

Local Plan Regulation 19 representations in document order

Comments on Section 5: Place Shaping Policies: Capel

Comment

Consultee	Ashley Saunders [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] Tonbridge [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Ashley Saunders [REDACTED]
Comment ID	PSLP_1291
Response Date	04/06/21 13:48
Consultation Point	Capel (View)
Status	Processed
Submission Type	Web
Version	0.4

Question 1

Respondent's Name and/or Organisation	Ashley Saunders
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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.

All

Question 4

Do you consider that the Local Plan:

Is legally compliant	No
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 positively prepared
- . It is not effective
- . 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.

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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.

As per previous comments to save duplication.

[TWBC: see PSLP_1284]

In addition the Five Oak Green bypass is yet another obstical to rip through the green belt and the countryside which will also destroy what little would remain if all the development in Capel and Tudeley goes ahead. While it might benefit the road through Five Oak Green there would still be the congestion and high level of traffic once you reach the end of the new road as the existing road network will be the same and over crowded.

Question 6

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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.

To spread the deleopment across the borough such as the eastern areas would help to spread the traffic around to ease congestion in the western areas of the borough.

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

Local Plan Regulation 19 representations in document order

**Comments on Section 5: Place
Shaping Policies: Capel: Policy
STR/CA 1: The Strategy for Capel
parish**

Supporting Information File Ref No: SI_18

Comment

Consultee	Norman Taylor [REDACTED]
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	Norman Taylor [REDACTED]
Comment ID	PSLP_261
Response Date	21/05/21 18:51
Consultation Point	Policy STR/CA 1 The Strategy for Capel parish (View)
Status	Processed
Submission Type	Web
Version	0.3
Files	Tudeley Village objections Norman Taylor.docx

Question 1

Respondent's Name and/or Organisation Norman F Taylor for myself

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.

Policy STR/CA 1 paragraph 2: 'Provide a new garden settlement..'

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:

<input type="checkbox"/>	It is not justified
<input type="checkbox"/>	It is not consistent with national policy

Question 5

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The proposal for a new garden settlement in Capel Parish is not legally compliant because it involves building on land designated as green belt. It is not sound because this location is not capable of supporting such a settlement: it does not have adequate transport links nor a satisfactory prospect of creating them. It would cause unjustified damage to an area of high landscape value. The proposal has already attracted overwhelming opposition at the previous stage of consultation, so a duty to cooperate with those with most at stake has not been fulfilled.

Question 6

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An alternative site or sites should be proposed in order to provide compliance with the minimum housebuilding requirements that TMBC must fulfil. Proposals set out by a potential developer for the site at Castle Hill, on the edge of the built area of Tunbridge Wells has much more to recommend it: good road transport links, pedestrian and cycle access to High Brooms Station, less landscape impact, with the prospect of preserving the area of the iron age hillfort as an attractive park.

[TWBC: text of attached supporting document has been copied below for ease of reference, with reference made to the attachment to view images and maps].

Objections to the TWBC Pre-Submission Local Plan

Landscape grounds

The middle Medway valley is an exceptionally beautiful landscape. It has a smooth, shallow curving cross section, no doubt much enhanced by the hand of man in creating arable fields, orchards and pasture, with few patches of woodland on the lowest slopes. I can think of no parallel among lowland rivers. Because it is shallow, the view is easily obscured by trees or built features. To the north, there are no close vantage points for this reason, although there are some excellent far ones, from the steeper slopes above Hadlow, such as the Southern tip of Mereworth and Hurst Woods. On the south side, there is one viewpoint that stands out above all others and that is at the very middle of the upper edge of the planned development, at TQ 626449, the junction of B2017 and the unclassified road

towards Bank Farm and Tudeley Hale. As you drive on this B road eastwards from Tonbridge parallel with the river, at the first spur crossed, which runs down from Somerhill Schools, the view is completely obscured by woodland. The road descends, reaching a right-angle right near All Saints Tudeley church. The road then rises and, as it passes over the top of the next spur, the land opens out on the left to a glorious view. Taking a footpath uphill opposite, one can get an even wider view. The lack of large blocks of woodland means that the whole sweep from left to right can be seen, especially in winter. As a recent arrival living in Tonbridge, I found it thrilling to suddenly come upon this. Because the slopes are shallow, it shows poorly in a photograph and needs to be experienced to be fully appreciated.

I cannot find any comparable spot to see the valley in this way, yet it does not seem to be famous as a viewpoint. Whether much noticed or not, to lose this vista to a mass of houses would be a tragedy that could not be compensated: it is irreplaceable. The High Weald Area of Outstanding Natural Beauty runs from the south and inexplicably stops at the line of this B road. The projected development area is immediately to the north and currently fulfils most AONB criteria, being a high quality partly man-made landscape with a striking landform, with absence of much visible housing and – the road excepted – tranquility. Standing at this spot in spring, the skylarks provide an uplifting accompaniment.

see supporting document for image: Looking northwest from viewpoint on road. The distance to Tudeley Church (centre) is less than half the width of the projected settlement. The development would obliterate everything except perhaps views between building gaps of the distant greensand ridge and North Downs. (15.04.21 0730)

see supporting document for map: Height map to show the 2 ridges that the B2017 passes over, viewpoint on road arrowed

see supporting document for image: Looking north-northwest from the higher viewpoint. The near buildings are on the B2017. (15.05.21 1801)

see supporting document for map: Contour map (5m intervals) to show that the site occupies a large portion of the relatively open valley side, an area that can be seen from the viewpoint marked and from the footpath that leads up the hill to the south (shown broken green, woodland shown green). The contour line at the position of the church shows that it is located on a slight promontory.

The Church

All Saints' Tudeley is a unique church in an exceptional setting. I first saw it at a distance, having been walking a footpath and was immediately drawn towards this unusual-looking building. In my ignorance, I couldn't have guessed what would be next. First, a lane leading off the B road, rising towards the church straight ahead. Through the gate and into a hedged oasis surrounded by fields, with large yew trees hinting at its ancient origins. Walking the beaten grass path to the east end, the choice of the original builders becomes clear: the church sits at the highest point and the land falls away gently to the river valley beyond. While only slightly above its surroundings it commands its own special knoll. I found the door unlocked and was able to stand alone in the small nave, but the windows! Glorious swirls of colour by – it was obvious before starting to read anything – Marc Chagall. Later, on a late spring evening, I attended a chamber concert there. The experience of the music, the images and the constant changes of colour as the sun sank was unforgettable. After, we stepped outside into a dark, star – spangled night.

The story, which can be readily found online, is that Chagall was commissioned to make a window as a memorial to mark the tragic death of Sarah D'Avigdor Goldsmid. When he came to see it installed, he declared 'It's magnificent! I will do them all!'. He had a lifelong need to express his deeply held belief in the religious spirit, irrespective of the varied rituals and traditions that man attaches to it. That combination of a building that has kept that flame alive since the 7th century and its interaction with the surrounding landscape must have struck a powerful chord in Chagall. When the work was finished in 1982 he was too infirm, at 98, to witness it but before he died he knew that his vision was complete. The psalm that was his inspiration includes the words 'you made him ruler over the works of your hands; you put everything under his feet; all flocks and herds, and the beasts of the field, the birds of the air, and the fish of the sea, all that swim the paths of the seas'. Dr Jonathan Sacks, in describing these windows wrote '(they) can but serve to enhance the spirituality of the beautiful surroundings in which they are placed, advance the fervour with which the Almighty is worshipped, and increase the devotion of those coming under the inspiration of Chagall's divinely-inspired talent.' It would be an irony indeed if man's dominion were next expressed in the way that this development's proposers intend.

I very strongly feel that the land surrounding this church should be left just as it is: open and rural, with no room for compromise. No 'design solution' could mitigate the harm caused by building here. What stands there today is a complete synthesis of centuries of use and care and interaction with its landscape and one exceptional artist's response to it and to a family's tragedy. He saw it as one spiritual whole and so it should remain, for ourselves and for generations to come. In Simon Jenkin's 'England's thousand best churches' (1999), he ends his introduction to Kent with 'But the story ends with a blaze: Marc Chagall's glorious windows at Tudeley'.

More prosaically, the complex of buildings that includes the church is a jewel, with Church Farm House and the barns and oast having been sensitively converted for living in, together with a pond and orchard. They make a harmonious whole that deserves to remain intact and inviolate within an open landscape. On a visit, there were signs that badgers had been rooting in the turf beside the gravel road. May they continue to do so and not be displaced by ribbons of tarmac endowed with favourite housebuilders' names such as 'Badgers Close'!

see supporting document for image: Passing the church porch, looking east. The start of the footpath that runs east to Bank Farm can be seen as a gap in the perimeter hedge. (15.04.21 0630)

see supporting document for image: View from east end of church, looking northwest towards the river valley. The line of trees in the middle distance coincides with the western edge of the site. (15.04.21 0648)

see supporting document for image: The church from the line of the footpath that runs east – obliterated by ploughing at this time. May mine be the only kind of long shadow that is cast on this scene! (15.04.21 0657)

see supporting document for image: The complex of farm buildings and Tudeley Church from the southwest. This also illustrates the siting of the church at the highest point. (15.04.21 0742)

Summary and general thoughts

This 'village' is planned to have a built area of 94.7 hectares and a total area of 170 hectares. This is comparable to that of the largest city in Roman Britain, Corinium (Cirencester), at 97.2 hectares, while a lesser city such as Silchester is 43.3 hectares. It would have a train line bisecting it that the new residents could gaze at but, we are reliably informed, never use. The rationale, if that is not too kind a word, appears to not be based on balancing competing factors such as housing need, communication links, or considerations of landscape or heritage value but rather on the convenience of the site being in one ownership, being outside the High Weald AONB and being just within the borough promoting this plan. I urge the inspector to make a site visit to personally experience the characteristics of this place that I describe. They cannot be adequately conveyed in what can be written nor in photographs.

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

I would like the opportunity to further articulate my reasons for deleting the proposal for development in Capel Parish that are stated in the attached file [TWBC: text of supporting document has been

copied to Question 7 for ease of reference, with reference made to the attachment to view images and maps].

If you would like to attach a file in support of your comments, please upload it here. [Tudeley Village objections Norman Taylor.docx](#)

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	William Forster [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] Capel [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	William Forster [REDACTED]
Comment ID	PSLP_324
Response Date	24/05/21 12:42
Consultation Point	Policy STR/CA 1 The Strategy for Capel parish (View)
Status	Processed
Submission Type	Email
Version	0.3

Data inputter to enter their initials here HB

Question 1

Respondent's Name and/or Organisation William Forster

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/CA 1 The Strategy for Capel parish

[TWBC: This representation has been put against Policies STR/CA 1 and STR/PW 1 - see Comment Numbers PSLP_324 and PSLP_325]

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

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I am writing to object under Regulation 19 Phase to the TWBC “ Strategy for Capel Parish” (Policy STR/CA1) and to the inclusion of land in East Capel in “The Strategy for Paddock Wood” (Policy STR/PW1). (Tudeley and East Capel)

I have lived in this area for 30 years and in Capel for c28years. As a family we have explored the countryside and made great use of available footpaths and facilities.

When the call for development land went out from TWBC, we specifically didn't put our 7 acres up, as we felt the area wouldn't benefit from building on acres of green fields in the parish. Our land has road frontage and is neither Green Belt nor AONB status.

I object to the proposed plan, both where it is sited and the volume it proposes. It is based on a disproven target, developer wish-fulness, and very limited insight on the scope of impact and what would need to be funded by TWBC and residents. It brings with it a huge political risk as well as commercial risk of failure, puts vast swathes of the garden of England under yet more concrete and fails to address flooding which such a site alongside, and in, a known flood risk area will bring.

I would add that we in the First World decry the 3rd World for the devastation of their natural environment, their cutting down forests and their destruction of grasslands and for the climate costs these changes bring. And here we are in Tunbridge Wells, with challenging climate targets already proposing to destroy our own, much reduced already, natural environment. The TWBC plan is to decimate 100s of acres of prime and picturesque habitats to load yet more concrete and steel in its place. It is such hypocrisy.

Locations - Why Capel.

The Borough has nearly 50 Borough Councillors, only 1 of which lives in Capel Parish. The Borough has 18 parishes and Capel Parish (1 out of all 18) is getting 60%+ of the whole Borough's target. The imbalance is both stark and cavalier. Furthermore the plan refers to Capel as 'deprived' as if that gives the borough the right to ride roughshod across the constituents wishes.

And TWBC says that Southborough's air quality management problems will be alleviated by the new town at Tudeley. That is plainly nonsense. Traffic on the A26 through Southborough would more likely increase not have it reduced by Tudeley new town. And anyway it will add the AQMA issues into Tudeley.

Plan

Over the summer of 2019 when the plan was 1st proposed there were 3000 properties available either for sale or rent within a few miles of Paddock Wood. Existing development in the area is not finding buyers. Furthermore the ONS has advised that the targets for building are too high and based on discredited calculations and TWBC has not addressed this with Government.

The plan should not be taken further until Government addresses the target numbers.

Disconnected Proposals

The new town

- 1 There is no plan to alleviate traffic problems going into Tonbridge where the road to be used is already a choke point.
- 2 There is no planned new link between the north and south Tudeley new town developments across the railway. Existing bridges and the under pass are narrow and have traffic constraints. At least 2 new bridges would be required on the planned site if the blot of development is to have any chance of being a community.
- 3 The link road to the A228 from Tudeley New Town only addresses traffic going through between Tudeley and Colts Hill. It doesn't address traffic leaking through Paddock Wood traffic up to the A21 via Matfield, nor Badsell Road traffic and Paddock wood traffic past Transfesa.
- 4 The long-standing Colts Hill Bypass in the shape now being proposed by TWBC is not long enough to address the existing issues, let alone the vastly increased volumes. Nor does it address Kent's strategic link originally seen in the 25 year old proposal (accepted by TWBC) linking Pembury to Dampiers Corner.
- 5 The new development will increase traffic along the Pembury Road into Tunbridge Wells where traffic is already at a standstill during busy periods back to the A21. There is no plan element which considers the already creaking access to Tunbridge Wells.
- 6 Consideration has not been given to Tonbridge and that side of the boroughs' boundary. Tonbridge also has traffic problems and their station is already at capacity.
- 7 This development is being seen without consideration to the planned new houses elsewhere in Kent such as in Paddock Wood, in Marden, Staplehurst, Cranbrook, Maidstone and in Tonbridge. It is foolish to consider developments as isolated projects without external factors and there is no consideration from TWBC planners of how these will interplay and impact each other. At the very least there will be a major surge in traffic, already a weak point of both TWBC today and of the submitted plans.
- 8 Pembury hospital, new just a few years ago, doesn't have planned capacity for the new household population.

The Borough planners talk about developer levies as being the answer to many problems but are known to be unreliable. As cost escalate, the levy would run short. As new things are identified, the planned budget would not cover it and local taxes would get raised or services cut.

Bus funding by Developers is promised to help manage traffic, but it is not clear how that will work and whether it will work. Nor is it clear how it is funded when development stops. And the plan appears to rely on Autonomous buses, a technology that is not yet available and for which there are many hurdles, both technical and legal. Further there is an assumption people will use buses a great deal. That is not a proven fact, in reality the age of the bus is long gone and their use is a fringe aspect whatever we might wish - The main landowner uses his car to get to TWBC, not the Bus Stop on his doorstep for example.

TWBC Historic Failure to deliver

- 1 Over 40 years ago a planned development in Paddock Wood was stopped for a while when it was found there was no sewage capacity. History repeated itself with the present Paddock Wood estates being built.
- 2 When Transfesa was developed it was on the basis that Colts Hill would be bypassed. We still wait for that, despite reclassifying a small capacity 'B' road to an 'A' road to help the process.

Alternatives:

- 1 While a green field development is attractive to developers, it isn't to the community and no use of brownfield development is in the plan. Brownfield has not been properly investigated by TWBC for delivery of any significant part of the target. And we in the Western World decry other countries who rip out indigenous woods and plains for the development of Cities, seeing a very real risk to the world's climate. And Yet TWBC are looking to foist such a concrete plateau to hundreds of acres of green fields, hedgerows and woods.
- 2 A21 built infrastructure - Available Junctions and road capacity by castle hill and its proximity to existing sewerage is an opportunity ignored by TWBC Planners

Bearing these points in mind we can have little faith in the integrity, necessity and adequacy of the proposed plan. It should be dropped and the target addressed with Government.

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)?

For office use only

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

Future Notifications

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Comment

Agent	Mr Colin Smith [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Colin Smith Planning Ltd
Address	[REDACTED] Redhill [REDACTED]
Consultee	Leander Homes [REDACTED]
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Leander Homes [REDACTED]
Comment ID	PSLP_421
Response Date	26/05/21 10:34
Consultation Point	Policy STR/CA 1 The Strategy for Capel parish (View)
Status	Processed
Submission Type	Email
Version	0.4
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Leander Homes
Question 2	
Agent's Name and Organisation (if applicable)	Colin Smith 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.

Policy STR/CA 1 The Strategy for Capel parish

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

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Draft policy STR/CA 1 sets out the strategy for the parish of Capel and is related to policies STR/SS 1 and STR/SS 3. Representations have been submitted in relation to these policies.

In summary the policy seeks to set limits to the built development around Five Oak Green, provide for a new village settlement at Tudeley, provide for new strategic development around Paddock Wood, provide compensatory improvements to the Green Belt, provide transport improvements, and seek developer contributions for infrastructure improvement.

Positively prepared The main issue with this draft policy is that it will involve a significant incursion into the Green Belt. There will be a significant environmental impact as a result of the development of land currently outside of the settlement boundary and within the Green Belt which amounts to the loss of 330 ha. The two strategic sites that it is proposed to allocate result in significant incursions into the Green Belt and will also be likely to have a significant impact on the AONB.

In relation to the incursion into the Green Belt, the proposed allocation of the two sites, together with the existing settlement of Five Oak Green, will result in a broad swathe of development stretching between Paddock Wood and Tonbridge. This will not only represent a substantial incursion into the Green Belt, but also will not prevent neighbouring towns from merging into one another, and will have an adverse impact on openness. The policy will not prevent urban sprawl in the Green Belt, which is one of the fundamental aims. Other representations set out detailed submissions in relation to the specific draft allocations.

In addition, the policy proposes highway improvements, including a bypass around Five Oak Green. This will result in both a significant incursion into the Green Belt and also result in less passing traffic through the village. Whilst there is a balance to be struck between encouraging visitors and passing

traffic that will support and sustain local services, and avoiding congestion, in this case, the proposed highway improvements will have a negative impact.

