

Local Plan Regulation 19 representations in document order

Comments on Section 5: Place Shaping Policies

Comment

Consultee	Ms Margaret Borland [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] Southborough [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Ms Margaret Borland [REDACTED]
Comment ID	PSLP_1263
Response Date	04/06/21 15:16
Consultation Point	Section 5: Place Shaping Policies (View)
Status	Processed
Submission Type	Web
Version	0.3
Question 1	
Respondent's Name and/or Organisation	M Borland
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.	
5.1 – 5.4	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Don't know
Is sound	No
Complies with the Duty to Cooperate	Don't know

Question 4a

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

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

Question 5

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

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As a Southborough Resident, I am very concerned that Southborough appears to have lost its separate and unique identity within this Local Plan. The arrangement of Section 5 of the Local Plan is described in paragraphs 5.1 to 5.3 as being by non-parished and parished areas, with a specific chapter covering Strategic Sites. Unfortunately, from the area list sequence in para 5.3 and in the subsequent policies it appears that Southborough grouped with Royal Tunbridge Wells as a non-parished area. Although the built-up area of Southborough (which includes the settlements of Southborough and High Brooms) forms part of the Main Urban Area with Royal Tunbridge Wells, the whole of Southborough, within and outwith the LBD, is administered by the Southborough Town Council. (See <https://southborough-tc.gov.uk/>). My understanding is that a Town Council has identical powers to a Parish Council (See <https://www.gov.uk/understand-how-your-council-works>). I do not believe that any part of Southborough is an unparished area.

Please see STR/SO 1 for further details regarding this issue.

I am further confused by para 5.4. I can understand why the Strategic Site Policies (STR/SS 1, STR/SS 2 and STR SS 3) and the associated policy for Paddock Wood (STR/PW 1) could be considered as "strategic policies for the Local Plan as a whole" and am willing to accept that there may be some reason for place shaping policies for Royal Tunbridge Wells being considered as strategic. However, I don't see how this statement can apply to STR/SO 1, which is very clearly a local strategy.

Question 6

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Place Shaping Policy for Southborough to become a Parish policy. Please see comments on STR/SO 1 for evidence.

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	Chris Gow [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] Tunbridge Wells [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Chris Gow [REDACTED]
Comment ID	PSLP_1280
Response Date	04/06/21 15:51
Consultation Point	Section 5: Place Shaping Policies (View)
Status	Processed
Submission Type	Web
Version	0.1
Question 1	

Respondent's Name and/or Organisation	Chris Gow
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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.

Section 5: Place Shaping Policies

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
- . It is not consistent with national policy

Question 5

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Here the assumptions are made concerning the Green Belt Land, but the protection is not delivered on the assessment of sites called in, and many examples of sites offered for inclusion in the Local Plan are on Green Belt Land, and this should not happen except exceptional circumstances, and there is no clear evidence that the circumstances are exceptional.

Green Belt Land is the very last resort when every other location is developed, far from the case in the Plan.

Development on Flood Plain should not be considered suitable for development, even if supported by studies and reports that declare it is safe to do so: these reports are wishful thinking, and evidence from other areas of the UK support a policy of NOT developing Flood Plain areas.

The developments included in the Local Plan that are on Green Belt Land, and AONB, and Flood Plains should be excluded from development.

The Local Plan should be returned for these revisions, and exclusions to be put in place, and further consultations undertaken.

The Local Plan fails to give protection to Green Belt Land, and AONB.

The Local Plan proposes development on Tudley Flood Plain, and this threatens the safety and security of homes, property and persons.

The Local plan should be returned for these failures to be addressed.

Question 6

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All land on Green Belt should be removed from development in the Local Plan, as Green Belt Land is protected.

All land in AONB should be removed from development in the Local Plan, and only separate consideration of each plot and building should be considered by the local Planning Committee, who should have the powers to approve or disapprove, without pressure from Planning Officers. This should be Planning Control be the local community.

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:

The process of making and delivering a Local Plan is complex, and there is little opportunity to make a contribution in a way that allows the voice of the ordinary folk of the town heard, and where the principles of a fair and equitable society are delivered.

I can make a contribution to the Inspector, and be a spokesperson for the ordinary citizen in Tunbridge Wells Borough.

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_2177
Response Date	04/06/21 16:56
Consultation Point	Section 5: Place Shaping Policies (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 3a	

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

Section 5: Place Shaping Policies

General Commentary

[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

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

Minerals and Waste

The County Council, as Minerals and Waste Planning Authority, notes that paragraphs 1.6 and 1.7 of the Local Plan accurately set out the minerals and waste safeguarding policies of the Kent Minerals and Waste Local Plan 2013-30 and the main minerals and waste developments that exist in the Borough. However, the Plan does not detail how the proposed allocations have taken account of the safeguarded land-won minerals that are coincident with of these allocations (particularly for housing not within the defined urban areas within the Borough area where mineral safeguarding is exempted by the Kent Minerals and Waste Local Plan 2013-30 [Early Partial Review 2020]).

