 provide an assessment of the Site in isolation at local level, offering a finer grain assessment that is necessary.

2 THE SITE

2.1 Identification of Parcel

2.1.1 The Site is reviewed and where applicable discrete areas, or sub parcels (if appropriate), within the Site are identified for assessment. The area of the Site (or sub parcels) based upon key characteristics identified in the published Landscape Character Assessments, land use as well as clear physical features or readily identifiable boundaries, such as urban edge, roads, railways, streams/ rivers, belts of trees, hedgerows, and woodland.

2.1.2 For the purposes of this assessment the area comprises one Parcel as detailed below, (refer **Figure 2 Green Belt Context**).

2.2 Site Visit

2.2.1 A site visit was carried out by an experienced Chartered Landscape Architect in September 2023. The physical features and boundaries of the identified parcels of land were reviewed. The Site visit confirmed the extent of the identified parcel area and boundaries where reviewed.

2.3 Parcel: Land at Finches Farm, Five Oak Green Road

2.3.1 The Parcel is irregular in shape and comprises two agricultural fields separated from the settlement by strong, wooded hedgerows and tree belts, which provide containment from the wider landscape beyond the Parcel boundary.

2.3.2 The northern boundary comprise of existing structural vegetation which forms part of the elevated/embanked railway line running east-west, providing strong containment and preventing outward views. The eastern boundary is adjacent to the settlement edge of Five Oak Green, bound by a Public Right of Way and residential dwellings. The western boundary is formed of strong woody field boundary. The southern boundary is also adjacent to the settlement edge of Five Oak Green and is bound by existing development and the B2017 Five Oak Green Road, which exerts urban influences across the Site and contrasts with the Purposes of including land within the Green Belt. Refer **Figure 2: Green Belt Context**.

3 ASSESSMENT OF GREEN BELT FUNCTIONS

3.1 Analysis

3.1.1 An analysis of the land being promoted has been made to determine which purposes of the Green Belt functions are being met and to what extent the parcel contributes, together with the likely effect on the Green Belt if released. This assessment should be read in conjunction with the Figures in Appendix A of this report.

3.1.2 As is commonplace with many Green Belt assessments, the fifth Purpose that supports the regeneration of previously developed land has been excluded from this assessment. By their very nature, it is commonly understood that all Green Belt sites generally meet this purpose, due to the presence of existing undeveloped use(s) on greenfield land that help direct development towards brownfield sites within the built up areas.

3.2 Parcel: Land at Finches Farm, Five Oak Green Road

3.2.1 Assessment of the Parcel with regard to the Green Belt functions as follows:

Table 1: Parcel Assessment

<i>Purpose</i>	<i>Discussion</i>	<i>Conclusion and Effect on the Green Belt if released</i>
To check the unrestricted sprawl of large built-up areas	Five Oak Green is not defined as a 'large built-up area'. Within the Tunbridge Wells Green Belt Study Stage 2, 'large built-up areas' are defined as Tunbridge Wells built-up area (which includes Royal Tunbridge Wells, Southborough, Bidborough, Rusthall, Langton Green and Pembury) and Tonbridge.	Accordingly, it does not meet the Purpose. Release of the Parcel would not result in sprawl beyond the existing built pattern of development, and the land is contained by strong defensible robust features that prevent any further sprawl in any direction.