This does not constitute positive planning in that the environmental objective of the sustainability requirements set out on paragraph 8 of the NPPF will not be met, and the purposes of including the land within the Green Belt will be compromised.

JustifiedThe policy is directly linked to the overall strategy set out in policy STR 1, which is not considered to be justified, as other representations set out. It is not considered to be an appropriate strategy to release such large areas of Green Belt land, and also to not provide development opportunities on the edge of existing settlements which would help to support and enhance the existing services and facilities locally. The release of smaller areas of Green Belt land would result in less of a compromise of the Green Belt, particularly in area BA4 of the Green Belt Study.

There are a number of sites put forward for development and recorded in the most up to date SHELAA. In particular there are a number of sites located to the edge of Five Oak Green which could provide for a number of new homes and result in less of an incursion into the Green Belt, and would also provide modest growth that would support and sustain local services and facilities. In particular, site 11 in the SHELAA (Land at Whetstead Road) would result in a modest increase in dwellings (approximately 40-45 dwellings), which would help to support and sustain the local village. Whilst the SHELAA identifies issues with highways and noise for the site, work has been carried out for a presentation to the Parish Council which has demonstrated that the highway concerns (related to the single carriageway bridge into the village from the site) can be resolved with highway measures. Also, mitigation can be included in the development of the site to prevent noise from the railway resulting in an adverse impact on the future occupiers of the site.

It is demonstrated in our representations that there are other sites that could provide for an alternative strategy that would result in a reduced impact on the Green Belt and the AONB, and which would support and sustain the local services and facilities in the village.

EffectiveBased on the submissions above, and other representations made, it is submitted that the draft policy would not be effective. At the draft strategic allocations at Tudeley village and Paddock Wood, there are significant issues in relation to the provision of infrastructure such as highway improvements and flooding, and there will be a substantial impact on the purposes of including land within the Green Belt. Alongside the need to agree and adopt masterplans and Supplementary Planning Documents, the flooding issues at Paddock Wood do not appear to be resolved at this stage, and compensatory improvements to the Green Belt are not detailed. Only one “compensatory improvement” is identified in the supporting text to the policy, and that is the potential to reduce flood risk around Five Oak Green. However, the presence (or otherwise) of flood risk is not a determining factor in the inclusion of land within the Green Belt, and therefore it is submitted that this would not constitute a “compensatory improvement”. In addition, the reliance on two allocations to provide a substantial level of housing supply could result in a serious shortfall if not delivered.

Consistent with national policyAs set out above and in other representations, the strategy involves large scale encroachment of built form over the Green Belt and the potential for neighbouring towns to merge into one another. The draft policy does not prevent urban sprawl or maintain openness, which are the fundamental aims of the Green Belt designation. In this way there is a significant compromise of the purposes of including land within the Green Belt, and the draft policy (and the strategy overall) would not be consistent with the NPPF. Similarly, whilst paragraph 72 does allow for new settlements to provide a supply of new homes, this is subject to the requirement that the settlements are in the right location. Because of the Green Belt issues it is submitted that the proposed siting of the new settlement is not in the “right location”.

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.

Draft policy STR/CA 1 should be modified to remove the references to the Tudeley village settlement and Paddock Wood expansion and reworded to allow for the limited expansion of the existing settlements, in particular Five Oak Green, and reference made to alternative sites, such as site 11 in the SHELAA (land at Whetstead Road) which would provide for minimal incursion into the Green Belt, and support and sustain local services. Suggested modifications are set out below;

1. Set Limits to Built Development for Five Oak Green village on the Policies Map to allow for modest growth to support and sustain local services and facilities (Inset Map 7) as a framework for new development over the plan period;

~~2. Provide a new garden settlement at Tudeley Village, which will deliver approximately 2,800 dwellings and a range of associated services and infrastructure over the plan period and beyond (as set out in Policy STR/SS 3);~~

~~3. Accommodate approximately 2,060 dwellings on land at east Capel as part of the extension to Paddock Wood, and a range of associated services and infrastructure (as set out in Policy STR/SS 4);~~

~~5. Provide transport improvements, including on-line and off-line improvements to the A228, potential provision of the safeguarded A228 Colts Hill bypass, and a highway to bypass Five Oak Green;~~

Such an approach would result in the draft Plan being positively prepared, justified, effective and consistent with national policy.

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 the above arguments and assist the Inspector in addressing the Council's strategy.

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	Norman Pickett [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] Tonbridge [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Norman Pickett [REDACTED]
Comment ID	PSLP_425
Response Date	26/05/21 11:50
Consultation Point	Policy STR/CA 1 The Strategy for Capel parish (View)
Status	Processed
Submission Type	Other
Version	0.5

Data inputter to enter their initials here KJ

Question 1

Respondent's Name and/or Organisation Mr Norman Pickett

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/CA 1 The Strategy for Capel parish

Paragraphs 5.262 to 5.266

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 positively prepared
- . 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.

5.262 The land proposed for "Tudeley Village" lies within green belt and is partly High Weald AONB. There are no "exceptional circumstances" to justify a new settlement on this land. The proposal for the new village is misconceived and entirely inappropriate. A significant increase in the local population (currently some 950 souls) by some 2800 new houses would overburden ancient woodland and completely change for ever the rural setting and way of life.

5.263 Flooding Five Oak Green, Capel, The Postern and surrounding areas are susceptible to flooding. Some of the land proposed to be built upon lies within Flood Zones 1 & 2. It is inevitable that a huge development will massively increase run off and thereafter existing homes already regularly inundated, particularly at Five Oak Green. In times of flood, the River Medway is flowing at capacity and beyond. Increasing run-off will only worsen this.

5.264 Rural Lanes The existing network of designated rural lanes will be overburdened by an inevitable increase in traffic. They are already running at capacity. The proposal of new roads (under Policy STR/SS3) is mis-conceived as they will do nothing to take traffic away as they run in the wrong direction - most people will want to access Tonbridge facilities, including the station, not go towards Colts Hill.

5.265 "Tudeley Village" proposal is in the wrong place - it's too close to developments towards Paddock Wood, areas of AONB, green belt and agricultural land. The Council has failed to consider properly an alternative proposal at Castle Hill - close to the A21 and with good access to shops, leisure facilities and transport connections. Tunbridge Wells Borough Council may prefer to deal with a single landowner (The Hadlow Estate) for their proposed new "Garden Village", which makes life easier as to contracts, conveyancing etc, and also because a development at Tudeley is far from the centre of Tunbridge Wells, on the extremity of its Borough - in fact closer to Tonbridge Town Centre, than Tunbridge Wells Town Centre.

5.266 "Land to the east of Capel ..." "... part of a significant extension to Paddock Wood for 3490-3590 new homes". This is a colossal increase to the existing populations of both Paddock Wood and Capel, and is unacceptable for a relatively small rural area. It would damage irretrievably the locality and its rurality. This is why any further proposed development at Capel "The Garden Village" would be simply too much. It is urbanisation on a massive scale. Light and noise pollution will be increased dramatically, even without the Tudeley Garden Village proposal.

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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There are no modifications which would make these proposals acceptable. The development proposed is in the wrong place for the reasons I have set out. It is ill-conceived in its entirety.

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	Mrs Susan Pickett [REDACTED]
Address	[REDACTED] [REDACTED] Tonbridge [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Mrs Susan Pickett [REDACTED]
Comment ID	PSLP_444
Response Date	24/05/21 15:54
Consultation Point	Policy STR/CA 1 The Strategy for Capel parish (View)
Status	Processed
Submission Type	Other
Version	0.8

Data inputter to enter their initials here KH

Question 1

Respondent's Name and/or Organisation Mrs Susan Pickett

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/CA 1 The Strategy for Capel parish

Policy STR/SS3 The Strategy for Tudeley Village

[TWBC: this representation has been input against Policies STR/CA1 and STR/SS3 – see Comment Numbers PSLP_444 and PSLP_470]

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 positively prepared
- . 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.

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5.262 The land proposed for 'Tudeley Village' is within green belt and is also partly High Weald AONB. This proposal has not been thought through. So many additional houses would burden this countryside area. And although situated in Tunbridge Wells Borough Council, it is blatantly obvious that Tonbridge would bear the brunt of a larger population which it is not able to bear, IE doctors, dentists, schools etc Tonbridge rail station is nearer, also, than Tunbridge Wells. More cars for less parking availability. This development would alter irreparably the very important rural setting that it now enjoys. Think again please!

The proposed site will encircle all Saints Church, Tudeley which has stood on its foundations for centuries. People coming and visiting this unique church with its rare chagall windows will not have a view over the Medway River valley to the North Downs which is currently available. Who wants to look at modern housing when out for the day?

also what about noise and light pollution? We are supposed to be reducing these things - not adding to them. To many cars and traffic on lanes and roads too small to take them. There is no infrastructure to accommodate this increase in population.

Flooding Over the past few years, flooding has been a problem that has increased. Concreting over vast areas of land which helps take water away will inevitably mean more 'run off'. Concrete is not absorbant. It is a known fact that our climate is changing. We have far more rain now and for longer periods. Flooding is an ever increasing problem.

Nature What of the animal, insect and bird life which will be detrimentally affected by this development? Years of building works (and it will take years) can only do more harm than good. Please take into account the natural environment which will be irretrievably damaged should this development go ahead.

Question 6

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This proposed development is not acceptable. It is thoroughly ill-conceived and not thought through as I have previously stated. Ore land owner is beneficial to the Council but not to the environment.

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	Hugh Patterson [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Capel Parish Council
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Capel Parish Council [REDACTED]
Comment ID	PSLP_802
Response Date	02/06/21 10:55
Consultation Point	Policy STR/CA 1 The Strategy for Capel parish (View)
Status	Processed
Submission Type	Web
Version	0.1
Question 1	
Respondent's Name and/or Organisation	Capel Parish Council/ Hugh Patterson Chair of CPC and Borough Councillor for Capel Ward
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.	
STR/CA1	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	No
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 positively prepared

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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Comments on STR/CA1 by Capel Parish Council

These comments have been drafted by the Chairman of the Council (who since 6th May 2021 has also been the Borough Councillor for Capel Ward) in consultation with other members of the CPC and contributed to by members of the Capel Neighbourhood Plan Working Group.

The policy is not legally complaint because you are in breach of your Statement of Community Involvement para 1.7 "The objective is to ensure that everyone with an interest in planning understands how they can contribute to, and influence, the planning decision-making process"; this has clearly not been possible as you have insisted in rushing this through during a pandemic. 1.10 fails to comply with the Equality Act 2010 as you have not ensured that involvement will be open to all, regardless of **age, disability**, gender, pregnancy and maternity, race, religion and belief, **rurality**, and sexual orientation and 1.12 it does not produce "better outcomes that meet local aspirations and requirements". We would submit the local aspirations and requirements of the residents of Capel Parish have been completely ignored, despite you having been repeatedly been made aware of them by Capel Parish Council and others.

Not properly prepared.

Capel Parish Council are perturbed by the inaccuracies and lack of detail in this policy.

Point 4: Compensatory improvements to the Green Belt including to 'particular areas of Five Oak Green' [sic]. The roads and properties that most recently flooded in Five Oak Green are widely known and had you wished to find out where they are you could have asked the parish council. Furthermore, Five Oak Green has its own planning envelope and therefore is not in the Green Belt and neither are most of the properties flooded. The ones that flooded in the hamlet of Capel are in the Green Belt but are not directly referred to.

The plan envisages taking 182 ha out of the Green Belt at Tudeley and 148 ha at East Capel with just over 1 ha around Badsell Road being added to it. Hardly compensatory improvements.

Point 6b: Refers to improvements in recreational and sporting facilities including football pitches [sic]. There is only one football pitch on Five Oak Green Recreation Ground something the planners / DLA would have known had they visited the parish.

Unlike other settlements in the Borough no “opportunities” or “benefits” have been identified, for example meeting local needs housing, a 20mph speed limit, traffic calming, a new village hall as CPC has not been consulted about any of these. If the Tudeley settlement is removed from the plan (and therefore the FOG bypass) there has been no traffic modelling to identify the need for road safety improvements throughout Capel along the B2017 and elsewhere despite the massive impact on the parish expected by the expansion of next door Paddock Wood.

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)

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_887
Response Date	01/06/21 13:16
Consultation Point	Policy STR/CA 1 The Strategy for Capel parish (View)
Status	Processed
Submission Type	Email
Version	0.4
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 STR/CA 1 The Strategy for Capel parish

Paragraph Numbers: 5.261 and 5.263

Page 174 STR/CA 1 (4.)

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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5.261 ignores other hamlets within Capel Parish. These are: Crockhurst Street, Whetsted, Sherenden, Postern, old Capel hamlet (Alders Road) and East Capel along B2017 towards Paddock Wood.

5.263 fails to acknowledge that flooding is a regular occurrence in various parts of the parish due to the Alders Stream overflowing. The general amount of water that flows across the land from the higher levels to the south of the parish causes major problems. The river Medway can back up and flood areas to up to a metre of water to the north of the railway line in East Capel where a huge number of houses are proposed in the plan. No amount of flood prevention to date has stopped the flooding and this century has already seen many properties damaged and lives ruined. Desk top studies do not identify the real issues regarding flooding in this area and most of the data set is based upon figures for Paddock Wood which the EA admits that relatively handles 30% less water than Five Oak Green.

Page 174 STR/CA 1 4. It seems that TWBC is attempting to dismiss the seriousness of the flooding in the parish by providing compensatory improvements to the green belt. The flooding is caused by the weight of water flowing from within the AONB to the south of the parish and NOT from areas of green belt to the north of Five Oak Green which flood as a result. This statement is very misleading.

The flood alleviation/mitigation schemes in the Plan are Unsound.

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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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.

Do not build on flood zones when there is other land available elsewhere within the borough of Tunbridge Wells.

Capel Parish Council were discussing with TWBC some additional housing within the parish, namely 440 homes within Five Oak Green, but this was withdrawn by TWBC when the Tudeley plan was revealed at a much later date.

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 lead for Capel Road Safety Campaign and Co-ordinator for Kent Police Community Speedwatch, I have a good and realistic knowledge of highways in the area and the many issues that the PSLP has highlighted or missed. It is important that proper debate takes place.

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_889
Response Date	01/06/21 13:16
Consultation Point	Policy STR/CA 1 The Strategy for Capel parish (View)
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 STR/CA 1 The Strategy for Capel parish
Page 174 STR/CA 1 (6.) (b.)

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.

b. open space, sports, and recreations facilities, including improvements to the football pitches at Five Oak Green Recreation Ground.

This item is a very clear example of just how little effort TWBC made to understand the issues in Capel parish and the main village of Five Oak Green. We do not have multiple football pitches. We have just one. It is maintained by Capel Parish Council and does not require any additional funding.

It should also be noted that in one of the plans for sites within Five Oak Green, the detail shows that TWBC have allocated building all over the recreation ground & allotments where we have a new play area (£130k sourced by a local charity with NO support from TWBC), recently revived cricket club with restored pavilion and a Multi Use Games Area (MUGA) installed in 2018 at a cost of £79k and of course the Capel Community Centre.

The PSLP is therefore Unsound.

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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A good start would be to actually acknowledge what we currently have in Capel parish and then discuss with the various clubs and societies what we would like to see in the future. This should have been discussed prior to the publication of the PSLP. It was not and therefore the PSLP is Unsound

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 an Honorary President and one of the founders of the revived Capel Cricket Club which has in excess of 150 members from the local community, any discussions regarding Capel should have included those who actually complete many hours of voluntary work within the community. There is NO evidence this has been done and so our voice needs to be heard at any examination 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 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_891
Response Date	01/06/21 13:16
Consultation Point	Policy STR/CA 1 The Strategy for Capel parish (View)
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 STR/CA 1 The Strategy for Capel parish

Paragraph Number: 5.264

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 whole section is disingenuous as it ignores the various issues with transportation in Capel. The Rural Lanes are very busy rat-runs all day and have a very poor accident record with many "near misses". The buses do not run beyond 7.15pm and not on Sundays.

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.

The plan needs to reflect the actual facts and not just vague descriptions that suggest the bus services are running 24/7. They are not.

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)
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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 lead for Capel Road Safety Campaign and Co-ordinator for Kent Police Community Speedwatch, I have a good and realistic knowledge of highways in the area and the many issues that the PSLP has highlighted or missed. It is important that proper debate takes place.

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	Paul Latham [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] Five Oak Green Tonbridge [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Paul Latham [REDACTED]
Comment ID	PSLP_917
Response Date	02/06/21 10:05
Consultation Point	Policy STR/CA 1 The Strategy for Capel parish (View)
Status	Processed
Submission Type	Email
Version	0.5
Data inputter to enter their initials here	KH
Question 1	
Respondent's Name and/or Organisation	Paul Latham
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/CA 1 The Strategy for Capel 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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Further to my email below dated 17th October 2017 please take further note of my submission to object to 'The strategy for Capel Parish' (policy STR/CA1).

A lot of excellent work has been carried out by 'Save Capel' and Capel Parish Council, and many concerned others, since my earlier submission, much of it in line with the details in my earlier submission. Most nearly everyone locally is against this proposed development, reflected in the Reg 18 Consultation in which 97% opposed the Plan and also reflected in the unanimous support given to our local councillor in the recent by-elections whose strong views against this plan gained him a great deal of support.

The views expressed by many concerned local residents, and I imagine many Tonbridge residents, are based on sound principles which need to be seriously taken into account if this development is to receive a fair and unbiased assessment. TWBC would be perfectly able to meet its housing commitment over the years with other far more suitable areas for development, some of which have been highlighted by others, it's a matter of not going for the 'easier' option of doing it all in one totally disruptive development but by representing all residents of Tunbridge Wells with a detailed, considered approach, assessing all other options that exist.

Email dated 17 October 2019:

Subject: My Comments on the Local Plan

I am a resident of Five Oak Green, having lived in the area for 48 years. Over those years the roads and infrastructure have been over-stressed with large increases in population, with all that entails, and they are only just able to cope these days. Very little appears to have been done by the Authorities over the years to alleviate the pressures on the roads and infrastructure and I have little confidence in those same Authorities being capable of improving matters for the present population, let alone the enormous increase in population that would ensue with the addition of tens of thousands more. I assume that the local roads and infrastructure would need to be upgraded/rebuilt, but at enormous cost and with great suffering to all during the build process.

Adding a 'garden settlement' to the present housing stock in the area will cause immense pressure on all aspects of life in the immediate Parish of Capel and, indeed, to Tonbridge and Paddock Wood.. All comments below are very relevant to my concerns and **I am writing to object to 'The Strategy for Capel Parish' (Policy STR/CA1)**

Please add my contact details to your consultation database so that I can be kept informed of all future consultations on Planning Policy documents. I understand that my comments will be published by the Borough Council, including on its website.