The approach currently taken within the Local Plan is to identify safeguarded minerals where they coincide with areas identified for major new development, in order to state that workable minerals should be extracted prior to development (Policy STR/SS 1, point 11; The Strategy for Paddock Wood, including land at East Capel). Within the Tudeley Village proposal, any economic minerals (such as Tunbridge Wells Sandstone) should be accompanied by a Minerals Assessment, which seeks to assess mineral safeguarding issues (Policy STR/SS 3, point 9; The Strategy for Tudeley Village).

The Local Plan's proposed allocations could be strengthened through the prior evaluation of the need to secure the long-term conservation of economic minerals - as set out by the National Planning Policy Framework (2019). A Mineral Assessment should be carried out to determine if an exemption to the presumption to safeguard could be applied for allocations where it may be a relevant issue.

A similar approach is taken with safeguarded waste management and minerals handling and transportation infrastructure. Where it has been identified as being either coincident or within 250 metres of an allocation, the delivery criteria indicate that it should be considered as a requirement of the development - "It must be demonstrated through any planning application that there will be no material adverse impact on the operation of safeguarded waste management facilities" (Policy AL/RTW 17 Land adjacent to Longfield Road and at Policy AL/RTW 18 Land at the former North Farm landfill site, North Farm Lane and land at North Farm Lane, North Farm Industrial Estate).

The County Council recommends that Minerals and/or Infrastructure Assessments (as appropriate) are carried out ahead of planning application stages to ensure due consideration of the Kent Minerals and Waste Local Plan and the deliverability of the proposed allocations.

Question 6

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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)?

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:

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

Supporting Information File Ref No: SI_76

Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Natural England
Address	International House Dover Place ASHFORD TN23 1HU
Event Name	Pre-Submission Local Plan
Comment by	Natural England [REDACTED]
Comment ID	PSLP_1481
Response Date	04/06/21 13:41
Consultation Point	Section 5: Place Shaping Policies (View)
Status	Processed
Submission Type	Email
Version	0.3
Files	PSLP_1444_Natural England_SI.pdf
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Natural England
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

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Section 5: Place Shaping Policies

[TWBC - Full representation attached as Supplementary Information]

[TWBC: This representation has been input against Policies PSTR1, AL/RTW17, AL/CRS 1, AL/CRS 2, AL/CRS 3, AL/HA 4, AL/BM 1, AL/PE 1, AL/PE 2, AL/PE 3, AL/RTW 16, STR/SS1, STR/SS3, EN11, Section 3, STR 8, Section 5, EN1, EN9, EN10, EN12, EN13, EN14 AND EN19 – see Comment Numbers

PSLP_1444, PSLP_1459, PSLP_1460, PSLP_1462, PSLP_1489, PSLP_1463, PSLP_1464, PSLP_1465, PSLP_1466, PSLP_1467, PSLP_1468, PSLP_1469, PSLP_1470, PSLP_1472, PSLP_1478, PSLP_1480, PSLP_1481, PSLP_1482, PSLP_1483, PSLP_1484, PSLP_1485, PSLP_1486, PSLP_1487, PSLP_1488]

Question 4

Do you consider that the Local Plan:

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

Question 4a

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

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

Question 5

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Appendix 6: Pre-submission Local Plan Policies

Section 5: Place shaping policies

Please note that where we have not objected to, or otherwise commented on, a policy or proposal, it should not be assumed that it would not have an adverse effect on landscape or the environment because comments on individual allocations have been focused on those with the greatest risk of environmental impact on the High Weald AONB which this Regulation 19 response is most concerned with (see Appendix 1).

Advice on environmental issues which we advise are incorporated more widely into the policies is provided below.

Incorporation of Green Infrastructure into new development

We interpret the local plan as requiring the EN 14: Green, Grey and Blue Infrastructure to be referred to for all development proposals to ensure Green Infrastructure is a consistent consideration given its multiple benefits. However, our comments made at Regulation 18 still apply in that references to Green Infrastructure provision could be clearer and made more consistent throughout the local plan to give it more emphasis within strategic site allocations at the Parish level.

Landscape

We note that our Regulation 18 consultation response does not appear to have been addressed regarding preventing coalescence of development. We welcome its reference in point 6.224 and suggest that this be linked with the policy summary box EN18 more clearly to ensure it is appropriately considered as part of development proposals.

Question 6

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

Question 7

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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:

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

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

Question 8

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

Appendix 3: Sustainability Appraisal

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

'Local plans and spatial development strategies should be informed throughout their preparation by a sustainability appraisal that meets the relevant legal requirements (The reference to relevant legal requirements refers to Strategic Environmental Assessment. Neighbourhood plans may require Strategic Environmental Assessment, but only where there are potentially significant environmental effects.)'.