<i>Purpose</i>	<i>Discussion</i>	<i>Conclusion and Effect on the Green Belt if released</i>
To prevent neighbouring towns merging into one another	The NPPF states that the purpose is to prevent neighbouring <u>towns</u> from merging. Five Oak Green is defined as a village and civil Parish (non-green belt), not a town and is a small settlement. The town of Paddock Wood is located to the east of Five Oak Green; however, the Site is located on the western side of Five Oak Green and adjoins the settlement edge along Five Oak Green Road, and has no spatial relationship with Paddock Wood. The Site would therefore not reduce or affect the degree of separation between any other settlement, given its strong boundary features.	Accordingly, it does not meet the Purpose. Development of the Parcel would not result in the coalescence or merging of neighbouring towns, either physically or visually.
To assist in safeguarding the countryside from encroachment	Assessment of Green Belt purpose is considered under four categories: <u>Boundary strength:</u> The parcel has a combination of three or more strong boundary features which are intact, well developed, permanent and durable. The eastern, southern and western boundaries are defined by existing built development, comprising residential properties, comprising mature boundary vegetation and transport infrastructure. The only rural boundaries are to the north and a portion of the west, which provides containment from the wider landscape. <u>Development coverage:</u> The parcel itself is not developed and therefore it is physically open, and the Site is currently agricultural fields. The Site itself is (in spatial terms), in close proximity on three sides to built development, with development following Five Oak Green Road to the west of the settlement of Five Oak Green. To the east and south, the Site adjoins the settlement along the B2017 Five Oak Green Road, Nortons Way, Sychem Lane and Sychem Place. These built developments influence the	Accordingly, the parcel partially fulfils the purpose, but only to a limited degree. Development of the parcel beyond the current development status (Boundaries, Coverage, Land Use and Designation) would lead to some limited encroachment on the countryside and loss of openness on the Site itself, but this has already been compromised to a degree by existing influences, as described. Furthermore, the Site is contained spatially and visually, with no harm on the openness of the wider landscape.

<i>Purpose</i>	<i>Discussion</i>	<i>Conclusion and Effect on the Green Belt if released</i>
	<p>openness and rural character of the Site, reducing their contribution to the purpose.</p> <p>The northern and western edges of the Site comprise tree belts, which contains the land distinctly from the wider rural landscape to the north and west. As such, the Site has a strong relationship spatially, physically and visually with the settlement and a reduced role within the context of the wider landscape.</p> <p>Land Use: The land use within the Parcel in relation the NPPF is an agricultural field.</p> <p>Development pre-Green Belt designation:</p> <p>The Site has remained largely undeveloped, including since post Green Belt designation, although built development lies to the east, and south and west of the Site.</p>	
To preserve the setting and special character of historic towns	The parcel plays no role in the setting or special character of any historic town.	Accordingly, it does not meet the Purpose.

3.3 Overall Assessment

3.3.1 The land parcel has been analysed to establish to what extent it fulfils four of the five purposes of the Green Belt as specified in the NPPF. Table 2 illustrates the outcome graphically. Where the parcel is deemed to fulfil or contribute fully or strongly to the identified purpose of Green Belt the box is coloured green. Where the parcel fails to fulfil or contributes weakly to a Green Belt purpose a red colour has been assigned. Orange represents a partial or moderate contribution.

Table 2: Green Belt Assessment Summary

<i>Purpose of the Green Belt</i> ⁷	Parcel
To check unrestricted sprawl of large built up areas	
To prevent neighbouring towns from merging into one another	
To assist in safeguarding the countryside from encroachment	

⁷ NPPF Paragraph 143

To preserve the setting and special character of historic towns	
Overall performance of the parcel to fulfil the functions of the Green Belt	

3.3.2 The assessment of the parcel of land under consideration to fulfil the functions of the Green Belt has established the Parcel currently partially fulfils one function of Green Belt only (safeguarding) and therefore does not fulfil the functions adequately.

3.3.3 Therefore, there would be only a limited effect on the Green Belt if the land being promoted was taken forward and released for development and that would be on the openness of the land (being the Site itself). However, the assessment has also highlighted that the land is contained and separated from the wider landscape by virtue of the existing features, including existing built development which influence openness, as well as infrastructure (roads and rail, and overhead wires/pylons) and well established vegetation, resulting in the land being contained and separate to the more rural characteristics of the wider landscape. The analysis concludes that the effect of releasing land from the Green Belt would have a very limited overall effect on the remaining functions of the Green Belt, which would be preserved as a result.

3.3.4 The release of land from the Green Belt will enable strong boundaries to be maintained and would also enable the boundaries to be strengthened and reinforced through new planting. In addition, parts of the land would be suitable for Green Belt enhancement, in line with paragraphs 150 and 147 of the NPPF which is to,

“.....positively to enhance their beneficial use, such as looking for opportunities to provide access; to provide opportunities for outdoor sport and recreation; to retain and enhance landscapes, visual amenity and biodiversity...”

3.3.5 On this Site there are opportunities to create new planting, ecological features, enhanced tree belts and provide buffers where appropriate, as well as improved access to connect with existing public rights of way and the village for recreation and informal activities for the community, bringing about a beneficial change to the condition and quality of the remaining land.