Creating a garden settlement at Tudeley of 2,800 dwellings will cause immense harm to residents of the Parish of Capel and to residents of Tonbridge. There will be a significant increase in traffic in to Tonbridge from the B2017, exacerbating the extreme traffic congestion that exists on this road every morning. The already unacceptable levels of traffic between 7.45am to 9am on Woodgate Way, Vale Road and Pembury Road coincide with the site of a proposed new 6 form entry senior school. This proposed school will be on the border with Tonbridge, split by a main line railway and alongside a heavily used road. This appears to be a terrible site for a school, surrounded by heavy traffic and requiring children to cross a busy train line to access both sides of the site.

People living in Tudeley will use Tonbridge Station for commuting and Tonbridge town services that will need more parking. The increase in traffic will be more than Tonbridge can cope with. Its roads are already full at peak times and can't be made wider in most places. The increased numbers of

passengers on already packed commuter trains from Tonbridge Station will be unsustainable. Parking in and around Tonbridge Station will be even more difficult. Network Rail have confirmed that a station at Tudeley is not viable at present and so will not be built in this plan period. Most people living in the new garden settlements will drive privately owned cars, despite initiatives to encourage bus and bicycle use. The costs of infrastructure on the Tonbridge & Malling side of the boundary will have to be carried by Tonbridge & Malling residents whilst Tunbridge Wells will receive council tax from the residents in the new dwellings. The cost to Tonbridge based businesses due to traffic issues may drive businesses from the area. There will be an increase in pressure on Tonbridge health services, amenities and car parking as residents from the new garden settlement at Tudeley will use Tonbridge as their local town, not Tunbridge Wells, because Tonbridge is much closer.

Large parts of the developments will occur on the Medway floodplain with flood risk assessments based on old data that does not fully consider the impact of climate change. Flood mitigation measures may help, but I believe that flood risks will increase. Covering farmed fields with houses and roads will make the Medway flood more often and cause increased flood risk not only in Tudeley but in Golden Green, East Peckham, Tonbridge and Yalding. There will be an increase in air, light and noise pollution that will spread across the boundary in to Tonbridge & Malling and create a visual scar across the landscape. Views from Tonbridge to the Low and High Weald will be impaired, including the setting of historic assets like All Saint's Church in Tudeley and the Hadlow Tower. The church at Tudeley may end up being surrounded by houses, bus lanes and sit next to a busy road in sight of a big roundabout. That will cause great harm to its value as a heritage asset of world renown (due to the complete set of Marc Chagall windows).

The garden settlement at Tudeley can never be one settlement as it is divided by a railway line that has very narrow, weak crossings. Putting in larger crossings at frequent points across the railway may be possible but it won't tie the two halves of the settlement together enough to make it one settlement, so it will never satisfy garden settlement principles.

Creating so much housing in Capel Parish will require the destruction of woodland, hedgerows, meadows, and farmland that is Green Belt land and should be protected. It will spoil the landscape and kill wildlife that is very special to the area, including rare species. This area should remain rural with agricultural land that can be used to provide food.

I believe that housing need calculated by the government can be reduced if it requires development of Green Belt land unless "exceptional circumstances" exist. I would like to see TWBC use this argument to remove the garden settlement at Tudeley from this plan. TWBC is already providing more than their housing need figure in the draft Local Plan. TWBC has taken the housing need figure of 13,560 given to them by government and upscaled it to 14,776 despite having strong grounds to lower it due to the large amount of Green Belt and AONB land in the borough. Taking 1,216 (the upscale) from the 2,800 planned for Tudeley and then asking the government to allow the housing need to fall by 1,584 to factor in the lack of "exceptional circumstances" for building on Green Belt land, would be a much better approach. Recent ONS figures show that population growth in the borough is slowing, making this proposed approach honest and relevant.

The plan preparation process didn't include Tudeley (sites CA1 and CA2) until after the Issues and Options Process in 2017. This means that the largest housing area in the plan didn't go through most of the plan preparation process. There is no detailed Green Belt Study for these sites, no Landscape Assessment, no Biodiversity Assessment. I think that this version of the draft Local Plan isn't complete enough to be ready for public consultation when the land for such a big proportion of the housing hasn't had the same level of assessment as the rest of the plan. The Issues and Options process led to most people (60%) wanting a growth corridor led approach. Less than half wanted a garden settlement and that was when they didn't know the garden settlement would involve destruction of Green Belt. Protecting Green Belt was a key priority for people who participated in the Issues and Options consultation. I think that the plan should be re-written to implement a growth corridor led approach and to protect Green Belt land within the borough.

Earlier in the plan (in 4.40) you refer to Tudeley Village securing a long term option for the borough to deliver the needs of future generations. It is clear from this statement that you intend to add more and more housing to this "garden settlement" in each five year review of future Local Plans. I think that TWBC want to fill Tudeley and East Capel with housing until they coalesce with Tonbridge to the West and Paddock Wood to the East, ultimately creating a massive conurbation that will dwarf Tunbridge Wells town centre. TWBC is using Capel to dump their housing needs on green fields and meadows, polluting a rural area rather than spreading development across the borough on brownfield sites or

placing the garden settlement in the middle of the borough, to make it accessible north and south. The developments in Tudeley and East Capel are unsustainable and place huge pressure on Tonbridge.

I object to the inclusion of land in East Capel in “The Strategy for Paddock Wood” (Policy STR/PW1).

This land is Green Belt land and should only be built upon if an “exceptional circumstance” exists. TWBC’s own assessments in their Sustainability Appraisal show that Paddock Wood can expand and meet most of the plan’s aims without using the Green Belt land at East Capel. The comment above about coalescence and the creation of a conurbation from Paddock Wood right across to Tonbridge is very relevant here, as is the land’s use as a flood plain. Building here, even with flood risk mitigation and “betterment” could have disastrous consequences for all, as the measures being looked at are based on old data that does not fully consider the impact of climate change.

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)?

For office use only

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

Comment

Consultee	Hilary Andrews [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] Whetsted Tonbridge [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Hilary Andrews [REDACTED]
Comment ID	PSLP_968
Response Date	03/06/21 11:25
Consultation Point	Policy STR/CA 1 The Strategy for Capel parish (View)
Status	Processed
Submission Type	Web
Version	0.1
Question 1	
Respondent's Name and/or Organisation	Hilary and Nick Andrews
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/CA1	
The Strategy for Capel Parish	
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 positively prepared
- . It is not effective
- . It is not justified

Question 5

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We are residents of East Capel, having lived in our house for 28 years. We consider certain aspects of the Tunbridge Wells local plan to be unsound, ill thought through and not justified.

The disproportionate development of this small, rural parish compared to the rest of Tunbridge Wells Borough is unfair unjustified and ill thought through. The character of this rural community will be destroyed by the local plan should it be adopted. In addition to the housing developments at STR/SS1 and STR/SS3 TWBC seem to have forgotten about the proposed KCC Mineral extraction in the North of the Parish and the cumulative effect that these will have on a swathe of the Kent countryside and the character and communities of this area.

Also, TWBC appear to be adjusting Parish Boundaries before a formal review of Parish Boundaries has been undertaken - now calling part of Capel Parish, Paddock Wood.

"4. Provide compensatory improvements to the Green Belt". When TWBC wish to de-classify 148 hectares of Green Belt in East Capel and 184 hectares of Green Belt in Tudeley any compensatory improvements must be of an equivalent size and nature. Their proposals for compensatory improvements in the Green Belt are woefully inadequate.

"Compensatory improvements" do not mean like for like but what TWBC or the developers will consider to be the cheapest option of providing planting if they actually carry out these compensatory improvements. There is no detail as to what this really means but their more recent approach in other areas with equivalent terms is simply putting in shrubs. Furthermore, the greenbelt is naturally biodiverse and to consider that TWBC can enhance it with their compensatory measures is a statement without any factual or evidence backing so must be treated as bland and unreliable.

Compensatory improvements in respect of "improving the Greenbelt" is tragically poorly considered. The land in East Capel is filled with significant variety of wildlife from birds, to insects, reptiles, amphibians, mammals, trees and flowers that thrive in the land that has been managed in this way for thousands of years. To expect this to be improved and all of this biodiversity to thrive or even move to another site speaks loudly of how poorly TWBC understand or care for the environment. They will simply destroy these habitats. A lot of the habitats are actually protected – bats roost and feed along the bridleway on the old oak trees, badger setts are protected, the wild flowers have protection as do the hedges and trees of nesting birds to name a few specific protections. Badger setts exist in Whetsted Woods – land which will be protected from any development. However, badgers' territories range in size from 30ha-150ha and evidence of badgers drinking water from a pond and defecating in our garden, ½ mile from the sett is apparent. This ½ mile diameter territory range will be consumed with

concrete should the development of STR/SS1 go ahead. How anything can be built without taking this and the other environmental diversity destruction into account is shocking. However, as we have seen in other developments the destruction of these habitats are of little consequence to the fines levied (should they ever be) against the developers and of course TWBC will not provide any enforcement of such wanton and illegal destruction.

Question 6

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Remove the disproportionate development and destruction of this small rural Parish from the Local Plan. Capel parishioners will willingly accept a proposal for a proportionate amount of housing in their parish.

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:

Because the voices and comments from a large number of Capel Parishioners were not fully considered at the Reg 18 process.

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	David Campbell [REDACTED]
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	David Campbell [REDACTED]
Comment ID	PSLP_1166
Response Date	03/06/21 22:28
Consultation Point	Policy STR/CA 1 The Strategy for Capel parish (View)
Status	Processed
Submission Type	Web
Version	0.4
Question 1	
Respondent's Name and/or Organisation	David Campbell
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.

STR/ CA 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
- . It is not justified
- . It is not consistent with national policy

Question 5

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Ref: STR/CA1 Capel

Sally and David Campbell

X Willow Crescent

Five Oak Green

Tonbridge

Kent

TN12 XXX [TWBC: full postal address redacted for personal data protection]

Dear Sir or Madam,

We are writing to express our concerns with regard to the above draft plan

Well being

We relocated from Redhill to Five Oak Green over 35 years ago to live in a quiet village setting. We wanted to bring up our children in a quiet area and less polluted environment. Our children attended Capel Primary School, a small village school allowing them to appreciate the beautiful surroundings.

Our concerns centre on the following areas:

Public Services

The road from Five Oak Green to Tonbridge B2017 is already seriously congested during the school run period. This plan will result in even more congestion as people try to get to the new schools or Tonbridge Station. There does not appear to be a solution in the plan.

It is difficult to judge the size of proposed schools, Health Centres and Sports Centre and you cannot zoom in on the drawings included with the plan.

We are both retired and make use of the local buses. The plan mentions the intention to increase the bus services but these will be impacted by increase in traffic as mentioned above.

Trains from Tonbridge station are already over crowded during rush hour, we cannot see any proposals for additional services or capacity. The plan states that cycling and walking to the station will be encouraged by the building of new cycle and pedestrian routes. The route from Tudeley to Tonbridge is shown as following the B2017 which is not wide enough to allow a separate cycle or pedestrian path. The proposed cycle route from Five Oak Green to Paddock Wood requires either crossing the

busy A228 adjacent to the railway bridge limiting oncoming driver's vision or crossing at the centre of a right hand bend which has already been the site of several accidents.

TWBC has recently proposed making the B2160 Maidstone Road over the railway in Paddock Wood a one way system which would require a diversion of several miles if you wanted to go to a location the wrong direction to the one way route over the bridge. This proposal would only be feasible if all the new roads indicated in the submission were completed. A major assumption on behalf of TWBC.

Schools

The Plan proposes additional schools to be built in both sites. Also an additional single form entry at Capel Primary. By the time this additional form ripples through the school it will have double the number of pupils. Also there will be a need for additional classrooms to accommodate these pupils. The site does not have space for these extra classrooms. This will also lead to the need for additional staff both teaching and support as well a parking for these people. The road outside the school is already congested at school drop off and pick up time as parents are willing to travel from a wide area because it is such an excellent school.

Health

Our local health centre at Woodlands Paddock Wood is already stretched to capacity making it difficult to book appointments. This has been compounded by the closure of East Peckham Health Centre.

Even with the proposal for a medical centre in the plan we are still concerned about the increased demand. It is difficult to judge the capacity of the proposed Health Centres as no size is given in the Plan.

Infrastructure

The proposed bypass for Five Oak Green would not stop vehicles using the road thru the village as a short cut, especially those heading towards Maidstone. Also the proposed bypass assumes that the Colts Hill bypass will be in place. As the Colts Hill bypass has been agreed for over twenty years and not even scheduled how likely is it that the Five Oak Green bypass will be built? So we are likely to have to suffer the lorries required for the building work going through the village for the 20+ years necessary to complete the plan.

We have already had to suffer significant disruption between Five Oak Green and Paddock Wood as the Foals Hurst Green site has been developed.

Will the existing electrical substations be able to cope with the increased demand? It states in the plan that ground cables will be used rather than pylons. This would mean addition disturbance as these are laid.

Mobile signal in our area is patchy so will this require additional signal masts to meet additional demand?

Flooding

The villages of Tudeley and Five Oak Green are located on a flood plain and has been subject to flooding in the past.

We do not think the drainage system will be able to handle the additional demand as in the past we have been informed that the drains in the village are at full capacity. Even with the improvement to the drains put in place a few years ago.

We are concerned that the increase in hard surfaces will exacerbate the risk of flooding. Any mitigation for Tudeley and Capel will just move the flooding problem further down the River Medway to places such as Yalding which has suffered from significant flooding over many years.

Greenbelt

As mentioned before we moved to this area specifically for the beautiful countryside and wildlife. Building on this greenbelt area will destroy it forever. The already threatened wildlife will be homeless. The plan will increase air noise and light pollution. There will be a significant increase in traffic pollution which is of a great concern to us as both our daughters suffer from asthma which maybe triggered.

Housing

We cannot see from this plan how the lack of affordable houses in Tonbridge and Paddock Wood will be alleviated by this plan as it only mentions a small number. If more flats or single person accommodation were built then less land would be required and the impact on the Greenbelt significantly reduced.

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	Konrad Legg [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] TONBRIDGE [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Konrad Legg [REDACTED]
Comment ID	PSLP_1168
Response Date	03/06/21 21:55
Consultation Point	Policy STR/CA 1 The Strategy for Capel parish (View)
Status	Processed
Submission Type	Web
Version	0.4
Question 1	
Respondent's Name and/or Organisation	konrad Legg
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.	
STR/CA1	
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

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Policy STR/CA1 The Strategy for Capel parish.

I believe that this strategy should be removed from the P-S Local Plan as this part of the plan is unsound and if not removed will make the whole plan unsound and ineffective.

- 1 **Very special circumstances.** - There are no special circumstances to justify removing 170 hectares of land from the Greenbelt. If it were true that the borough was so constrained, that it could not find the amount of land elsewhere, then that would itself constitute a justification to request other neighbouring boroughs to fulfil the unmet housing requirement. If that failed, then TWBC would have an excellent reason for informing Central Government that they would be unable to fulfil their housing target.
- 2 While it may be true that some 70% of the borough is designated as Greenbelt or AONB. If one assumes that up to a maximum 10% of the borough is already developed, (or otherwise constrained) then there remains at least 20% of the Borough, that could be made available for development ie, something over 6000 hectares. I just find it unbelievable that none of this land could be made available for housing.
- 3 **Brownfield land.** – the use of such land is a priority in the NPPF and in the latest Government policies. While it is true that TWBC has been maintaining a Brownfield land register, there is little evidence of new sites being identified and included. There is no evidence that the Council has given high priority to hunting out additional Brownfield sites to include in their register. To use Greenbelt, when Brownfield site options have not been vigorously exhausted, seems to be against NPPF and Government policies.
- 4 **Housing density.** There is substantial scope for increasing housing density. This is particularly relevant to address the key findings of the Council's Housing Needs Study. This study makes it clear that the overwhelming requirement is for affordable homes, and homes for older people. Much higher densities must be planned for to enable the council to meet its targets and face the economic reality of affordability.
- 5 **Town Centres** - I am not convinced that the council is making the best use of these areas to provide additional housing. High street retail activity is reducing, and this trend is likely to continue, thus making available town centre sites suitable for redevelopment. This should present an ideal opportunity to address the need for affordable homes, homes for old people, enabling reduced transport needs and easy access to town centres.
- 6 **Lack of Community engagement.** I have a legitimate concern that no real consultation of any sort took place before the decision was taken to include this area in the Draft Local Plan.

The Localism Act of 2011 and the policies enshrined in the latest NPPF regulations make it clear that community engagement is essential. The Chairman of the Capel Parish has confirmed that, although he was aware of the proposed housing development before it was announced publicly in May/June 2019 the parish councillors had been required to sign an NDA to prevent them from discussing the proposals with the residents.

The key factor that seems to have obscured rational thinking and the obligation to ensure local engagement about the proposed garden village is the overriding attraction to the council of having only one landowner to deal with. For that benefit TWBC has sacrificed the support of the local community and substantially increased the risks of a failure in delivery of their plan.

It is still not clear to me why these proposals were not properly discussed with the local community. The Parish of Capel has a good track record in responding to planning initiatives. In 2006 the Parish produced a comprehensive Capel Parish Plan which dealt with many of the defects of the settlement at Five Oak Green and the aspirations of its residents. Many of the conclusions of that report remain unfulfilled today, because of factors outside the control of the Parish Council.

I believe the selection of the site at Tudeley has been 'managed' over a long period to ensure the local people did not have a proper say. It is a process worthy of 'Yes Minister'. First, you have an Issues and Options public consultation setting out five Options for growth in housing numbers over the 15 year planning period. Little information is offered about Option 5 - the creation of a Garden Village somewhere in the Borough. Certainly, no possible locations were mentioned (and no suggestion whatever that it might be wholly on Greenbelt). Even so the clear response from consultees favoured other options for growth, not a garden village. Then, when the Draft Local Plan (DLP) was published in July 2019, the central plank of the plan was to locate a garden village on the greenbelt at Tudeley. There has still not been any proper explanation of why the views of the consultees in the earlier Issues and Options consultation were ignored.

In the DLP Plan little detailed information on exactly what was proposed was provided. The excuse tendered at the time, was that land was only offered at a late stage, and that there was insufficient time to carry out all the detailed assessments and costings that were required. The residents were told not to worry as they would be able to study the Masterplan and that Hadlow estates would be providing a presentation shortly. The net effect has been that the community has had no engagement whatever in this 'decision making' process and TWBC has totally abrogated its duty of care to its constituents.