This should demonstrate how the plan has addressed relevant economic, social and environmental objectives (including opportunities for net gains). Significant adverse impacts on these objectives should be avoided and, wherever possible, alternative options which reduce or eliminate such impacts should be pursued. Where significant adverse impacts are unavoidable, suitable mitigation measures should be proposed (or, where this is not possible, compensatory measures should be considered). However, the SA appears to prioritise social and economic considerations over environmental ones as Section 6.2.19 states:

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

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

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

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

Given the provisions of paragraph 11 (and consequently paragraph 172), we consider that the weight afforded to protecting nationally designated landscapes has not been sufficiently considered as part of exploring alternative options and the environmental value of the AONB has been underestimated. It is our view that significant impacts have not been avoided as far as possible and, as outlined in other sections, we advise that major development within the AONB has not been appropriately justified.

Given the above, we are concerned that the underpinning assessment and recommendations of the SA are not giving an appropriate level of consideration for the environmental benefits associated with alternative growth strategies, especially given the great weight that should be afforded to designated landscapes.

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

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

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

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

to the neutral score for the chosen growth strategy) are interpreted with some caution. Finally, point 3.2.8 does not reflect the findings of the HRA and mitigation proposed for Ashdown Forest SPA (see the HRA section below). We advise this section of the SA is amended to reflect the findings of the HRA.

Future Notifications

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

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

Consultee	Lee Prebble [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] Tonbridge [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Lee Prebble [REDACTED]
Comment ID	PSLP_71
Response Date	28/04/21 15:29
Consultation Point	Section 5: Place Shaping Policies (View)
Status	Processed
Submission Type	Web
Version	0.1
Question 1	
Respondent's Name and/or Organisation	Lee Prebble
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/SS3, 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:

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PSLP Policy STR/SS3 Strong objection to this policy for the reasons set out elsewhere in my submissions. It is contrary to strategic policies STR2, STR3 and STR8. It is inconsistent with the approach of the Plan in respect of the countryside in general and to other proposed sites. It is inconsistent with the approach of the Plan in relation to other developments. There is no assessment of the proposed development in respect of Policy EN18. Policy STR/SS3 makes no attempt to respond positively to the local character or conserve and enhance environmental assets such as the landscape, visual amenities and biodiversity of the area. As such this policy is unsound and should be deleted. Furthermore the suggestion that there will be compensatory improvements to the Green Belt has not been demonstrated. There has been no proper assessment of the impact of the proposed Five Oak Green By-pass which is deemed to be essential infrastructure for the development. The absence of proper environmental impact assessment, including the impact on the local landscape, visual amenities and biodiversity makes the proposal unsound.

The Strategic Sites Masterplanning and Infrastructure Report refers to the TCPA Garden City Principles including:

“Development that enhances the natural environment, providing a comprehensive green infrastructure network and net biodiversity gains, and that uses zero-carbon and energy-positive technology to ensure climate resilience.”

There does not appear to be any assessment as to how this objective is achieved in relation to Tudeley. That SSMI Report assesses the viability of the Five Oak Green By-Pass but provides no environmental impact or sustainability assessment. In response to a query the Local Plan Team could only advise that in looking at the route they considered ‘existing landscape constraints’ but could provide no evidence of an actual Landscape and Visual Impact Assessment in accordance with normal practice.

The Tudeley Village Baseline Review makes no reference to the impact on landscape and visual amenity or rural amenity in general as a key development constraint. It does not appear to consider PSLP Strategic policies STR8 or Policies EN8 Outdoor Lighting and Dark Skies, EN18 Rural Landscape, or EN19 the High Weald AONB.

The Strategic Housing and Economic Land Availability Assessment (SHELAA) for this site appears to have been based on a decision that there has to be a garden village site regardless of any further assessment of the impact. This is evidenced by the first bullet point of para 3.32 confirming that remoteness assessment assumes the development of a new Garden Village. The approach to this site is not consistent with the approach to other sites across the Borough.

Other sites are rejected because of “landscape concerns” (e.g. sites 48, 143, 207, 329, 331, 355, 447) but no real consideration appears to have been given to the impact of the proposed garden settlement on the landscape of the Tudeley locality.

The Landscape Character Assessment 2017 states in Chapter 2 page 20 that it is a guide “to help consider landscape character when planning change”. It sets out objectives in Chapter 3 broadly to

conserve, enhance and restore the landscape. It refers to detractors and these include developments that would result in loss of landscape features. One of the pressures is the loss of a sense of remoteness including by artificial light pollution (figure 7 gives an assessment of light pollution at the time and shows the Tudeley site as being a current darker gap in the lighter skies of Tonbridge, Five Oak Green and Paddock Wood – the garden settlement will destroy this).

The Assessment also refers to the intrusion of transport infrastructure (such as the Five Oak Green by-pass?).