This cannot be the whole story. Hadlow Estates will have had frequent interaction with the council over many decades concerning planning matters relating to the nearby mineral extraction and more recently relating to matters associated with their nearby large solar park and the large extension to the equestrian centre at Bank farm. The LPA will have had, or at the very least, ought to have had, a clear view of the future aspirations of that landowner.

It is just a shame that these thoughts were not shared with the community with a view to arriving at a level of development that might be acceptable..

TWBC have successfully sponsored a number of Neighbourhood Development Plans in the borough, it is unfortunate that no such Capel Plan was established until after it was too late for it to play any part in this decision making process. Once there was the slightest hint of a largescale development in the Parish, there should have been pressure from TWBC to the Parish Council to create such a plan to inform future development policies.

When the P-S Local Plan was published in March, it became clear that once again TWBC had taken little notice of the very extensive raft of constructive criticism that had been levelled at the proposal to build a Garden Village at Tudeley. It is now clear that any engagement with the community purely to inform and comply with regulation with no intention of seeking input from the community. The net result is that we were presented with a 'fait accompli'..

I believe that the proposed Garden Village at Tudeley is seriously unsound and will be disastrous for the community and ineffective in delivering the requested number of new houses for the borough in the timeframe envisaged.

It is unsound because the plan relies far too heavily on STR/SS3 and the strategy for Capel (STR/CA1).

If this proposal were to go ahead it would require exceptionally large amounts of capital for infrastructure, virtually most of which needs to be provided upfront, and the work completed before any housing development can take place.

1 Cumulative effects and sustainability

The Strategy for Tudeley Village does not explain properly the implications of the close proximity of the new Village to the already approved sites for the extensive mining of sand and gravel. These

mineral deposits lie only a very short distance from the proposed Village site along the Medway Valley. The plan does not properly explain the potential conflicts that may arise from that close proximity, nor does it explain that in the event of such conflicts that mineral extraction will (NPPF) take priority over other issues. Nor does it address the cumulative adverse effects of competing developments of mineral extraction and housing at the same time in a relatively small area.

Similarly, the plan does not explain the implications of the close proximity of the new Garden Village to the settlement of Five Oak Green. Para 5.210 hints at the problem. It mentions local towns but interestingly does not mention the nearby village that will be most affected.

Para 5.212 again talks of addressing the needs of the new community, totally ignoring the needs of the large number of residents in the adjacent/ virtually contiguous Village of Five Oak Green.

Much mileage is made of the sustainability arguments for the New Garden Village. One thing is for sure, that, if today, a sustainability assessment was made for Five Oak Green one would be struggling to produce a positive result. If this new development were to go ahead the position of Five Oak Green would be permanently downgraded, with this village doomed to be the poor relation and dependent on its supposedly vibrant neighbour. It would be much better if some real thought was given to making Five Oak Green into a real sustainable settlement.

TWBC seem to acknowledge the problem (point 7. f of STR/SS3) but do nothing real to address it.

'the design should incorporate means to ensure that there is appropriate visual separation between Tudeley Village and Five Oak Green, including potentially the use of structural planting on land outside the allocation, but within the wider land ownership.'

There are a number of positive aspects in the P-S Local Plan that could be used to mastermind a regeneration of the Village of Five Oak Green which would be welcomed by many residents and might well lead to a sensible level of new additional housing. It is interesting to note that the Housing Needs Study suggests Capel Parish has requirement of 10 new dwellings per year, 150 new homes during the plan period.

- 1 **Heritage Assets** - On a personal note, my wife and I have lived for some 50 years at Tudeley Hall, Hartlake road, a Grade II listed building, which has origins that go back to the seventeenth century. The proposed plan totally engulfs my home on three sides with the increasingly busy Hartlake road in front. As far as I can see no mitigation measures are proposed to reduce the enormous harm that will be done to our environment and our rights to 'quiet enjoyment'.
- 2 **Hartlake Road** – In the last few years this has changed from a quiet rural lane. The completion of the A21 extension and the increasing congestion within Tonbridge has forced motorists to use Hartlake Road as a rat run/bypass for Tonbridge. At peak periods there are already long tail backs and the prospect of further big increase in traffic, is horrendous.

10.Flooding - Again on a personal note the fields all around my home (all part of the 170 hectares) are full of springs and for some eight months a year water drains from them and runs down Hartlake road. My cellar has water in it for many months every year. I feel the council has underestimated the scale of the drainage and flooding issues.

In conclusion, I note and welcome (in Para 5.229) that the Council now proposes to work with the local community through the Capel Neighbourhood Development Plan Group, but unless this policy SST/SS3 can be removed from the Local Plan, it will be impossible for them to produce a plan that has the support of the community has the support of the community.

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.

I believe that this strategy should be removed from the P-S Local Plan as this part of the plan is unsound and if not removed will make the whole plan unsound and ineffective.

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)

Comment

Consultee	Kaye Palmer [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] Tudeley [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Kaye Palmer [REDACTED]
Comment ID	PSLP_1222
Response Date	04/06/21 11:38
Consultation Point	Policy STR/CA 1 The Strategy for Capel parish (View)
Status	Processed
Submission Type	Web
Version	0.2
Question 1	
Respondent's Name and/or Organisation	Kaye Palmer
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.	
STR/CA1	
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 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.

I do not consider that the Local Plan has been positively prepared, as it has not taken a realistic view on the cumulative impact of the Tudeley development on Capel, Tonbridge, and the surrounding area. Councils have been advised to press ahead with their Local Plan process, but TWBC has made little concession to the fact that this is during a pandemic. It has been very difficult to discuss the proposals within the community or engage with the Council's Planners. No on-line "Zoom" meetings or surgeries have been offered to help navigate the Reg 19 process or the vast and highly complex documentation. The on-line exhibition is only concerned with the Local Plan process and does not explain proposals. The documents available on the TWBC website are extremely confusing to a layman, with poor search facilities and conflicting information provided. There has been a lack of transparency in the process with multiple, sometimes conflicting documents, seemingly randomly published at different times – to the extent that residents now have very different interpretations of the proposals and no easy way to find clarity, eg regarding the position of new roads.

Representatives of the Council have shown a breath-taking arrogance by advising residents that the village will definitely go ahead and there is little point in opposing it. Opposition from residents and the neighbouring authority of Tonbridge have largely been ignored. Early in the process TWBC attempted to by-pass the usual consultation process by omitting Tudeley village from incarnations of the Local Plan and only revealing it very late due to the persistence of the Parish Council. They then ignored the many thousands of objections submitted by the public, adjacent local authorities and other consultees at Regulation 18.

I do not consider the proposals to be justified in that there is no demonstrable local need for the new Tudeley village. There is not a local housing crisis, which would be demonstrated by widespread overcrowding and homelessness, but the proposed village will accommodate migration from the capital where out of control property prices, increased working from home and ease of commuting are causing residents of London to move into outlying areas. The majority of house sales in the Tunbridge Wells area over the last year have been to those leaving London rather than meeting a local need. I do not believe that Capel, or other villages in the South-East, should be sacrificed because of a failure in housing policy elsewhere.

I do not consider the proposals for Tudeley will be effective in maintaining a clear identity and separation of communities. The new village will result in over development between Tonbridge and Paddock Wood, with little to separate communities. I believe the highway proposals will be ineffective in managing the increased traffic movements resulting from the development, which will damage existing heritage buildings, create pollution and harm well-being. The highway proposals will cause traffic to reach the queues entering Tonbridge or Tunbridge Wells faster, rather than resolve the actual problem. In the

case of Tonbridge, this will shift the problem to the neighbouring authority to resolve. The Plan does not put forward plausible solutions to obvious key problems which will result from the construction of Tudeley Village relating to transport, climate change, heritage and ecology, but instead either states that these vital matters will be considered later in the process, or appears to be wishful thinking eg the Chief Planner advising a public meeting that highway problems will be resolved by the widespread use of the electric bicycle, or that existing wildlife will be happy to reside in wildlife corridors or bird boxes in the new residents' gardens.

The plans for Tudeley are against Government guidelines in that designated Greenbelt land should only be built upon in exceptional circumstances and then brownfield or redundant land might be considered. No compelling evidence has been provided that the only option available to TWBC is to sacrifice working farmland, with little or no existing infrastructure close by. The plan for Tudeley village is also at odds with Government commitments to climate change, protecting ecology and "home grown" food in a post-Brexit world. All Saints Church is stated to receive special treatment, but there are plans to surround it with new development, with a tiny buffer. Tudeley village is dressed up as being sustainable, but this is at the expense of existing sustainability.

Tunbridge Wells Borough Council's strap line "Love Where You Live" is redundant to the residents of Tudeley – we already do. However, for the last two years during a tumultuous time for the UK, we have had the additional stress of battling with our Council which rather seems to "Hate Where We Live" and is hell bent on destroying great swathes of our rural Green Belt community, with all its history, beauty, ecology, dark skies and ancient woodland which their predecessors have preserved for generations by enforcing statutory and policy procedures. The transformation of our farmsteads and hamlets into a new town is the latest in a series of low grade, poorly thought through projects through which TWBC displays its contempt for the communities it should serve. Alternatives have been ignored, including brown field sites and proportionate development of existing settlements with established infrastructures, in favour of building on a large swathe of virgin, agricultural land in the ownership of one landowner.

I have been a resident of Tudeley for the last five years with my family and I have no hesitation in saying that I love the beauty and character of where I live. I acknowledge that time cannot stand still, however, the ill thought through, but convenient, proposals to create Tudeley Village will destroy what is special and unique about our Parish, with no clear justification other than to meet a housing target in the easiest way possible. It is to be sincerely hoped the HM Inspector will direct the Council to draw up a new sustainable and sensible plan to the benefit of existing and future residents.

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.

Proposals for Tudeley village should be removed from the Local Plan and replaced with sustainable development of brownfield sites or the extension of existing settlements.

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 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:

No

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	Joanna Osborne [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] Tonbridge [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Joanna Osborne ([REDACTED])
Comment ID	PSLP_1238
Response Date	04/06/21 11:13
Consultation Point	Policy STR/CA 1 The Strategy for Capel parish (View)
Status	Processed
Submission Type	Web
Version	0.3
Question 1	
Respondent's Name and/or Organisation	Joanna Osborne
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/CA 1 The Strategy for Capel parish	
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
- . 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.

Response to Question 5

We have been resident in Five Oak Green for 30 years, married in Tudeley Church and raised our son in the village, who attended local schools and was a member of the local Scout Group, which we both assisted with as adults.

We know from current experience that traffic on the B2017 is disrupted outside Capel School at the start and close of the school day, and that it is not uncommon for the early morning traffic jam from the Somerhill Roundabout and adjacent school can back up to The Turmeric Gold Indian restaurant, a distance of approximately 1.5 miles.

Five Oak Green and the surrounding area has flooded several times in the last decade, and our house being only 50 yards from the Alders stream, was lucky to avoid it. Flooding in the village is only now avoided by swift action by the Environment Agency who monitor and clear debris as necessary where the Alders Stream passes under the B2017 in the village. Our neighbours at Brook Cottage were flooded last year by the sewer that passes through their and our properties. During heavy rain the sewer often needs days of tankers pumping out a holding tank adjacent the B2017 at the Alders stream crossing point.

Although there is a lack of “affordable” housing within the parish, recent local developments – Foalhurst Woods for example, do nothing to address the problem – all any Developer will do is to provide the minimum required by law, and their definition of what is “affordable” leaves much to be desired, leaving most young people unlikely to ever afford to buy a house.

If the proposed developments at Tudeley and/or East Capel were to take place, these issues of traffic congestion, lack of infrastructure and potential flooding would only be exacerbated. Post Covid, there is now a greater emphasis on wellbeing, and the benefits of getting into the countryside, exercising and experiencing its nature and tranquillity. The peaceful rural landscape amenity that is currently available for everyone to enjoy would be destroyed by these developments which would effectively join Tonbridge, Capel and Paddock Wood as one sprawling entity.

We understand that Tunbridge Wells Borough Council (TWBC) have been set totally unrealistic requirements for new housing, by ill-advised Government targets, but they have conspired by choosing Tudeley as the location for this highly inappropriate development to place it right on their boundary with Tonbridge & Malling Borough Council (TMBC), who would have to bear the brunt of the vast majority of the increased traffic for both commuters, schools and the increased burden on local resources and infrastructure, Doctors, School places etc. We have not seen any evidence of a thorough consultation with TMBC or that its plans for increasing resources and infrastructure are commensurate.

The concern is broader than just the response of TWBC to the new housing demand, there is an issue with the demand itself. A borough with such a high proportion of land in AONB, heritage towns (RTW

itself) and green belt should have its target adjusted to take the quality of its land into account. TWBC should query this rather than slavishly accepting the unrealistic targets it has been set.

The loss of Greenbelt, its affect on the nearby AONB's and the loss of productive farmland would be unforgivable. Given the current fight to reduce global warming, and the need for more of the UK's food requirements to be home grown, thereby reducing our "food miles", paving over these areas should not even be considered.

Although undoubtedly the new developments would incorporate all the latest sustainable drainage systems (which are fine until they inevitably silt up), and the new housing would be protected from flooding by raising ground floor levels etc, they are being built on large areas of floodplain. The concern is the effect on all the existing properties in the area, which have seen flooding in the past, of paving over all these acres of land thereby reducing the ability of the land to absorb rain.

TWBC do not seem to have actively pursued other sites within the Borough, as the proposed scheme at Tudeley ticks all their boxes and the land has been offered to them on a plate by the landowner – Hadlow Estates, who unfortunately have a long history locally of selling off land/ properties in their ownership to the detriment of the local community, for financial gain.

As a consequence of these proposed developments it would appear that Five Oak Green needs a bypass. WHY? Given that most traffic from the Tudeley development would head into Tonbridge for the station, shopping, schools etc and that from East Capel would head into Paddock Wood for the same services, we would question the need for this. We believe the traffic analysis has been based on faulty assumptions about the direction in which the traffic will flow from each of the developments. Furthermore, post Covid travel patterns have changed so the traffic forecasts need a fundamental reassessment.

Siting a roundabout right next to Capel School on the B2017, which already has traffic problems seems to be dangerous for school children, not to mention the health effects on them from increased fumes. The route of the bypass would cut off Sychem Lane to vehicular traffic. The bypass route then cuts the last remaining commercial hop garden in the village in two. This hop garden has been expanded in recent years due to increased demand, and two local breweries use the hops from this field. When we arrived here 30 years ago the village was surrounded by hop gardens, now there is one left (for how long?). This not only represents local heritage, but heritage for Kent as a whole. High quality farmland is being lost.

This bypass then joins the proposed Colts Hill bypass (A228) at a roundabout. We thought that the whole point of the Colts Hill bypass was to improve traffic flow along the busy route that links Maidstone and Tunbridge Wells, and for the many emergency vehicles that use it daily accessing the hospital at Pembury. We do not see how traffic flow will be eased by having 3 roundabouts in half a mile (the existing one at the junction of the A228 and the B2017, the one at the end of the proposed Five Oak Green bypass and yet another proposed where Alders Road meets the Colts Hill bypass)

Alders Road carries a lot of traffic at peak times, and still will, Five Oak Green bypass or not. People currently use it to avoid the long queues of parked cars outside Capel School at morning drop off and afternoon collection, and delays in Five Oak Green due to on street parking, & bus routes/ stops. The proposed development and bypass would only serve to increase the traffic on this country road further.

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	Howard Rogers [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Tonbridge & Malling Borough Councillor for the Hadlow, Golden Green & East Peckham Ward
Address	[REDACTED] Tonbridge TN11 [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Tonbridge & Malling Borough Councillor for the Hadlow, Golden Green & East Peckham Ward [REDACTED]
Comment ID	PSLP_1515
Response Date	02/06/21 19:26
Consultation Point	Policy STR/CA 1 The Strategy for Capel parish (View)
Status	Processed
Submission Type	Email
Version	0.3
Data inputter to enter their initials here	KJ
Question 1	
Respondent's Name and/or Organisation	Cllr Howard Rogers, Tonbridge & Malling Borough Councillor for Hadlow, Golden Green & East Peckham Ward
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/CA 1 The Strategy for Capel parish

[TWBC: response set at Policy STR/SS3 and STR/CA 1 - see also PSLP_1512]

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.

In advance of the close of the Regulation 19 consultation on the Tunbridge Wells Borough Council Local Plan on Friday I write to express my views and concerns about the impact of this plan on my ward and Borough.

As you may realise my ward lies closest to the main housing proposals within this plan and the bulk of the proposed housing developments for all of Tunbridge Wells lie within a few miles of Hadlow, Golden Green and East Peckham. I therefore address most of my comments to Policy STR/CA1 The Strategy for Capel Parish and Policy AL/CA1 Tudeley Village. My home and those of the people I represent as well as my immediate hamlet neighbours lie on roads that will be significantly affected by these proposals.

When considering the overall impact of the TW local plan, my memory turns to several years ago when this Borough was drawing up the first draft of our own local plan. As Cabinet Member for Strategic Planning and Development at the time, I recall the hours that I spent with Steve Humphrey, Ian Bailey and his team pouring over maps, population projections, strategy documents, planning guidelines and countless other documents in drawing up a plan which was based not just on housing targets and government diktats but on what we knew to be the needs and desires of our local residents and also on common sense. This resulted in a Plan that was based on firm evidence, and did make sense. I remind members that the Inspectorate has halted the progress of our plan not on its solid and thoughtful content but on the inspector's perception of the process and procedures that were involved in our Duty to Cooperate with neighbouring authorities. I can only assume that many similar hours have been spent in Tunbridge Wells planning department carefully considering and drawing up the plan we are debating tonight, but struggle to understand how that all came to the conclusions and proposals that are now in front of us. In summary, common sense and the needs of Tunbridge Wells residents seem to have been discarded in favour of these proposals which place the bulk of residential development on the very northern edge of their Borough, and then questionably and poorly addresses the effect of that development on the infrastructure and the communities that will be immediately effected.

Back in October 2019 the TMBC Planning and Transportation Advisory Board gave a very strong message to TWBC about our concerns regarding the impact of their plan at the Reg 18 stage. We raised specific issues about the likely impact of the proposals on the local highway network, rail services and other community infrastructure including health care and education, particularly when combined with planned developments in Tonbridge as part of our own Local Plan. One of my particular concerns was the impact on North/South traffic flows through the limited network of unsuitable and unclassified roads such as Allders Road and Hartlake Road. It would appear that this message has been considered, a significant problem identified and a somewhat simplistic solution put forward in the proposal to close Hartlake Road to through traffic somewhere near the Borough boundaries. I can tell you that at peak commute and school traffic times, the traffic rate along that road can exceed that of the A26 through Hadlow. What a dilemma, do we look forward to the prospect of living in a "Quiet Lane" as Hartlake was tentatively suggested to be by KCC some 20 years ago or do we face a future of even longer and environmentally damaging queues and delays along the A26 and A228 as more cars find alternate

ways to cross the Medway and access the Summerhill Schools, Tonbridge schools, shops, stations & jobs or travel further afield? Surely after not so long ago spending several million pounds on the new Hartlake Bridge, KCC are not going to accept that is no longer of use.

It would seem that the work done to model the resultant effect on traffic flows and predict increases in traffic movements has scarcely scratched at the cross boundary issues let alone the knock on effects along the TMBC side of the A26, Seven Mile Lane and the minor roads which act as peak bypasses and overflows. Indeed the modelling data appears to be based on aged surveys and shows little if no account of the development proposals within the TMBC plan.

My other main concern about concentrating housing development so close to our boundary is its proximity to the River Medway. My ward floods. Residents' homes and livelihoods are threatened and will continue to do so. This fact is acknowledged even by the Environment Agency who despite their major plan to increase the capacity of the Leigh Flood Storage Area has recently given the go ahead for a £1,000,000 Flood Resilience Scheme in East Peckham. While detailed provision and plans to counter the flood risk caused by development will be appropriate further down the planning cycle, I feel that the plan underestimates the consequences of such a significant number of new homes. The cumulative effect of these homes and the extensive permitted mineral extractions immediately to the north must be better understood and not considered in isolation.

As Chairman of the Upper Medway Internal Drainage Board, I have recently led its members to introduce a new scheme of Surface Water Development Contributions which is administered by the Water Management Alliance in King's Lynn. The land in this plan is currently agricultural and provides a natural means of absorbing rainfall. Even with strict compliance with SUDS requirements and local mitigation measures and leaky dams upstream the proposed developments with roads, driveways, parking areas and rooftops cannot fail to increase the flow of water into the Hammer Dyke and Alders Stream. Along with the increased areas of mineral extraction to the north a significant area of natural storage will be lost and this will add to the pressure on the existing drainage channels. The Upper Medway Board will be requiring significant contributions to help manage the consequence of this. These contributions will be in addition to any Section 106 and should be considered in relation to any viability assessments.

There is much else that I could add to my comments, but from discussions that I have had with my fellow Councillors, I know that they will write on these and I am sure you would rather hear directly from them rather than repetition from me.

In summary, I am of the opinion that the firm response and list of concerns that I, many of my ward residents and TMBC gave to TWBC in our response to the Reg18 submission back in 2019 have not been sufficiently recognised or countered by evidence in this next Reg 19 stage. I retain serious concerns about the direct effects of large housing allocations immediately on the border of our districts and with the nearest large conurbation being Tonbridge itself. The plan proposals will put heavy and long term demands on Tonbridge town while TWBC will reap the benefits of the additional Council Tax as well as meeting your housing need. The proposal to close Hartlake Road demonstrates a complete lack of co-operation shown by TWBC to my residents and emphasises that there is no desire to allow Hadlow or Golden Green to enjoy a potential increase in demand of its services, retail outlets or employment sites. Little if no compensation proposals are suggested to be in the Borough most affected. Lastly I contend that, the Plan is in denial of the detrimental effect on flooding issues in our communities and those in authorities further downstream of the Medway.

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)?

Comment

Agent	Mr Gary Mickelborough [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Bloomfields
Address	[REDACTED] PADDOCK WOOD [REDACTED]
Consultee	Fernham Homes [REDACTED]
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Fernham Homes [REDACTED]
Comment ID	PSLP_1661
Response Date	04/06/21 14:43
Consultation Point	Policy STR/CA 1 The Strategy for Capel parish (View)
Status	Processed
Submission Type	Email
Version	0.3
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Fernham Homes Ltd
Question 2	
Agent's Name and Organisation (if applicable)	Bloomfields 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 STR/CA 1 The Strategy for Capel parish

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 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.

These representations are submitted on behalf of our esteemed clients and local housebuilders Fernham Homes Ltd., with interest to the site submitted under the previous Call for Sites and considered under the Pre Submission Local Plan SHELAA as Site 143. This logical Site on the edge of Five Oak Green remains deliverable and available under the stewardship of this local housebuilder and as an organic and sustainable addition to the village, this site could be brought forward in a manner consistent with the Council's overarching delivery objectives.

[TWBC: Above comment from covering email]

Fernhams Homes Limited (FHL) is promoting land at Tolhurst Road, Five Oak Green (site 143), for residential development. It is in this context that FHL wishes to express its objections to the development strategy insofar as it relates to development at Capel, as set out in Draft Policy STR/CA1. It is considered that the Council has failed to provide an appropriate strategy which seeks to meet the Borough's development needs, especially with respect of housing.

Draft Policy STR/CA 1 sets out the Plan's ambitions in respect of Capel which is based on the provision of a new garden settlement at Tudeley Village, which will deliver approximately 2,800 dwellings and a range of associated services and infrastructure over the plan period and beyond, and to accommodate approximately 2,060 dwellings on land at east Capel as part of the extension to Paddock Wood.

The over reliance upon Tudeley Garden Village is such that if it is not delivered as planned there is no flexibility to address any resulting shortfall in housing. Accordingly, the plan is unsound on the basis it conflicts with paragraph 11 and lacks sufficient strategic flexibility.

The over-reliance of the site within the trajectory need not be terminal however. The solution would be to ensure that any delivery from Tudeley were assumed to come forward in the next plan period, once there is a greater degree of certainty that the scheme will be progressed and is acceptable from

a Green Belt perspective. In the intervening time, further sites such as the already well contained site at Tolhurst Road should be added to offset the loss of the housing relied upon in the earlier stages of the delivery plan period.

Such an approach would also support the wider strategy and general principle of proportionately spreading the benefits of growth. Adopting a pattern of dispersed growth approach would allow a number of sites to be developed at the same time, serving different segments of the local housing market, which is preferable to saturation of the market in a single area with a single larger development. For this reason the Council's conclusion that there is very little scope for adding much in the way of further housing numbers to the rural settlements is strongly disagreed.

In respect of the extent to which the consequent impacts on the purposes of the Green Belt may be ameliorated or reduced, this is to be judged on a site by site basis and small scale release can be mitigated with relative ease given many have limited role in fulfilling the requirements of the Green Belt.

In this case, land at Tolhurst Road provides a logical opportunity in helping to meet identified housing needs and could provide for development which would be well-contained on the edge of the existing settlement, resulting in sensible and organic growth. However, the same cannot be said of a new settlement within the Green Belt whereby the impact by way of loss of openness would be substantial.

Summary

Taking the above into consideration, it is considered that Exceptional Circumstances exist and that a sound case could be made for releasing some Green Belt land in line with NPPF guidance. However, it is not considered that there is any evidence which exists to justify the scale currently proposed within the plan, at least not until all reasonable alternatives have been assessed, including the release of smaller land which would result in a more sustainable pattern of growth in Capel at Site 143 - Tolhurst Road.

There is support for the principle of the plan-led system and in setting out our representations upon these policies, it is hoped that the Council can work with this Agent 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.

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.

As set out within comments provided by FHL in relation to draft Policy STR1, the proposed trajectory of housing delivery at Tudeley in particular is potentially over optimistic and the assumption that a new village is likely to be found to be acceptable via the examination process, be masterplanned, obtain planning consent, deliver key infrastructure and to commence delivering 150 dwellings per annum from the period 2025/26 is wholly unrealistic. It is considered that whilst some development may come forward in the plan period from the two proposed strategic sites, in reality these strategic allocations are longer term aspirations that will extend beyond 2038.

Given the above, FHL objects to draft Policy STR/CA 1 in its current form and has requested that Inset Map 7 is amended to incorporate land at Tolhurst Road, and a modification as set out below, in order to ensure that TWBC is capable of meeting its need in full during the period of the Plan and the

development strategy responds pragmatically but sensitively to the Borough's principal constraints, namely the High Weald Area of Outstanding Natural Beauty (AONB) and the Metropolitan Green Belt.

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:

Fernham Homes Limited is promoting Land at Tolhurst Road, Five Oak Green, for development and is seeking changes to Draft Policy STR1. Fernham Homes Limited requests participation in the hearing sessions in order to contribute to discussions in relation to this Draft Policy and to articulate its case for suggested changes to it as well as to address any relevant points raised by the Local Planning Authority, the Inspector or by stakeholders.

Question 8

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

FHL supports the general thrust of the Sustainability Appraisal (SA) insofar as it substantiates the preferred development strategy as being preferable against the reasonable alternatives. The SA examines a number of scenarios for the distribution of growth across the Borough including, critically, a scenario which would meet full housing need but does not involve Green Belt release. This scenario (Growth Strategy 6) demonstrates that no Green Belt release would involve major strategic growth at a number of the Borough's rural settlements including those within the AONB thus demonstrating that some Green Belt release is necessary in order to deliver a sustainable pattern of development. We note that no scenario has been tested that would see full housing need met in areas completely outside the AONB. However, this would clearly involve similar major strategic growth in rural settlements by obviating the contribution of Royal Tunbridge Wells and Southborough to meeting housing needs or else by generating excessive reliance on strategic expansions to Paddock Wood and Tudeley Village, which would most likely need to be enlarged. The SA therefore substantiates the need to deliver some growth within Green Belt and AONB.

We note that failure to meet standard housing need by avoiding the AONB or the Green Belt were accompanied by significant negative scores in relation to the delivery of new housing and economic development, as would be expected. We also noted scenarios that would see significant concentrations of growth within the AONB associated with significantly negative environmental effects particularly as regard to landscape, once more as expected. As a result, the SA supports the key limbs of the preferred development strategy of meeting full housing need and reducing the scale of development within the AONB from the Draft Local Plan as against the reasonable alternatives. However, the preferred spatial strategy (i.e. Growth Strategy 13) would still result in the concentration of significant development within the AONB alongside significant Green Belt release to accommodate a new settlement and the transformational expansion of Paddock Wood. The contribution by urban and brownfield land has also been maximised to the reasonable extent possible. As a result, the preferred development strategy is finely balanced and whilst noting since the Regulation 18 consultation the quantum of development has been decreased in some smaller rural settlements beyond the Green Belt and AONB, it is not

practical to do so further without resulting in negative environmental effects and/or compromising the deliverability of the development strategy.

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 Derbyshire [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] Tudeley [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Claire Derbyshire [REDACTED]
Comment ID	PSLP_1718
Response Date	04/06/21 16:56
Consultation Point	Policy STR/CA 1 The Strategy for Capel parish (View)
Status	Processed
Submission Type	Email
Version	0.9
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Claire Derbyshire
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/CA 1 The Strategy for Capel 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

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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.

For the past 12 years my husband and I have been fortunate to live in Tudeley. We chose to purchase a Grade II listed building and have invested time and money in its ongoing maintenance and protection. We were drawn by the setting – within the AONB surrounded by beautiful countryside and assumed since designated Green Belt, the local area would be protected from development. I enjoy walking the local footpaths and for the past 8 years have undertaken voluntary work and species surveys at RSPB Tudeley Woods Reserve. I am also a keen wildlife gardener and constantly amazed by the species we attract to the garden from neighbouring habitats.

I consent to my contact details being added to your consultation database. Please keep me informed of all future Local Plan consultations. I understand that my comments may be published by TWBC.

I am writing to object to "The Strategy for Capel Parish" (Policy STR/CA1).

1) Loss of MGB

<https://www.gov.uk/guidance/national-planning-policy-framework/13-protecting-green-belt-land>

National Planning Policy Framework 13. Protecting Green Belt land Notably Paragraphs 134 & 143-145

- The Capel Master Plan is contrary to the purpose of the Green Belt: (a) to check the unrestricted sprawl of large built-up areas; (b) to prevent neighbouring towns 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.

- The STR/CA1 map illustrates the potential reduction in separation between Tonbridge, Tudeley, Five Oak Green and Paddock Wood which is wholly unacceptable and impractical on so many levels.

2). The Natural Environment- As Capel currently stands we are blessed with a network of public footpaths which enable access to attractive countryside, wonderful views and the ability to easily walk between settlements. The possibilities to get outside and the health and wellbeing benefits that bestows, are endless with local highlights being:

Foal Hurst Wood RSPB Tudeley Woods Sherenden and Moat Farms The River Medway Whetsted Gravel Pits

- The amenity of all of these sites and many of the connecting footpaths have the potential to be harmed by the proposed developments, be it by destruction of views, noise pollution, increased footfall and its associated issues (littering, dog fouling, anti social dog walkers).

Biodiversity- Capel is rich in biodiversity. - A historic lack of biodiversity recording as evidenced by inventories supplied by KMBRC of the area does not mean species do not exist! - Whilst some species are highly territorial and location loyal, that is not to say they won't be adversely affected by significant changes to neighbouring locations particularly in terms of air, noise and light pollution. From my own experience, the land around Sherenden Farm, which borders the CA1 site, is used for feeding and or breeding by a number of Birds of Conservation Concern - I suspect there are many more besides:

Red List: Fieldfare House Sparrow Lapwing Linnet Redwing Skylark Song Thrush Starling Yellowhammer

Amber List: Kestrel Swift

- At present our amphibians, aquatic animals, birds, invertebrates, mammals, reptiles and fauna enjoy a fairly undisturbed existence save for seasonal agricultural operations in some areas and they are

free to roam and spread without too many man made barriers. With the exception of the A228 Paddock Wood bypass, they currently do not encounter major roads. If this were to change, it may artificially and detrimentally alter natural behaviour whilst potentially increasing road kill.

Cumulative Effect The cumulative effect on biodiversity of this level of simultaneous development must not be underestimated - Tudeley Village and Senior School (CA1), East Capel (PW1), Mineral extraction at Whetsted Gravel Pits and the Colts Hill bypass proposal will destroy or disturb vast tracts of habitat. The associated ground disturbance and noise and air pollution on site and construction plant noise/pollution on surrounding roads will surely encourage species displacement. I cite Foal Hurst Wood LNR as a specific example likely to be adversely impacted by East Capel (PW1) and the Colts Hill Bypass.- When considering development of this scale in a relatively confined area of the borough we can't afford to consider each site in isolation but should employ a holistic view to protection.- It unjust and short sighted that only species with designated protections are considered during the planning process.

Biodiversity Offsetting- Just because an agency arrives at a notion for national adoption, doesn't make it a credible idea.- If you proposed replacing a substantial area of tarmac i.e. a disused airfield, or cleaned up a substantial contaminated brownfield site, then I would agree this would represent a net gain in biodiversity.- If however you tell me you are going to destroy a large area of Green Belt but mitigate its loss by better managing a TWBC woodland I would call this an insult. The woodland is already a biodiversity resource and if you are currently not managing a precious resource in an optimal way you are failing.- Biodiversity Offsetting is just smoke and mirrors.

3) Transportation

Existing Road Management and Anti-social Behaviour- Is it wise to create/expand roads within Capel and surrounding areas when TWBC and local agencies are obviously stretched to the limit. Whilst proactive in road surface maintenance, this is not true of the roadside verges. Littering is already an issue the length of the B2017 and Hartlake Road etc with residents resorting to litter picking in the absence of council operations. - Similarly, whether down to lack of will or resources, the Police seem unable to control the late night anti-social driving issues along the B2017, neighbouring lanes and Woodgate Way which is both a source of noise pollution and potential jeopardy for legitimate road users and residents.- Drivers routinely exceeding the 40 mph speed limit, together with inappropriate HGV use are issues that will be exacerbated by any road expansion and increased population.- If TWBC and the authorities are unable to address such issues as the population currently stands what chance have they with a significant population increase?

Road Network- I fail to see how existing roads outside of the development sites will cope with the increased population. Woodgate Way, Vale Road, and Cannon Lane Tonbridge and Pembury Road Tunbridge Wells are already subject to chronic congestion.- I frequently travel between Tudeley and the B245 (London Road), when Cannon Lane is congested I use the High Street via Medway Wharf Road as the Vale Road/High Street roundabout is increasingly unusable. A significant increase in road users will exacerbate congestion in Tonbridge as the nearest town to 'Tudeley Village'. - In the 12 years we have lived in Tudeley the increase in local traffic congestion has grown.

Associated road network as yet undefined.- Expansion of existing roads and/or creation of new roads may further contribute to sprawl.- I fail to see how the B2017 through Tudeley could be expanded given that dwellings abut the road on either side, the southern portion being AONB.- We can only surmise new road locations which seems an unsound basis for consultation.

4) Inappropriate Development Senior School west of Tudeley- TWBC state 'Tudeley Village' is "a standalone garden settlement" so why will senior school provision be made outside it's boundaries? Similarly, primary school provision may be met by expansion of Capel Primary School, Five Oak Green.- Both these proposals will have detrimental effects on traffic congestion on the B2017 and A26 Woodgate Way west of Tudeley and on the western extreme of Five Oak Green where school run parking is already chronic and a source of traffic congestion.

"The school shall be designed to minimise trips to and from it by private vehicle and to facilitate active transport modes, such as walking and cycling from Tudeley Village"

– Regrettably, I think it is a naïve and idealistic expectation in this age of multiple vehicle ownership and heavy use thereof.

5) Additional Concerns

- Water supply to development sites – how is an increase in population sustainable when Kent is vulnerable to drought?
- Further negative environmental impact of bringing utilities and drainage to and from development sites.
- Increased potential for flooding with increase in impervious surfaces.
- Reduction in vital food production through loss of valuable agricultural land.
- The negative impact of nearby development on heritage assets and their setting notably the many listed buildings and in particular the unique and renowned Tudeley All Saints Church with its Marc Chagall stained glass windows.
- I understand Pembury Hospital is already struggling to meet demand, how will an increase in population be cared for particularly as 'Tudeley Village' occupancy is aimed at all stages of life so would assume maternity, paediatric and elderly care etc?
- I understand there is controversy as to how the future population / housing requirement figures were arrived at. There is evidence of local properties stagnating on the housing market (ironically I suspect a symptom of the outrageous Local Plan). Rumours abound that such housing schemes attract London overspill rather than address local need. As the uncertain political climate and Brexit unfolds I would expect a review of the proposed figures and against more up to date ONS data than is currently being used.

I object to the inclusion of land in East Capel in “The Strategy for Paddock Wood” (Policy STR/PW1).

This land is Green Belt land and should only be built upon if an “exceptional circumstance” exists. TWBC’s own assessments in their Sustainability Appraisal show that Paddock Wood can expand and meet most of the plan’s aims without using the Green Belt land at East Capel.

[TWBC: Note the comment on STR/PW1 has also been input against Policy STR/PW1]

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)?