At Chapter 5 it says *“The quality of the landscape across the whole borough is high with much of it very high, and has been identified by residents as one of its main assets:”* and *“The description of the landscape character areas within the borough will assist in assessing whether development is acceptable in a particular location.”*

The Tudeley site is in Character Area 13. The report for the area includes features and qualities considered to be of particular landscape and visual value to the character area including

“4) Areas which retain a sense of the historic landscape, where the irregular and sinuous field boundaries are overlaid on more undulating slopes, divided by hedgerows and trees – particularly around the small hamlets of Tudeley and Capel.

5) The hamlets of Tudeley and Capel which retain strong vernacular character as well as views to the surrounding countryside.”

Under *Detractors and Opportunities* it lists:

“ 1) Extensive suburban residential development at Paddock Wood and, to a lesser extent, at Five Oak Green, often with a flat and open urban/rural interface. The settlements are frequently ringed by poorly managed urban fringe countryside. Large buildings on the edge of Paddock Wood are visually conspicuous due to their white or light colour which contrasts with the surrounding green/ brown landscape.

New development around the edge of existing settlements should be unobtrusive and tie in with the local landscape character through appropriate planting treatments. It would be beneficial to target landscape enhancements anywhere but most importantly along the transport corridors and settlement margins.”

The *Strategy* states:

“The Local Character Area should be considered in the context of the High Weald AONB, particularly the role the character area plays in the setting of the AONB. The valued features and qualities of the landscape should be conserved and enhanced.

Respect the vulnerability of the slopes rising up to the south to new developments/land use change. New developments can be highly visible over a wide area on these slopes and detract from the essential countryside character”

It is entirely unclear how the content of the Landscape Character Assessment and its strategy has been taken into account in the assessment of the proposed development at Tudeley. The available evidence is that the Council has only considered landscape designations and not actual landscape and visual impact. In this respect the assessment for the Tudeley site is incomplete and the decision to include the allocation is unsound.

To return to the SHELAA assessment other sites are rejected for impact on heritage assets (297, 329 and 321), lack of pavement (377), being disproportionate to the size of the settlement (144), and railway noise (329, 330 and 331). Garden settlements at Frittenden and Horsmonden are rejected for being very rural and remote and impact on landscape and heritage. It is entirely unclear why these concerns do not apply to Tudeley.

PSLP Policy STR/CA1 (The Strategy for Capel Parish) p.174 This strategy is totally unacceptable and inconsistent with Strategic policies STR2, STR3 and STR8 as set out above.

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.

Remove the allocation for a new settlement at Tudeley and all policies that promote it. Reconsider the Plan once full and proper assessments of the impact of proposed developments have been undertaken.

Question 7

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

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

Question 7a

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

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

I wish to have an explanation as to how allocations have been made without first undertaking proper impact assessments.

Question 8

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

This comment and objection has concentrated on the proposed garden settlement at Tudeley and in particular on the failure to properly assess the impact of the development especially in relation to landscape and visual amenity. That should not be taken to mean that other aspects of the PSLP are considered acceptable. As an individual with limited resources there may well be significant concerns regarding other aspects but the fact that the Plan is unsound as demonstrated should mean that it is withdrawn and the whole strategy reconsidered.

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: Royal Tunbridge Wells

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_2178
Response Date	04/06/21 16:56
Consultation Point	Royal Tunbridge Wells (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 3a	

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

Section 5: Place Shaping Policies: Royal Tunbridge Wells

General Commentary

[TWBC: see attached full representation, which has been input against the following: Section 1 (PSLP_2164), Section 2 (PSLP_2168), Section 3 (PSLP_2169), Policies STR1 (PSLP_2170), STR2 (PSLP_2171), STR4 (PSLP_2172), STR5 (PSLP_2174), STR7 (PSLP_2175), STR8 (PSLP_2176), Section 5 (PSLP_2177), Section 5: Royal Tunbridge Wells (PSLP_2178), Policies AL/RTW1 (PSLP_2180), AL/RTW5 (PSLP_2181), AL/RTW7 (PSLP_2183), AL/RTW14 (PSLP_2184), AL/RTW17 (PSLP_2185), AL/RTW21 (PSLP_2187), STR/SO1 (PSLP_2188), AL/SO1 (PSLP_2190), Strategic

Sites (PSLP_2192), STR/SS1 (PSLP_2193), STR/SS2 (PSLP_2195), STR/SS3 (PSLP_2196), STR/PW1 (PSLP_2199), AL/PW1 (PSLP_2200), STR/CA1 (PSLP_2201), AL/CRS1 (PSLP_2202), AL/CRS2 (PSLP_2203), AL/CRS3 (PSLP_2204), AL/CRS4 (PSLP_2205), AL/CRS6 (PSLP_2206), AL/CRS7 (PSLP_2207), STR/HA1 (PSLP_2208), PSTR/BE1 (PSLP_2209), PSTR/BI 1 (PSLP_2210), PSTR/BM1 (PSLP_2211), PSTR/FR1 (PSLP_2212), PSTR/GO1 (PSLP_2213), PSTR/HO1 (PSLP_2214), AL/HO1 (PSLP_2215), PSTR/LA1 (PSLP_2216), AL/LA1 (PSLP_2217), PSTR/PE1 (PSLP_2218), AL/PE4 (PSLP_2219), PSTR/RU1 (PSLP_2220), PSTR/SA1 (PSLP_2221), AL/SA1 (PSLP_2222), PSTR/SP1 (PSLP_2223), EN1 (PSLP_2224), EN3 (PSLP_2225), EN4 (PSLP_2226), EN5 (PSLP_2227), EN8 (PSLP_2228), EN9 (PSLP_2229), EN10 (PSLP_2230), EN12 (PSLP_2231), EN13 (PSLP_2232), EN14 (PSLP_2233), EN18 (PSLP_2234), EN19 (PSLP_2235), EN20 (PSLP_2236), EN25 (PSLP_2237), EN26 (PSLP_2238), H1 (PSLP_2239), H3 (PSLP_2240), H7 (PSLP_2241), ED1 (PSLP_2242), ED2 (PSLP_2243), ED3 (PSLP_2244), ED4 (PSLP_2245), ED5 (PSLP_2246), ED6 (PSLP_2247), Town, Rural Service, Neighbourhood, and Village Centres (PSLP_2248), Policies TP1 (PSLP_2249), TP2 (PSLP_2250), TP3 (PSLP_2251), TP4 (PSLP_2252), TP5 (PSLP_2253), TP6 (PSLP_2254), OSSR1 (PSLP_2255), Appendix 4 (PSLP_2256) and Evidence Base (whole Plan) (PSLP_2257)

Question 4a

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

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

Question 5

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

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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 reference to the PRoW network, the Rights of Way Improvement Plan (ROWIP) and the Local Cycling and Walking Infrastructure Plan (LCWIP) within this policy. These Improvement Plans have a significant role in the connectivity for employment and leisure travel between local facilities.

Question 6

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

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

or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

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

Supporting Information File Ref No: SI_111

Comment

Agent	Mrs Alex Jones [REDACTED]
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Company / Organisation	Barton Willmore LLP
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Consultee	Mr David Wells [REDACTED]
Company / Organisation	Logistics UK
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Event Name	Pre-Submission Local Plan
Comment by	Logistics UK [REDACTED]
Comment ID	PSLP_1866
Response Date	04/06/21 12:48
Consultation Point	Royal Tunbridge Wells (View)
Status	Processed
Submission Type	Email
Version	0.4
Files	PSLP_1855, 1864-1867 Barton Willmore for Logistics UK SI.pdf
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Logistics UK
Question 2	
Agent's Name and Organisation (if applicable)	Barton Willmore LLP
Question 3a	

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

Section 5 - Royal Tunbridge Wells

[TWBC: this representation has been input against Section 5 - Royal Tunbridge Wells, Policies ED 2, STR/SS 1, STR/SS 3 and STR/RTW 1– see Comment Numbers PSLP_1855, PSLP_1864, PSLP_1865, PSLP_1866 and PSLP_1867. The full representation has been attached as Supporting Information]

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.

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TWBC LOCAL PLAN REG. 19 REPRESENTATIONS

HERMES HOUSE, ST JOHN'S ROAD, ROYAL TUNBRIDGE WELLS

1.0 INTRODUCTION & OVERVIEW

1.1 These representations are made on behalf of Logistics UK in respect of their headquarters at Hermes House, St John's Road, Royal Tunbridge Wells TN4 9UZ and the land to the rear ('the Site': see Site Location Plan (drawing reference 2104/FS/001) enclosed at Appendix 1) and are submitted to the Regulation 19 consultation on the emerging Tunbridge Wells Borough Council ('TWBC') Local Plan (Pre -Submission Local Plan, undated).

1.2 The Site currently comprises offices in employment use (albeit currently only sparsely / rarely occupied) with associated car parking, accessed from St John's Road, and an area of grassland to the rear. The Site is not located within a conservation area and there are no known designated or non-designated heritage assets on or in proximity. The Site falls within Flood Zone 1 and is not known to be subject to any ecological designations.

1.3 Logistics UK have occupied Hermes House since 1975. The older building on site is understood to have originally been constructed as church and used for religious purposes before being converted to offices. It has an unusual circular plan form that does not lend itself to modern office use and results in inefficient use of the space, both in terms of the area of unused space and the ability to lay out the

useable space in a manner conducive to modern working practises . Moreover, Logistics UK run training and conferencing events from Hermes House which again does not lend itself to this purpose owing to the number of structural supports/ columns.