Future Notifications

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

Comment

Consultee	Eddie Haydock [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] Tonbridge [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Eddie Haydock [REDACTED]
Comment ID	PSLP_1759
Response Date	04/06/21 16:27
Consultation Point	Policy STR/CA 1 The Strategy for Capel parish (View)
Status	Processed
Submission Type	Email
Version	0.4

Data inputter to enter their initials here KH

Question 1

Respondent's Name and/or Organisation Eddie Haydock

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/SS 3 The Strategy for Tudeley Village

Policy STR/CA1 The Strategy for Capel Parish

Policy STR/PW1 The Strategy for Paddock Wood

[TWBC: this representation has been input against Policies STR/SS3, STR/CA1 and STR/PW1 – see Comment Numbers PSLP_1757, PSLP_1759 and PSLP_1760]

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.

I have received an email from one of my Borough Councillors, Matt Boughton, containing a copy of a letter from him and fellow councillors Jon Botten and James Lark of Medway Ward on Tonbridge and Malling Borough Council to Tunbridge Wells Borough Council dated 02/06/2021 regarding the TWBC Local Plan Regulation 19 Consultation and encouraging me to respond also.

My comments apply primarily to "The Strategy for Tudeley Village" (Policy STR/SS3) and also to "The Strategy for Capel Parish" (Policy STR/CA1) and "The Strategy for Paddock Wood" (Policy STR/PW1).

Whilst I agree wholeheartedly with the points they raise and ask that the validity therein be both recognised, accepted and acted upon, I wish to take this opportunity to stress that their objections hardly scratch the surface in reflecting the horror many people in Tonbridge feel at the vandalism that these proposals will wreak upon their locality.

Unlike the councillors I needn't be polite and diplomatic. I needn't couch my words or be overly judicious. I needn't tread lightly, one step at a time and defer to my colleagues and fellow public servants. I have no "duty to co-operate".

In a previous email to you I outlined my objections in minute detail but since none has apparently been addressed, and it seems that many original problems have been exacerbated (the proposed permanent closure of Hartlake Road springs to mind) I feel my only recourse is to be angry and forthright and say unequivocally that it is disgraceful and shameful that TWBC are planning to rape the natural environment in such a blatant way, that an intolerable burden is to be casually shifted onto the infrastructure of an already overstretched area that isn't in their jurisdiction and that dangerous flooding issues are to be disregarded in what can only be described as a wilful act of destruction at best and a greedy, self-interested land grab at worst.

It's that simple.

Or is it?

It may be that those on TWBC who support the plan in its current form are just the "idle-minded overlings" to whom Kipling once referred?

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)?

For office use only

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

Supporting Information File Ref No: SI_114a-d

Comment

Consultee	Mrs Carol Richards [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] Tonbridge [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Mrs Carol Richards [REDACTED]
Comment ID	PSLP_1875
Response Date	04/06/21 11:43
Consultation Point	Policy STR/CA 1 The Strategy for Capel parish (View)
Status	Processed
Submission Type	Email
Version	0.5
Files	C Richards - Supporting Information Map B.jpg C Richards - Supporting Information - table A.JPG C Richards - Supporting Information - map A.JPG C Richards - Supporting Information - section A and section C.JPG
Data inputter to enter their initials here	KH
Question 1	
Respondent's Name and/or Organisation	Mrs Carol Richards
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/SS 1 The Strategy for Paddock Wood, including land at east Capel	
Policy STR/PW1 The Strategy for Paddock Wood	

[TWBC: this representation has been input against Policies STR/SS1, STR/PW1 and STR/CA1 – see Comment Numbers PSLP_ 1863, PSLP_1874 and PSLP_1875]

Question 4

Do you consider that the Local Plan:

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.

The whole of TWBC's Local Plan is basically centred on pages 138 – 175. This is the crux of their planning and nearly everything else in this huge planning pack is their justification for this concentrated 3 site plan – Tudeley/ Capel / Paddock Wood. The allocations by Parish Table 4 show the pathetically small numbers of homes being considered in other Parishes- 32%. and if you exclude Tunbridge Wells too - it is 17%. This has not been positively prepared and planning urban sprawl- which is essentially what is being planned is not justified and is NOT consistent with national planning policy – 133 NPPF. It is not effective to concentrate such a large number of homes on one area of the borough without carefully considering areas not on Greenbelt/ANOB/Floodplain.

Comparing Table 3 page 36 of the Local Plan-the minimum allocation of housing need 2020 to 2038 is stated as 7,221. Table 4 page 42 of the Local Plan has a Housing Distribution total of 8,076 . Bearing in mind TWBC could resist the 'need' due constraints of Greenbelt/ANOB –and Floodplain and recent government advice (Changes to Current Planning system ! April 21) this 'need' could have been reduced. This should have been TWBC's first argument way back in the planning. They should have pushed back on the numbers i.e. 'need.'

Secondly looking at table 3 the 2.800 homes at Tudeley and the 4000 at Paddock Wood /Capel make up a total of 6,800 – this is 94% of the 'need,' for Table 4 it is 84% of the Distribution of Housing Allocation. Either way this plan is so concentrated on the northern Floodplain boundaries of Tunbridge Wells Borough it is again totally disproportionate and unjustified , unsound .

The proposal to build urban sprawl along the Floodplain Boundary Tunbridge Wells Borough is not justified and is not consistent with National Policy

Paddock Wood

The area around Five Oak Green and Paddock Wood is situated on the Low Weald, which is relatively flat underlain by impermeable WEALD CLAY. This means that water cannot soak into the ground AND the FLAT LAND MEANS it cannot flow away-it just lies on top.

The extension of Paddock Wood is not justified as the supply of a large number of homes on The Medway Flood Plain is against policy. NPPF guidelines state inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime (lifetime is classified as a minimum of 100 years) without increasing flood risk elsewhere. The JBA report Level 1 Site summary assessment – flood risk and spatial datasets shows:-

Nearly all call for sites in the Paddock Wood / East Capel /Tudley are classified as 25%-100% of being in Flood zone 2/3a/3b if not now by 2080.

The Proportion of sites within Flood 3a as of now -60 sites in total- 43 covered Tudeley or Rive Oak Green or Paddock Wood .

The future- Proportion of site within future flood zones 3a-79 sites -45 covered Tudeley/ Five Oak green/ Paddock Wood.

None of this analysis has used 2019 information, which bearing in mind TWBC are looking to PLAN to 2036 is not up to date enough.

Table 13-1 shows the sites most at risk and TWBC have chosen nearly every one of them for their 'Masterplanning'. The cost of attempting to use these sites will require SuD's and other methods to attempt to reduce the impact of future flooding at these sites to the tune of £12million (Appendix 1: Infrastructure Delivery Plan Table 16 p98 and 99) . Why would anyone in their right minds chose the worst sites to build on i.e. the ones most likely to flood now and in the future?

The provision to mitigate flood risk and surface water management should be used to protect the current homes at risk- not planning more homes to be at risk and then, to try to protect them!

There is policy emphasis in the NPPF to steer development away from areas with high flood risk. Planning Practice Guidance states that :- *The National Planning Policy Framework set strict tests to protect people and property from flooding which all local authorities are expected to follow. Where these tests are not met, National policy is clear **that new development should not be allowed.** Making these proposals unsound.*

The Tudeley Site

Tudeley lies on a ridge above the Medway Flood Plain and this means the precipitation on hard -standing areas, of 2,800 homes- will cause faster run-off during a large event- into the flood plain below:

The OS Map below shows the cross sections taken from The B2017 Five Oak Green Road on the ridge- to show the topographic affects of surface water flow down the slopes - running into the valley below and into the Medway. Hardstanding on this ridge will cause increased rate of flow causing flash flooding in times of wet weather when the ground is already saturated. NPPF163 states, When determining planning applications. Local planners should ensure that flood risk is not increased elsewhere. TWBC have failed to this with the proposal of building at the Tudeley site.

(TWBC Comment - Map A included within the comments has been appended to this comment)

Profile of Ridge From Five Oak Green Road (B2017) to the Flood Plain of the River Medway – (only 2 of the 5 shown) Section A and Section C

(TWBC Comment - sections A and C included within the comment have been appended to this comment)

Climate change is predicted to increase rainfall intensity in the future by up to 40% (for the Upper End estimate to the 2080s epoch (2070 to 2115) under the new range of allowances published by the Environment Agency. This will increase the likelihood and frequency of surface water flooding, particularly in impermeable urban areas, and areas that are already susceptible. Changes to predicted rainfall should be incorporated into flood risk assessments and drainage and surface water attenuation schemes associated with developments. Is there a specific assessment for Tudeley to assess surface

runoff? There has been no consultation with TMBC/ Maidstone as far as I can see the potential to cause flooding onto the floodplain which will affect towns in TMBC/ Maidstone.

Historical flooding

- . The River Medway is the largest river catchment within the Environment Agency's Southern Region.
- . The floodplain (defined by the Environment Agency's Flood Zone 3) of the River Medway lies to the north of Tudeley, Five Oak Green, Paddock Wood. With the tributaries Alder Stream, Tudeley Brook and River Teise.
- . The Leigh Flood Storage Barrier is located approximately 3 km west of the Tudeley. It was designed to protect Tonbridge from flooding and is the largest on-line flood storage reservoir in Europe, retaining a volume of 5,580,000 m³. (This just added just as an indicator to the level of water that this area has to cope with.) There are plans to increase this capacity by 2023.!

Gov.uk . Shows the Flood Map for Planning

This is a very powerful visual reminder of the area where TWBC have chosen to put the large number of homes 2016 -2036- up to 6,800 in total. Flooding will continue to increase with Climate Change-forecasting wetter winters. Why chose here?

(TWBC Comments - map B included within the comment has been appended to this comment)

The events of 1960, 1963, 1968, 1985, 2000 and 2009 caused widespread flooding within the north of the borough e.g. at Paddock Wood and Five Oak Green, and areas along the River Teise, due to heavy rainfall over a prolonged period of time. Since this time, significant flooding occurred within the borough during the Winter 2013/14, which included notable flooding from The River Medway, as well as August 2015. Climate change predicts more rainfall and more frequency of flooding. We can all still remember 2013/14 in this area, and the biblical flooding of the winter of 2019/20.

It is not effective to 'plan' to build on floodplains or cause harm downstream. It is not justified and is not consistent with National policy. NPPF 149,155.163 Unsound.

Question 6

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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.

TWBC could start by looking at areas with fewer properties at risk. Table 3 shows the Properties At Risk :

(TWBC Comment - Table A included within the comments has been appended to this comment)

Capel and Paddock Wood **already** have the greatest number of homes at risk in the whole of the borough as circled and TWBC propose more homes in these same boroughs. Totally unsound. On these figures I wouldn't look at Lamberhurst either. TWBC need to return to the call for sites and re-do the Local Plan it relies on three main sites fraught with difficulties. The whole of the local plan centres on these three sites and will cause problems for the future. The plan is unsound.

Prospective buyers will look at these homes and will not buy them. They will be difficult to insure, and they will only have to flood once and people who do buy will not be able to sell them. There are other sites that do not have the Medway so close to villages and towns.

TWBC need to look at other sites not in ANOB/ Green Belt/ Floodplain- Horsmonden and Frittenden and meet the housing REDUCED NEED by directing growth to main towns i.e. growth strategy 5; They

need to reduce the number of homes at Paddock Wood to 1000/1500 and build all homes well above ground level-.with rising sea levels this area is at even greater risk. They also need to sort out the existing sewage issues at Paddock Wood - there are no main drains. TWBC need to NOT build at Tudeley and Capel the Transport issues and proximity to Tonbridge are too harmful and unjustified.

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)?

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

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_117

Comment

Consultee	Mrs Carol Richards [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] Tonbridge [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Mrs Carol Richards [REDACTED]
Comment ID	PSLP_1889
Response Date	04/06/21 11:43
Consultation Point	Policy STR/CA 1 The Strategy for Capel parish (View)
Status	Processed
Submission Type	Email
Version	0.5
Files	C Richards - Appendix D Climate Change Flood Zone 3a map.JPG
Data inputter to enter their initials here	KH
Question 1	
Respondent's Name and/or Organisation	Mrs Carol Richards
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/SS 1 The Strategy for Paddock Wood, including land at east Capel

Policy STR/SS2 The Strategy for Paddock Wood Town Centre

Policy STR/PW1 The Strategy for Paddock Wood

Policy STR/CA1 The Strategy for Capel Parish

[TWBC: this representation has been input against Policies STR/SS1, STR/SS2, STR/PW1 and STR/CA1– see Comment Numbers PSLP_1878, PSLP_1887, PSLP_1888 and PSLP_1889]

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.

5.153 TWBC's Local plan for Paddock Wood including Capel is for a **significant** expansion along with Tudeley – which I have commented on earlier. 5.157 to 5.162. describe the 418 hectares STR/SS1 is to be built on.

5.163 States, ' Fluvial flood risk is a considerable factor affecting the western side of Paddock Wood and the Town Centre-.Flood zones 3 an flood Zone 2

5.164 States, the area to the north is Flood Zone 2 and 3 from the upper Medway flood plain.

5.165 States that groundwater levels are high I the northern western parts due to the proximity of the Upper Medway Flood Plain.

5..231 Paddock Wood is located on relatively flat land, associated wit the broad valley of the River Medway and the soil is impermeable Wealden clay.

In Paddock Wood Stage 1 SWMP (2011) and Stage 2 SWMP (2015) Paddock Wood is an area that has experienced a number of incidents of surface water flooding associated with small watercourses, sewerage and private drainage systems. It was recommended within the Tunbridge Wells Borough Council Level 2 SFRA (2009)that Paddock Wood be designated as an 'area of critical drainage'.

In recent years 100 homes have been built around Mascalls Farms and Court Farm. There have been problems with the new developments with Flooding and sewage. This area is not covered by mains drains. I have heard hearsay many times about the flooding and sewage problems at Paddock Wood and also the fact that houses are not selling.

STR/5 states that TWBC fully consulted Southern water regarding the supply of fresh water and the removal of foul, yet Greg Clark MP for Tunbridge Wells was advised on record, 'Plans to upgrade the

sewage network in Paddock Wood, despite repeated discussions with Paddock Wood Town Council – have come to nothing . (HoC 28/10/19)

This just demonstrates to me the ineffectiveness of infrastructure planning – if the basic needs of water and sewage cannot be sorted out quickly NOW – what does this say for the future? TWBC are proposing to build 4000 homes in this area. More homes will mean more problems. This failure to effectively sort out these issues brings into question the effectiveness of the proposed infrastructure.

It is also worth noting that TWBC are relying very heavily on Development contributions -which are incorporated into the house price. This is not going to provide affordable housing, where large amounts of money will be needed to be spent by the developer trying to mitigate the huge flood issues at Paddock Wood and Five Oak Green. If they do get built and sold- one bad flood, which is inevitable, and homeowners will be left with homes they cannot sell or insure. This is totally and utterly immoral- to build houses in a flood zone area 2 and 3 and cause so much distress to the homeowners. It is unsound, unjustifiable and should be illegal. This is not an effective planning policy and has been poorly prepared. They do not even take their own advice:- The TWBC Development Constraints Study states on p 9- 2.19 Flood zone 3 should be a significant constraint' and all the sites at Tudeley/Five Oak Green/ Paddock Wood have a % of Zone 3 areas. (Table 3-1 of Site summary assessment) p91-108

The report Commissioned by TWBC p111 (T.Wells Level1/2 SFRA)- even that recommends :14.6.2 Future Developments Development must seek opportunities to reduce overall levels of flood risk at the site, for example by:

- Reducing volume and rate of surface water runoff based on Local Plan policy and LLFA Guidance
- Locating development to areas with lower flood risk
- Creating space for flooding.
- Integrating green infrastructure into mitigation measures for surface water runoff from potential development and consider using Flood Zones 2 and 3 as public open space.

Maybe TWBC should listen to the advice they paid for?

The JBA report 2016s4793 - Tunbridge Wells Level 1 & Level 2 combined SFRA (v4 July 2019) suggested: under summary p161

- Floodplain restoration or augmentation represents the most sustainable form of strategic flood risk solution by allowing watercourses to return to a more naturalised state. This may involve measures such as

* return existing and future brownfield sites that are adjacent to watercourses back to floodplain, rather than allowing new development . This is the most sensible thing I have read in connection with Paddock Wood.

TWBC believe they can build on these sites and provide 'betterment 'at these sites-like the homes will only flood to 100mm not 500mm? TWBC are willing to spend £12 Million of public and developer funding to do so.

NPPF 155 states that , 'Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime(this is deemed to be 100 years-026 Ref ID:7-026-20140306) without increasing flood risk elsewhere. This development is unsound -See Appendix D NPPF 156.states that, Strategic policies should be informed by a strategic flood risk assessment, and should manage flood risk from all sources. They should consider cumulative impacts in, or affecting, local areas susceptible to flooding, and take account of advice from the Environment Agency and other relevant flood risk management authorities, such as lead local flood authorities and internal drainage boards. TWBC have chosen to build on flood plain as their strategic policy. They certainly are not taking JBA advice and analysing their own data. This policy is therefore unsound.

(TWBC Comment - map C included within the comments has been appended to this comment)

The map above shows the flood zones for Paddock Wood for 2080. The redlines show a rough guide to the area under consideration. These sites are considered as a potential Local Plan allocation.

The NPPF specifically states 160a) the development should provide wider sustainability benefits to the community that outweigh the flood risk -and too this end TWBC say that there will be betterment of the area by flood mitigation with SUD's- this is in the area where there is no mains drainage and it

is not possible to implement because of the heavy clay and vast amount of water in this area. It is utter nonsense to believe TWBC can improve the flood risk in this area. There is no future proof for these sites either 160b) these developments will not be safe for a lifetime and the more houses they build here the more chance of increasing the flood risk elsewhere. This is poor planning unsustainable and unsound. The map above shows TWBC own map for climate change in Paddock Wood Appendix D and the site overlaid with STR/SS 1 Paddock Wood and East Capel Strategic policy. Overlays in red show the Proposed parcels of land earmarked for development. ((Eastern parcel not fully drawn.) There is something wrong with a Local Planning Policy when you have to trawl through wonderful sounding aspirations and justifications when actually the truth is very damaging and has far wider implications for the communities both within TWB Paddock Wood and Tudeley and surrounding boroughs TMB and Maidstone. I find these proposals very disturbing, poorly thought out, very wrong unsound and unjustifiable.