1.4 An extension was constructed in the late 1980s to provide two floors of office accommodation on a more regular plan form. Whilst at the time the extension functioned well it is now dated and requires significant upgrade works including replacement of all windows, a new heating system and air conditioning. There are also difficulties providing heating and cooling across the two elements of Hermes House as both differ significantly in their construction and design. This creates further inefficiencies.

1.5 A number of Logistics UK's staff travel to work by train. Hermes House is accessible by car but is some 1.8 km from the nearest train station (Tunbridge Wells) and is located outside of designated town centre/ employment areas. The Site is not in a sustainable employment location. Moreover, it is located in a predominantly residential area where adopted and emerging policy would resist new employment uses owing to the impact on residential amenity, issues of neighbourliness and incompatibility of land use.

1.6 As a result of the poor quality of the existing employment accommodation and its poor public transport accessibility and location within a residential area, Logistics UK has been planning to vacate Hermes House and relocate to a more appropriate premises and location within Tunbridge Wells. This process has been expedited owing to the pandemic and shift to a greater proportion of staff working from home thus requiring a smaller area of employment floorspace in any event.

1.7 Given the location of Hermes House in a residential area, residential has been identified as the most appropriate and compatible use moving forward. Moreover, TWBC has been unable to demonstrate a five-year supply of housing land for the most recent monitoring years and has a worsening Housing Delivery Test score despite having an Action Plan in place. The emerging Local Plan provides the opportunity to address the current and historically poor housing delivery in the Borough. However, the heavy reliance of the emerging Local Plan on two large strategic sites to meet almost 75% of its housing need over the Plan period is a high-risk strategy. Moreover, delivery of new homes on these strategic sites is not anticipated for four years (in our view at the earliest). The Council should, therefore, seek to allocate additional small/ medium scale sites for residential development to address historically unmet need, provide fluidity in five -year housing land supply and ensure short -term delivery of homes to mitigate the risk of delays from the strategic sites.

1.8 There are Borough-wide benefits of including additional site allocations that are deliverable in the first five years of the Plan. There are also local benefits to Royal Tunbridge Wells which has relatively few proposed site allocations that are expected to yield new homes in the initial five year period. A steady supply of new homes is required in key settlements to provide choice and variety in the market and to mitigate against increasing issues of affordability. The Council should consider additional residential allocations in Royal Tunbridge Wells that are deliverable in the short-term to maintain a steady supply of new homes in this principal settlement.

1.9 In addition to the above, allocation of a previously developed site in an established urban area such as Hermes House reduces the pressure on greenfield development and reduces the need for Green Belt release. NPPF paragraph 137(a) requires LPAs 'to make as much use as possible of brownfield and underutilised land' before concluding that exceptional circumstances exist to justify release of land from the Green Belt for development. Hermes House is a brownfield, underutilised site and whilst this Site alone would not remove the need for some Green Belt release to meet TWBC's housing needs, it ought to be considered as an option for allocation before Green Belt sites in the sequential approach to identifying land to meet residential development needs through the emerging Local Plan.

1.10 Redevelopment of Hermes House alone would yield relatively few dwellings. As such Logistics UK has also reviewed the potential of the land immediately to the rear. The land to the rear is currently in educational use but does not serve a specific educational or recreational function, nor has it been identified as a suitable location for future educational development being distant from the main school campus. In short, this area of land forms part of the school grounds but is incidental to the educational/ recreational function of the school.

1.11 The Site has an area of approximately 0.65 hectares. A capacity study (enclosed at Appendix 2: drawings reference 2104/FS/010) indicates that circa 48 homes could be accommodated at a density of 74 dwellings per hectare. Combining Hermes House with the land to the rear allows the number of

new homes to be optimised and also for a more varied mix of homes of different sizes suitable for a range of households (including apartments and houses) in addition to a greater number of affordable homes.

1.12 The Hermes House part of the Site currently falls within the Limits of Built Development as per the Policies Map (2016). The Council has imposed Article 4 Directions on a number of existing employment buildings to prevent them from changing from office to residential under current Permitted Development regulations. These 'protected' employment buildings are largely those falling within accessible town centre and/ or established/ designated employment locations. Hermes House falls within a solely residential area and has not been 'protected' through an Article 4 Direction. Subject to meeting the requisite criteria, Hermes House could therefore be converted to residential. However, as set out above, the, inter alia, awkward plan form, inherent issues with heating and cooling and poor standard of the building would make for poor/ substandard homes which prevents this from being an option.

1.13 The southern part of the land to the rear also falls within the Limits of Built Development with approximately 0.15 hectares falling outside and within the area currently designated as Rural Fringe.