NPPF 157 All plans should apply a sequential, risk-based approach to the location of development – taking into account the current and future impacts of climate change – so as to avoid, where possible, flood risk to people and property. They should do this, and manage any residual risk, by: a) applying the sequential test and then, if necessary, the exception test as set out below; b) safeguarding land from development that is required, or likely to be required, for current or future flood management; c) using opportunities provided by new development to reduce the causes and impacts of flooding (where appropriate through the use of natural flood management techniques); and d) where climate change is expected to increase flood risk so that some existing development may not be sustainable in the long-term, seeking opportunities to relocate development, including housing, to more sustainable locations (NPPF 157 d). Well looking at Appendix DI think TWBC should be planning to build elsewhere.

TWBC will however complete Sequential and Exceptional tests. These tests- Sequential and Exception Tests will be used to show it is safe to build at Paddock Wood and Capel Parish, but this test is supposed to be used to steer new development to areas with the lowest probability of flooding i.e. Flood Zone 1 and the Exception test is to be used as set out in paragraph 102 of the NPPF, is a method to demonstrate and help ensure that flood risk to people and property will be managed satisfactorily, while allowing necessary development to go ahead in situations where suitable sites at lower risk of flooding are not available. Well there are 513 sites-74 sites = 439 other sites and NONE of these are considered a more suitable sites?. There are other safer sites than Paddock Wood. Five Oak Green and Tudeley.

The real TEST- will be- will there be people to BUY these houses....I would never buy a house in Paddock Wood or Five Oak Green-there is a huge flooding issue and no amount of :Strategic Storage, flood defences, Increased channel conveyance, new channels, raising level of occupied floors of buildings above ground level- would induce me to buy a home in either of these places. I think it is wrong to expect others to do so. Hopefully builders will realize this too and market forces will prevail-they will have the sense **not to build homes they cannot sell- even if there is no common sense at TWBC. Building at Paddock Wood goes against NPPF guidelines and should not be allowed in such large nos.**

All homes should be raised well above the ground- which would make these homes expensive for builders to build and potential homeowners to buy. This will not fulfil the requirement for affordable housing at Paddock Wood.

I have also read in reports that the ground water system is acknowledged not to be fully understood especially when linked to climate change scenarios and I know Five Oak Green has this issue-as milder wetter winters may increase the frequency of groundwater flooding incidents in areas that are already susceptible. Current understanding of the risks posed by groundwater flooding is limited and mapping of flood risk from groundwater sources is in its infancy SFRA p37

Still it is believed ASGW that for example, more than 75% of the area within the 1km grid squares surrounding the Whetsted and Tudeley Hale as well as the area north of Five Oak Green are susceptible to groundwater flooding'

Paragraph 102 of the NPPF, sets out a method to demonstrate and help ensure that flood risk to people and property will be managed satisfactorily, while allowing necessary development to go ahead in situations where suitable sites at lower risk of flooding are not available. Again, why chose so many sites fraught with major difficulties that will only exacerbate over the decades and cause misery to families and TWBC are planning this? There are other sites.

It is unsound to build on these flood zones, especially in Paddock Wood where safeguarding land is likely to be required for current or future flood plain management. NPPF 157 b) TWBC are not doing this and as such the plan has not been positively prepared.

Question 6

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The development at Paddock Wood should be restricted to a maximum of 1000 to 1.500 homes and should all be raised well above ground level. Homes should be built in smaller groups on well researched plots that will be future proof. All homes should be built on mains drains. And all other developments linked into these drains as well. Conclusion: This area is unable to support a large number of homes and the total number should be reduced and future proofed.

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)?

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

Future Notifications

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Comment

Agent	Mr Colin Smith ([REDACTED])
Email Address	[REDACTED]
Company / Organisation	Colin Smith Planning Ltd
Address	[REDACTED] Redhill RH1 [REDACTED]
Consultee	Leander Homes ([REDACTED])
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Leander Homes ([REDACTED])
Comment ID	PSLP_1892
Response Date	03/06/21 15:32
Consultation Point	Policy STR/CA 1 The Strategy for Capel parish (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Leander Homes
Question 2	
Agent's Name and Organisation (if applicable)	Colin Smith Planning 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 STR/CA 1 The Strategy for Capel parish

Note - this representation is in relation to the Sustainability Appraisal and is set out below.

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 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 the above arguments and assist the Inspector in addressing the Council's strategy.

Question 8

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

The following comments are focussed on the information included within Appendix H of the Sustainability Appraisal, and specifically the scoring for the "Reasonable Sites" in Capel parish.

The Sustainability Appraisal (SA) has been reviewed, in particular the methodology, and the decision aiding questions in Appendix B.

The nineteen sustainability objectives have been reviewed for Site 11 (Land at and to the rear of 50 Whetstead Road, Five Oak Green). My clients have an interest in this site, and they consider that it is suitable for development and can be delivered.

Of the nineteen sustainability objectives, the conclusions reached by the Council in relation to fourteen of them are not disputed. The five that are not agreed with are set out below, together with the reasons why.

Business Growth- The Council score this objective as "0" (neutral). The decision aiding questions set out that "in most cases the contribution of new customers to support existing business was considered insignificant". However, this impact appears to be somewhat underplayed by the Council. The village of Five Oaks has a range of services and facilities that support the local community. Strategic developments at Tudeley to the west and Paddock Wood to the east, which would include shopping, employment and social infrastructure opportunities, could potentially draw people from Five Oak Green to the detriment of the local services and facilities. The provision of development immediately adjacent to the village, and easily accessible to the centre, where most of the facilities are located, would help to sustain and enhance those facilities. This would be a positive impact to the local economy. As a result, rather than the score for this objective being neutral, it should be positive.

Land Use- the score for land use is identified as “negative/slightly negative”. This is largely because the site is within the Green Belt. The commentary below the scoring chart sets out that the sites location within Green Belt parcel BA4 would have a very high impact. However, at page 87 of the SA, in the table that considers the strategic settlement locations, in section 2, under the heading Capel, it is identified that the site (for the strategic settlement) is “entirely within the Green Belt and the most recent Green Belt Study concludes the overall harm rating of releasing this land from the Green Belt is high. However, there is scope for compensatory measures such as new hedgerow planting, enhanced pedestrian routes or conversion of fields from arable to grassland”. Similar comments are made in the table at pages 89/90 in relation to the Paddock Wood strategic site.

It is not clear why the planting of hedgerows, the enhancement of pedestrian routes and the conversion of fields from arable to grassland would compensate for the loss of such a large area of Green Belt to deliver the strategic site. None of the compensatory measures identified contribute to the purposes of including land within the Green Belt.

The decision aiding questions for this objective include whether a policy would detract or respect/enhance the five purposes of the Green Belt. In addition, the decision aiding questions set out that positive scores should be applied to policies that propose development on brownfield land. The northern part of the site was a former commercial yard, and there is still some fixed surface infrastructure present, and underground fuel tanks. The site is, in part, a brownfield site, and therefore should have a positive score applied to it.

The development of site 11 and its release from the Green Belt would make a contribution to the housing delivery for the Borough but would also be a logical extension to the village, and would allow development within a clear and defensible boundary (the railway line to the south and the field boundary/drainage channel to the east). As a result, it is submitted that the Land Use score should be neutral, or neutral/slightly positive, as although the land would be released from the Green Belt, there are exceptional circumstances to justify this- namely the delivery of housing units and the support of local services and facilities, and the site is in part a brownfield site. The release of this parcel of land would certainly have a lower impact on the Land Use score than the chosen strategic settlement at Tudeley.

Landscape- the Council score this objective as “neutral/slightly negative”. However, the quality of the land is very low. The site consists of a single run-down bungalow, with garden and paddocks to the rear. A large proportion of the northern part of the site was previously in commercial use as a vehicle and delivery yard. Underground fuel storage tanks are still present on the site. Apart from this, much of the site is low quality paddock grassland with patches of partially broken up hardstanding in the vicinity of the existing dwelling. There are few trees within the site or to the eastern boundary, and those that are, are poor quality and unmanaged.

The site is therefore, in part a brownfield site, having some remaining fixed surface infrastructure.

There is therefore an opportunity to improve and enhance the landscape setting of the site, particularly to the eastern boundary, with the planting of additional hedgerows and trees (including native species). In particular, the topography of the site is such that the northern section is at a lower level, and it would be proposed to drain the site to this area and create a water feature. This would improve the landscaping and appearance of the site, but also enhance the biodiversity.

It is submitted that the Landscape score should be positive.

Noise- the noise score set out in the table at Appendix H is “slightly negative/negative”. The commentary identifies that this is because of the presence of the railway line to the southern boundary. However, in assessing the site, the landowner has commissioned work to establish suggested layouts for the site and measures to mitigate the impact of noise. It has been demonstrated that the mitigation measures would not result in harm to any potential occupiers of the site. As a result, this score should be neutral.

Water- the score for this objective is “neutral/slightly negative”. However, the decision aiding questions set out that development in Flood Zone 1 should be scored as very positive. The site is within Flood Zone 1 (having regard to the Council’s SFRA), and therefore the score should be very positive.

In summary, the scores attributed to five of the sustainability objectives of the site should be “upgraded”. Having regard to the above, this would result in the site scoring fewer neutral and negative scores and a greater number of positive scores. This would, it is submitted, make the site a suitable choice for allocating for residential development in the Local Plan.

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	Maggie Fenton ([REDACTED])
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] Tonbridge TN12 [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Maggie Fenton ([REDACTED])
Comment ID	PSLP_1937
Response Date	04/06/21 13:51
Consultation Point	Policy STR/CA 1 The Strategy for Capel parish (View)
Status	Processed
Submission Type	Email
Version	0.3
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Maggie 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 STR/CA 1 The Strategy for Capel parish

[TWBC: this representation has been input against Policies STR/SS 1, STR/SS 3 and STR/CA 1 – see Comment Numbers PSLP_1934, PSLP_1935 and PSLP_1937]

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

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 PSLP as it stands is likely to contravene Protocol 1, Article 1 of the Human Rights Act (The Protection of Property) and therefore is not legally compliant. Everyone has the right to peaceful enjoyment of their property. A Planning authority can only breach this fundamental right if it is in the public interest. Furthermore since the case of Britton vs SoS the courts concluded that the protection of the countryside falls within the interest of Article 8 (Respect for private and family life) and includes BOTH home and surroundings. There has to be a fair balance between the general interest and the rights of individual property owners and businesses. It may be necessary with some planning applications to compulsory purchase or to allow a certain amount of traffic noise to intrude a personal home but there has to be a fair balance. There must be objective and reasonable justification. The LA should try to ensure that policies and decisions do not interfere with the peaceful enjoyment of possessions. Human rights are clearly defined in law and Planning Authorities are obliged to treat everyone with dignity, respect and fairness. Proportionality is the key test.

There is nothing proportionate regarding TWBC allocating over 50% of its development on a parish which contains only 2% of the population of the borough. The rights of property owners and the rights of the community have to be balanced. There is NO benefit to this area, in these plans, for the existing community. The views of the community have been ignored from start to finish.

- . The whole of Capel will suffer from 15-20 years of severe disruption if this plan proceeds. That alone is likely to deter local businesses.
- . Capel will be significantly impacted by thousands of cars, traffic noise and pollution and the clear danger to public safety in a parish that already has severe speeding issues.
- . Capel will lose its precious countryside
- . The community has already suffered from severe stress and anxiety during the last two years with the threat of CPO's, and for some the impact of being suddenly being in the centre of a new town, for others loss of identity as they are threatened with being moved into an entirely different parish.

The community throughout Capel is strong and united. Five Oak Green might not be the exemplar of a quaint arcadian village but it is a close, tight and friendly community, which is more important than beautiful houses set in a sterile environment. People make places not houses. We are not Nimby's in Capel and are very aware of the need for truly affordable houses for our younger generation, suitable housing for our elderly and a share of development to bring economic prosperity.

BUT we shouldn't be the easy target for TWBC because we have a small population and they thought we wouldn't shout long and hard! Sadly they have ignored the shouting and objections at Reg. 18 and

rewarded us with another few hundred houses. Tudeley in particular was the easy option and deflected TWBC from its original course of a more equitable distribution of development amongst the rural villages. Capel has not been treated with dignity and respect throughout this whole process and a huge majority of the community will not be able to peacefully enjoy their properties nor the countryside surrounding them.

Due to the lack of objectivity, lack of proportionality, and lack of any community benefit the PSLP is unjustified, not positively prepared and therefore unsound.

Question 6

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TWBC need to objectively reassess all sites in the borough, work on their brown field register which is pitiful and find a more proportionate solution to the housing need.

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

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

Because this has consumed my life for the last three years!

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_131a-c

Comment

Agent	Mr Simon Bell ([REDACTED])
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Email Address	[REDACTED]
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Event Name	Pre-Submission Local Plan
Comment by	Save Capel ([REDACTED])
Comment ID	PSLP_1987
Response Date	03/06/21 18:51
Consultation Point	Policy STR/CA 1 The Strategy for Capel parish (View)
Status	Processed
Submission Type	Email
Version	0.8
Files	PSLP_1964 & 1973-1987_Knights Solicitors for Save Capel_SI-1_Cover Letter.pdf PSLP_1964 & 1973-1987_Knights Solicitors for Save Capel_SI-3_Appendices.pdf PSLP_1964 & 1973-1987_Knights Solicitors for Save Capel_SI-2_Representation.pdf
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Save Capel
Question 2	
Agent's Name and Organisation (if applicable)	Knights Solicitors

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/CA 1 The Strategy for Capel parish

Paragraph No(s) 5.260-5.267

[TWBC: for further comments by Save Capel, please see Comment Numbers PSLP_1964 and PSLP_1973-1987]

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

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Please see attached: "Representation by Save Capel under Regulation 19", dated 3rd June 2021, and Appendices

[TWBC: the following extract is from "Representation by Save Capel under Regulation 19" - for the full representation and appendices, please see supporting documents]

7. STR/CA 1 The Strategy for Capel parish

Cumulative impact assessment

7.1. Capel Parish totals 5228 acres; 600 acres of countryside, over 11% of the Parish, is to be developed. With development in Paddock Wood, the total in one area is over 65% of the Borough's development plans.

7.2. Merger: Tonbridge will all but join Tudeley in the west, merge Tudeley with Five Oak Green, and Five Oak Green with Paddock Wood in the east. An urban sprawl will be created across the Parish, all in Green Belt.

7.3. Kent County Council have also authorized gravel extraction in Capel, creating an industrial arc joining the two strategic sites. With additional plans for a by-pass, over 15% of Capel's countryside will be lost. This cannot fail to have a serious impact on fauna and flora.

7.4. A Cumulative Impact Assessment is therefore needed, encompassing the TWBC proposals and KCC extractions, not just for biodiversity, but for flooding, landscape, pollution, etc.

7.5. Given the strategic importance of the Capel sites, this is a significant omission. TWBC should be pressed to commission such an assessment, but through an independent practice as agreed with Capel Parish Council.

7.6. TWBC and KCC have not prepared a cumulative impact assessment, or a strategic environmental impact assessment to assess the wider impact of their plans upon the parish. Perhaps because such assessments would demonstrate the extreme impact of the proposals when viewed together.

Biodiversity

7.7. TWBC's assessment of fauna and flora in the Biodiversity Evidence Base Update (February 2021) uses out-of-date KMBRC records. Save Capel looked at KMBRC records in 2019 which appear more contemporary. (Examples in main report). The use of historic data is suggestive of a 'tick-box' process, rather than a professional commitment to accuracy.

7.8. TWBC's Landscape and Biodiversity Officer (19/08/2019) claimed better woodland management would achieve biodiversity gain. However, habitat in Capel's strategic sites is primarily fields and hedgerows; woodland management would achieve little for resident fauna and flora.

7.9. Durrell Institute of Conservation and Ecology have noted TWBC have not described a governance mechanism to ensure biodiversity gain is monitored and achieved; their report is sceptical about councils holding developers to account. TWBC is one of only 4 councils who have adopted 10% minimum net biodiversity gains. An assessment last year by the DI of these councils found net gains translated into considerable loss of habitat area and forecast of 21% drop in non-urban habitat.

7.10. David Lock Associates' ("DLA") *Strategic Sites Master-planning & Infrastructure Study 2021* confirms deliverability of the proposals but states an ecological appraisal and other surveys would identify '*...suitable mitigation and enhancement measures which can be incorporated into a masterplan at an early stage.*' It is a leap to assess the strategic sites are both 'justified and viable' if the work upon which to base the assessment has not been done.

7.11. TWBC appear to consider designated land status as a dispensable inconvenience, and do not take biodiversity seriously. Perhaps because removal of irreplaceable habitat is an inevitable consequence of the Local Plan's strategy for Capel.

7.12. Save Capel's topic paper on Biodiversity can be found as Appendix 12.

Heritage

7.13. Historic England entries for Capel are in excess of 100.

- . 3 are Grade 1 and 4 are Grade 11*
- . All Saints Church Tudeley Grade 1
(*the highest designation but with twelve widows painted by Chagall making it globally unique*)
- . St Thomas a Becket, Capel Grade 1
- . Somerhill Grade 1 and historic park/garden
- . Upper Postern Farmhouse Grade 11*
- . Thistles Wenhams Grade 11*
- . Tatlingbury Farmhouse Grade 11*
- . The Postern Grade 11*
- . Castle Hill Scheduled Monument

7.14. The majority of all listed assets fall within a 1Km Zone (zone of assessment required by TWBC for planning applications) from either or both of the strategic sites and/or the Five Oak Green By-pass.

7.15. The Plan has identified the value and susceptibility of Capel and of the heritage assets within its defined character including the last remaining Hop Farm (Listed Building) in the parish which will be impacted by the Five Oak Green by-pass.

7.16. KCC Heritage Maps show many more unlisted assets such as historic farmsteads which often include oast houses and barns.

“There are a large number of historic oast houses which are frequently visible throughout the landscape. Many are associated with small hamlet groupings, with many surviving from the medieval period, 17th and 18th centuries. They are very distinctive features within this open landscape

There are also numerous traditional historic buildings typical of the Weald, including timber framed houses and farmsteads. Vernacular materials include red brick, weatherboard, tiled roofs, hanging tile elevations, gable ends hipped or half-hipped roofs”.

Open views across this intensively farmed landscape are frequently punctuated by the cowls of clustered groups of oast houses and extensive farm building complexes. Tunbridge Wells LCA 2017

The research has re-emphasised the importance of historic farmsteads to Tunbridge Wells’ rural areas.

Traditional farmstead groups and their buildings make a positive contribution to local character and distinctiveness. “.....they are under the greatest threat of neglect on one hand, and development on the other, than any rural building type”.