1.14 Logistics UK consider the Site to be ideally placed to deliver a range of high -quality new homes in an established residential area, with only a minor adjustment to the existing boundary of the Limits of Built Development required to facilitate this. It is Logistics UK's position that the Site should be included within the emerging Local Plan as a residential site allocation to deliver circa 50 new homes. The Site is deliverable in the short -term and will assist in diversifying the type and scale of site allocations thus reducing reliance on large -scale strategic allocations that require significant new infrastructure and risk delay, with the consequential impact on housing land supply and delivery.

1.15 The Site is deliverable in the short -term as per the NPPF definition (Annex 2):

'To be considered deliverable, sites for housing should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within 5 years'

1.16 The Site comprises previously developed land (Hermes House) with very little landscaping and mown/ managed grass on the land to the rear. There is very limited ecological potential with no trees/ hedges that would pose a constraint to development as proposed. There are also no national designations that would impede the development such as Green Belt, flood risk or heritage. Access is established from St John's Road.

2.0 CURRENT USE

Employment

2.1 Hermes House was converted from its previous religious use to offices prior to Logistics UK's occupation. The older building has an unusual circular plan form and includes an amphitheatre - style space. This space has historically served a function for seminars/ conferences but the structural supports/ columns are not ideal for this purpose and the resulting office floorspace is awkward and inefficient and cannot be considered to provide modern, functional or flexible office accommodation.

2.2 In an attempt to improve the quality of the employment accommodation on site Logistics UK constructed an extension in the late 1980s (LPA reference 84/01473/FUL) facilitated by the demolition of a residential property. Whilst providing a more regular plan form, this extension is now over 25 years old and requires significant upgrade works to allow it to continue to function as office floorspace. For example, the large areas of glazing make the space too hot in summer but too cold in winter. The extension does not benefit from air conditioning and the heating system is inadequate. Both are required along with new windows. However, there are inherent difficulties providing heating and cooling systems to serve the older part of the building and the extension. This further adds to the inefficiency of the current buildings.

2.3 In addition to the above, Hermes House is located in a predominantly residential area outside of a designated town centre and employment location. It is accessible by car but some 1.8km from Tunbridge Wells train station. Several members of staff travel to work at Hermes House by train, a proportion that Logistics UK consider would be higher if the offices were located in a more convenient location in proximity to the train station.

2.4 There is also the issue of compatibility of land use. Hermes House is surrounded on three sides by residential properties, being located on a residential road in a predominantly residential

neighbourhood. Logistics UK runs software that requires a constant (24/7) power supply and generators. Care is taken to minimise noise from the generators but they are not ideal in a residential area. Moreover, the heating and cooling systems required to address the inherent issues with the current buildings and allow the employment use to continue will further add to the noise emitted. These issues, coupled with vehicle movements, staff outside use (including from the smoking shelter) and the types and scale of signage required, are present with the existing employment use and any likely future employment use.

2.5 It is on the basis of the above that Logistics UK consider that Hermes House should be returned to its former residential use as this would be more compatible with the established residential use and character within the area. Moreover, in line with adopted Core Strategy (2010) Core Policy 7, employment uses, particularly of the scale of Hermes House, are more appropriately sited in sustainable and accessible town centre and employment locations.

Education

2.6 Approximately 60% of the land to the rear of Hermes House is located outside of the Limits of Built Development and within the Rural Fringe, with the southern portion (circa 40%) within the Limits of Built Development. It is all within educational use forming part of the grounds of an neighbouring school.

2.7 This land has been included within the Site as it forms a logical extension to the Hermes House site and allows for an improved residential layout that facilitates the delivery of a higher number of homes that includes a greater variety of homes of different sizes (including apartments and houses) and a higher number of affordable homes.

2.8 Whilst this land is within educational use, it does not have a defined educational or recreational function. It is laid to grass and forms an incidental part of the wider school grounds. When the school has previously expanded this land has been reviewed as an option but discounted owing to its location remote from the main core of the school. It is also not easily accessible from the public highway (although it would be accessible from St John's Road through Hermes House if the sites were to be combined as proposed). In short, this land does not form a specific educational or recreational function and it is Logistics UK's position that it would be an appropriate location for small-scale residential development.

3.0 CASE FOR RESIDENTIAL

Historic Supply/ Delivery of New Homes

3.1 TWBC has a published shortfall in five-year housing land supply (Monitoring information (tunbridgewells.gov.uk) [accessed 01/06/2021]) and at 1 April 2020 could only demonstrate 4.83 years supply (see Five-Year Housing Land Supply 2019/20). This was based on a 5% buffer. However, given that TWBC's previous Five-Year Housing Land Supply 2018/19 report also identified a shortfall (4.69%: see paragraph 12), NPPF paragraph 73 would previously have indicated that a 20% buffer is appropriate. This has subsequently been superseded by the Housing Delivery Test whereby the 20% buffer is to be applied to LPAs with a Housing Delivery Test score of 85% or below.