National and local research has highlighted the significance of traditional farmsteads as assets which contribute to landscape character, local distinctiveness and rural economies and communities. Kent Farmsteads Assessment Guidance 2016

7.17. 6,000 + new houses and associated infrastructure will destroy the treasured historic rural landscape of this Parish. Assessments to inform decisions and produce a solid evidence base for those decisions are being completely ignored by TWBC.

7.18. Our assessment (see Heritage report – Appendix 11) has produced a number of important conclusions, not least to further highlight the high contribution that setting makes to the significance of heritage assets. In particular, a number of areas were identified as being of cumulatively high value, in regard to their value as a whole, and in relation to individual heritage assets within them. This is particularly true of the dispersed nature of many of the historic farmsteads identified.

7.19. Allocated development sites listed in the TWBC Local Plan are deemed to have automatically received outline planning permission. Without any prior assessment of the impact of the strategic sites and the effect of potential new by passes on an historic landscape this must put the delivery of the LP at risk if the evidence base is not robust.

7.20. There is no up dated SER scoping within the document base. Historic England as statutory consultees were consulted in 2016. There was no indication at this stage of the TGV plan, since the Reg.18 consultation the proportion of houses allocated to East Capel has actually risen by some 700 houses!

7.21. EIAs will be prepared at planning app stage – with the magnitude of development for Capel in the TWBC LP (over 50% of the allocation) it is suggested that this is not appropriate in the case of the 2 strategic sites. This view would appear to be supported by the Planning Inspectors appointed to examine Tandridge DC LP.

Tandridge DC Local Plan Dec 2020 PINs Philip Lewis

The Inspector has specifically mentioned Star Fields (identified as policy HSG12 in the Plan) in his letter, noting the absence of an assessment of the heritage aspects of the site and the potential impact of development on them - he requests that a heritage assessment should be provided by TDC.

7.22. The significant harmful impact on many of Capel's heritage assets, the dramatic change of the historic rural landscape that comprises this parish to urbanisation, the loss of the dark skies, the increase in noise and pollution are all indisputable. The Local Plan as it stands is inequitable, a disproportionate burden on one area of the borough, will not meet the needs or improve the lives of the existing community and importantly does not have the support of the community.

7.23. Neither TWBC nor the masterplanners have demonstrated that “full account needs to be taken of the landscape and environmental sensitivities of each site, as well as respecting local distinctiveness and providing for enhancements” nor how harm to the existing landscape and thus the setting of

heritage assets might be minimized or even avoided. It has not been demonstrated how any affected heritage assets will be enhanced. Far from protection proffered in Core Policies, the LP will actually cause irreversible damage. There is an inconsistency between the Core Policies and the Strategic Policies, and no evidence offered as to how they can be implemented at the same time. For these reasons it is concluded that the LP as it stands is unsound.

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

Save Capel has sought to be actively involved in engaging with the Council throughout this review of the Local Plan. As a group we have developed particular expertise and have undertaken significant and extensive research in respect of the effects of the policies to which we have made representations. We consider that we will be able to assist the Inspector(s) examining the final submission significantly.

If you would like to attach a file in support of your comments, please upload it here. [PSLP 1964 & 1973-1987 Knights Solicitors for Save Capel SI-1 Cover Letter.pdf](#)

If you would like to attach a file in support of your comments, please upload it here. [PSLP 1964 & 1973-1987 Knights Solicitors for Save Capel SI-2 Representation.pdf](#)

If you would like to attach a file in support of your comments, please upload it here. [PSLP 1964 & 1973-1987 Knights Solicitors for Save Capel SI-3 Appendices.pdf](#)

Future Notifications

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Supporting Information File Ref No: SI_146

Comment

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Company / Organisation	Rydon Homes
Address	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Rydon Homes (David Neame [REDACTED])
Comment ID	PSLP_2093
Response Date	04/06/21 13:25
Consultation Point	Policy STR/CA 1 The Strategy for Capel parish (View)
Status	Processed
Submission Type	Email
Version	0.5
Files	Appx 2d Five Oak Green Technical Note 240521.pdf Appx2c Noise Report - Issue.pdf Appendix 4 - 675 Land at Finches Farm Reg19 Landscape Advisory Note 210528.pdf Appx 2e Land at Finches Farm Vision Document.pdf Appx2b Five Oak Green FRA Tech Note.pdf Appx2a Landscape Appraisal.pdf Neame Sutton for Rydon Homes - full representation.pdf Appendix 1 - Site Location Plan - Finches Farm, Five Oak Green.pdf Appendix 5 - ED81 Inspectors Letter to TMBC 2.3.21.pdf Appx 2f Flinches Farm, 5 Oak Green Archaeological.pdf APPEND~3.PDF
Data inputter to enter their initials here	KJ

Question 1

Respondent's Name and/or Organisation Rydon Homes Ltd

Question 2

Agent's Name and Organisation (if applicable) Neame Sutton

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/CA 1 The Strategy for Capel parish

[TWBC: the full representation attached has been set against PSLP (whole Plan) (PSLP_2089), Policy STR1 (PSLP_2092) and Policy STR/CA1 (PSLP_2093). Appendices listed have also been attached as supporting documents]

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

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1.0 Instructions and Introduction

1.1 Neame Sutton Limited, Chartered Town Planners, is instructed by Rydon Homes Limited ("Rydon") to prepare and submit representations in relation to the Regulation 19 consultation version of the Tunbridge Wells Borough Local Plan ("the Plan") published in March 2021.

1.2 This document sets out Rydon's Representations on the Plan and deals with the following specific matters:

- . Matters of Legal Compliance
- . Consideration of the correct Housing Need and Housing Requirement within the Plan in the context of the Housing Supply identified by the Council; and,
- . Site-specific representations in relation to Rydon's promotion site at Finches Farm, Five Oak Green

1.3 The relevant sections of the Plan, including paragraph and policy references, are cited throughout these representations along with the soundness tests that it is considered the Plan fails to comply with.

1.4 These representations are supported by a series of technical reports and appraisals prepared by Rydon's professional project team, which comprise:

Table 1: Technical Reports and Appraisal Accompanying Representations

Document

Author

Appendix

Assessment of Housing Trajectory and Land Supply

Neame Sutton

Appendix 3

Green Belt Assessment Review

Allen Scott

Appendix 4

Site-Specific Technical Pack:

- Vision Document
- Access Appraisal
- Drainage Appraisal
- Landscape Appraisal
- Noise and Vibration Assessment
- Heritage and Archaeology Assessment

Richards Urban Design

RPS

SMA

Allen Scott

SMA

Orion Heritage

Appendix 2

Appendix 2

Appendix 2

Appendix 2

Appendix 2

Appendix 2

4.0 Site-Specific Representations in Relation to Land at Finches Farm, Five Oak Green

Policy STR1, STR/CA 1 Paragraphs 5.260 – 2.267, Table 4, SA (particularly Appendix H), Green Belt Study and Landscape Sensitivity Assessment

OBJECT – UNSOUND – Not Positively Prepared, Justified, Effective or Consistent with National Policy

4.1 In view of the clear need for further housing allocations to be made as part of the Plan housing delivery strategy particularly to enable delivery during the early years of the Plan period, this Section of Rydon's Representations considers the merits of its Promotion Site at Finches Farm, Five Oak Green (see site location plan in **Appendix 1**).

4.2 Rydon has put the Promotion Site forward for consideration as part of the Council's Call for Sites exercise and through the previous Regulation 18 consultation process.

4.3 The Council's SHELAA dated January 2021 has considered the Promotion Site in two parts under Site References 329 and 331.

4.4 In its consideration of both parts of the Promotion Site the Council has concluded it unsuitable for housing on the basis of heritage, landscape and coalescence concerns.

4.5 These criticisms of the Promotion Site have been specifically evaluated by Rydon's professional project team and detailed appraisals in relation to the landscape context, heritage and archaeology are included in **Appendix 2** of these representations.

4.6 Rydon has however gone beyond simply looking at the specific matters cited in the SHELAA conclusion and has undertaken a full suite of technical appraisals including: access, drainage, noise and vibration and urban design (see **Appendix 2**).

4.7 The detailed appraisal of the Promotion Site confirms that it does comprise a suitable and sustainable location for accommodating housing (a conclusion the Council's SHELAA doesn't necessarily disagree with) and that the technical concerns raised by the Council can be appropriately addressed alongside a sensitive residential development.

4.8 Furthermore the technical appraisal work has determined that a number of material planning benefits can be delivered for the local community alongside a sensitive residential development, as summarised below.

4.8.1 Planning Benefit 1 – The scheme offers the opportunity to alleviate some of the pressure from surface water flooding currently experienced by existing residents in Five Oak Green by delivering a positive surface water drainage system and flood storage basin connected to the existing settlement via a dedicated surface water swale.

4.8.2 The preliminary modelling undertaken by Rydon's drainage engineer SMA indicates that an increase in the extent of alleviation within the site could lower flood levels within Five Oak Green.

4.8.3 Planning Benefit 2 – The scheme offers the opportunity to deliver a new dedicated footway within the site along the Five Oak Green Road frontage linking between the settlement and Capel

Primary School providing a safer and more attractive route for existing parents accessing the school from Five Oak Green.

4.8.4 Planning Benefit 3 – The site offers the opportunity to provide further land specifically for Capel Primary School to enable the expansion of the school facilities either through the provision of further outdoor space/facilities or the redistribution of uses within the school site to enable expansion of the built form.

4.8.5 Planning Benefit 4 - Delivery of significant onsite publicly accessible open space to serve both existing residents and those occupying the new dwellings.

4.9 The above benefits are in addition to the usual planning benefits derived from a new residential development in terms of housing and affordable housing provision, economic, social and environmental benefits that would also be delivered.

4.10 The attached detailed technical pack (see **Appendix 2**) confirms that the Promotion Site is available now, under Rydon's control and, deliverable now. The scheme of circa 140 no. dwellings could easily be delivered within the current 5-year period with the only impediment to construction being the grant of an implementable planning permission.

Noise:

4.11 The assessment undertaken by SMA (see **Appendix 2**) confirms that residential development can be accommodated on the Promotion Site without harm in relation to noise arising from the railway. The matter of noise is not a constraint to the development of the site for residential purposes.

Access:

4.12 The access strategy prepared by RPS (see **Appendix 2**) confirms that a suitable vehicular and pedestrian access can be achieved to the site from Five Oak Green Road without detriment to the local highway network. Access is not a constraint to the development of the site for residential purposes.

Drainage and Flood Risk:

4.13 In addition to the wider benefits of the Promotion Site the drainage assessment undertaken by SMA confirms that residential development can be accommodated on the Promotion Site within Flood Zone 1 and that an appropriate compensatory surface water drainage strategy can be achieved. Flood risk is not a constraint to development of the site for residential purposes.

Heritage:

4.14 The heritage assessment undertaken by Orion confirms that the setting of nearby Heritage Assets can be appropriately preserved via a sensitively designed residential scheme such that, at the application stage, meets the Statutory requirements set out in the Planning (Listed Building and Conservation Areas) Act 1990 (As Amended) along with the policy requirements set out in Paragraphs 184 – 202 of the Framework 2019. Heritage Assets are not therefore a constraint to development of the site for residential purposes.

Landscape and Green Belt:

4.15 The Council's assessment of the Promotion Site has raised concerns in relation to landscape and particularly in relation to coalescence. It would appear that the concerns in relation to coalescence stem from the relative proximity to the eastern extent of the proposed Tudeley Village allocation in the Plan.

4.16 With this in mind Rydon's Landscape Architect Allen Scott has undertaken a Landscape Appraisal and also a review of the Green Belt Assessment in relation to both Tudeley Village and the Promotion Site to determine the validity of the Council's concerns in relation to coalescence.

4.17 In relation to the Promotion Site Allen Scott concludes that the Site can play a crucial role in helping to protect the 'new' gap and providing a readily recognisable and permanent boundary for any proposed protected Green Belt gap between the two settlements.

4.18 The assessment undertaken by Allen Scott recommends that the extent of Tudeley Village and the consequent proposed release of Green Belt should be reviewed in the context of the potential allocation of housing on the Promotion Site (based on the landscape framework). Currently the Council has given no consideration to this prospect and has therefore written off the opportunity to deliver a sustainable urban extension to Five Oak Green in the manner proposed by Rydon.

4.19 The Council also needs to consider a comprehensive landscape strategy for the 'gap' between Five Oak Green and Tudeley Village (taking the opportunity presented by the Promotion Site into account).

4.20 As noted in the Allen Scott Landscape Appraisal for the Promotion Site and the Council's own Landscape Sensitivity Study (Reference: PW10) the existing edge to Five Oak Green does not necessarily provide a positive edge to the existing settlement and the Promotion Site provides an opportunity to better define the boundary.

4.21 The landscape framework for the Site demonstrates how it could create to a more positive western edge to the settlement regardless of Tudeley Village being progressed. The landscape framework demonstrates the opportunities to minimise harm to the local landscape sensitivities and generate a robust and defensible Green Belt boundary as part of a sensitive residential development.

4.22 By contrast Tudeley Village has been demonstrated to result in high overall harm to the landscape and Green Belt objectives. The Council must therefore revisit the application of its own Landscape and Green Belt study findings in relation to both the Promotion Site and Tudeley Village.

4.23 In Rydon's view when the Council undertakes this further analysis it will reach the same conclusion that the Promotion Site can be delivered alongside Tudeley in a sustainable manner that delivers new homes, alongside a range of material planning benefits, early in the Plan period.

4.24 This approach would be more in line with the findings of the Council's own evidence base, which bearing in mind the clear and present need for allocations early in the Plan period, would support the allocation of the Promotion Site for housing.

4.25 The allocation of the Promotion Site would also be entirely consistent with the Council's chosen Development Strategy as set out in the Development Strategy Topic Paper (February 2021) and Policy STR1 of the Plan10.

4.26 For all of the above reasons (as supported by the technical appraisals in **Appendix 2**) the conclusions in the SA at Appendix H are incorrect and need to be updated. Taking the above into account the Promotion Site would score much more positively against the SA criteria such that the only sensible conclusion would be for the site to be allocated for housing.

Footnotes:

1 Paragraph 27 of National Planning Policy Framework (February 2019)

2 Paragraph 1.2 on Page 3 of the DtC Statement (March 2021)

3 Paragraph 4.18 on Page 46 of the DtC Statement refers

4 Paragraph 2.1.4 on Page 4 of SoCG between TWBC and SDC in Appendix A of DtC Statement – March 2021

5 Applying the Standard Method with a base date to 2021 and using the affordability Ratio data published in March 2021 by ONS.

6 Draft letter of representation presented to Extraordinary Planning and Transportation Advisory Board – Monday 17 May 2021

7 Paragraph: 010 Reference ID: 2a-010-20201216 – Housing and Economic Needs section of PPG

8 Paragraph 3.18 on Page 16 of Housing Needs Assessment Topic Paper – February 2021

9 See Table 12 on Page 51-52 and Table 22 on Page 74 and Table 23 on Page 76 of the SA

10 See also Table 49 on Page 142 of the SA that identifies the Promotion Site as a reasonable alternative site within Capel Parish

Question 6

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5.0 Areas Where Changes are Required for Plan to be Legally Compliant and Sound

5.1 In order for the Plan to be found Sound and Legally Compliant there are a number of fundamental changes required:

5.1.1 **Change 1 – Legal Compliance:** The Council MUST revisit the DtC specifically (but not only) in relation to Sevenoaks and explore the opportunity for meeting at least some of the unmet need arising within the Plan. Once complete the evidence of active and ongoing engagement MUST be published alongside a fresh Regulation 19 consultation version of the Plan.

5.1.2 **Change 2 - Soundness:** There is a need to revisit the minimum housing requirement in the Plan in line with the evidence base and in particular dealing with unmet need and the worsening affordability in the Borough.

5.1.3 **Change 3 - Soundness:** The Council must revisit its housing delivery strategy and address the clear shortfall in supply across the whole Plan period and particularly within the first 5-years through the allocation of more sites that are ready and able to deliver in the early part of the Plan period.

5.1.4 **Change 4 - Soundness:** The Council must revisit its Green Belt Study and Landscape Sensitivity Assessment specifically in the context of Five Oak Green because the current approach taken in the Plan does not reflect that evidence base i.e. Rydon's Promotion Site comprises a suitable location for release from the Green Belt as part of a coordinated strategy for creating robust boundaries that will endure in the long term.

5.1.5 **Change 5 – Soundness:** The Council must revisit the Plan Strategy and its Key Evidence Base in relation to Tudeley given the lack of evidence to support the delivery rate relied upon by the Council combined with the lack of support in the current evidence base for the release of this site from the Green Belt and the fact that the immediate neighbouring authority Tonbridge and Malling Borough Council is raising objection to the unacceptable pressure the proposed development would have on infrastructure, services and, facilities located outside of the Plan area. In short terms there are significant concerns in relation to the capability of Tudeley to deliver a sustainable form of development in the timeframe required by the Council. As currently prepared the Tudeley allocation is Unsound.

5.1.6 **Change 6 – Soundness:** Rydon's Promotion Site should be allocated for approximately 140 no. dwellings capable of delivery in the first 5-years of the Plan period alongside a package of wider material planning benefits.

5.2 Unless the above changes are made the Plan will fail the Legal Compliance Test and will not be found Sound at Examination.

5.3 Rydon will take an active part in any future Examination to progress the matters raised in these Representations in the context of the issues raised by the Inspector in due course. In the meantime Rydon would welcome the opportunity to discuss its Promotion Site with the Council.

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:

The matters raised in these Representations cover a number of fundamental issues that go to the heart of the Plan's soundness and in particular its legal compliance. These matters will need to be explored in the relevant hearing sessions at the Examination in order to assist the Inspector in understanding the nature and extent of the concerns raised by Rydon Homes Limited.

In addition, there are a number of matters raised that are of a technical nature and relate to the Council's evidence base. These matters will also need to be explored in the relevant hearing sessions at the Examination.

Question 8

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

See attached Representation Documents

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

Consultee	Strategic Planning ([REDACTED])
Email Address	[REDACTED]
Company / Organisation	Kent County Council (Planning and Environment)
Address	Invicta House County Hall MAIDSTONE ME14 1XX
Event Name	Pre-Submission Local Plan
Comment by	Kent County Council (Planning and Environment) (Strategic Planning - [REDACTED])
Comment ID	PSLP_2201
Response Date	04/06/21 16:56
Consultation Point	Policy STR/CA 1 The Strategy for Capel parish (View)
Status	Processed
Submission Type	Email
Version	0.4
Files	Kent County Council-full representation.pdf
Data inputter to enter their initials here	KJ
Question 1	
Respondent's Name and/or Organisation	Kent County Council (Growth, Environment & Transport)
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/CA 1 The Strategy for Capel 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.

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 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.

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.

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