3.2 TWBC has a published score of 86% in the Housing Delivery Test for the period 2016/17 to 2018/19 (Monitoring information (tunbridgewells.gov.uk) [accessed 01/06/2021]) (published February 2020). Whilst 1% higher than the threshold for the 20% buffer, TWBC has failed to meet or exceed its housing requirement for two of the three monitoring years that have informed the Housing Delivery Test result. The one year it did exceed it was when the housing requirement was notably lower owing to the method of calculation (pre-Standard Method). Moreover, the 2021 Housing Delivery Test results see TWBC's score reduce to 85% (Housing Delivery Test: 2020 measurement - GOV.UK (www.gov.uk) [accessed 01/06/2021]) thus housing delivery is worsening in the borough and the 20% buffer (NPPF paragraph 73) should be applied to the calculation of five-year housing land supply. This places even greater pressure on TWBC to identify additional land for residential development.

Proposed Supply of New Homes

3.3 The emerging Local Plan utilises the Standard Method figure of 678 homes per annum (Pre-Submission Local Plan paragraph 4.10) from which to establish the number of homes to plan for. The Planning Practice Guidance ('PPG') is clear that the Standard Method provides a 'minimum annual housing need figure' (PPG paragraph: 002 Reference ID: 2a-002-20190220) and not a housing requirement figure. Whilst there is acknowledgement within the emerging Local Plan that exceptional circumstances do not exist to deviate from the Standard Method (paragraph 4.9 and 4.11) i.e. to provide

for a lower number of homes, and that TWBC may need to consider taking unmet need from neighbouring authorities (see paragraph 4.13), there does not appear to have been an attempt to identify whether it would be appropriate to actively plan for a higher housing requirement.

3.4 The emerging Local Plan has been developed on the basis that site allocations to deliver some 6,900 additional homes will be required (paragraph 4.17) (albeit the Housing Supply and Trajectory Topic Paper for Pre-Submission Local Plan (February 2021) states that the Council must plan for a minimum of 7,221 homes through site allocations (paragraph 5.4). We have not interrogated the assessment that underpinned this conclusion (nor the discrepancy between the Topic Paper and Pre-Submission Local Plan). However, the emerging Local Plan is clear that this is based on the assumption that 'all previous allocations are still suitable and developable' (paragraph 4.17). In reality this may not be the case and the emerging Local Plan should actively seek to progress additional site allocations. Moreover, pursuant to the PPG, the Standard Method should be treated as a minimum figure. Thus, whilst the emerging Local Plan identifies site allocations capable of delivering between 8,076 and 8,461 homes over the Plan period (see Table 4), this may not be enough to provide for the housing required.

3.5 The historically poor housing delivery (as evidenced by the Housing Delivery Test) in the Borough and failure to maintain a five-year housing land supply should also be factors that weigh in favour of the identification of additional housing allocations to come forward in this Local Plan.

3.6 It is also noted that, whilst Royal Tunbridge Wells has 18 draft residential site allocations within the Pre-Submission Local Plan (see Section 5), the Housing Supply and Trajectory Topic Paper for Pre-Submission Local Plan (February 2021) identifies very few homes being delivered within the current five-year period (see Table 9, pages 29/30). This risks an undersupply of new homes in Royal Tunbridge Wells which will serve to drive up already high house prices. There would be merit in identifying additional site allocations, such as Hermes House, that are deliverable in the short term and can assist in providing consistent delivery of new homes in the Borough's principal settlement over the Plan period.

Strategic Allocations

3.7 The reliance of the emerging Local Plan on large-scale, strategic allocations is also of concern. Approximately 6,300 homes are identified as coming forward from two strategic allocations: approximately 3,500 homes at Paddock Wood/ East Capel (draft Policy STR/SS 1); and approximately 2,800 homes from a new settlement – Tudeley Village (draft Policy STR/SS 3). This represents almost 75% of all new homes planned for through the emerging Local Plan (taking the upper range provided at Table 4; 78% if taking the lower range). There is, therefore, significant reliance on the delivery of new homes from these two strategic sites.

3.8 It is common for it to take some time to see homes delivered on large -scale, strategic sites owing to, inter alia, the complexity of the planning process, landownership and often significant new infrastructure requirements. In the case of the proposed allocations at Paddock Wood and Tudeley Village this includes new schools, neighbourhood centres, employment and sports, health and community facilities. Moreover, Framework Masterplan SPDs are requirements of the draft policies, to be adopted in advance of planning permission being granted, which will add significantly to the overall planning process. Furthermore, the use of Compulsory Purchase Order powers is referenced in both allocations indicating anticipated issues with landownership.

3.9 The Housing Supply and Trajectory Topic Paper for Pre-Submission Plan (February 2021) identifies delivery of homes from both strategic allocations from 2025/26, with 300 homes completed per annum from Paddock Wood/ East Capel and 150 from Tudeley Village (see Table 9, page 30). Given that Framework Masterplan SPDs are required before planning permission can be granted, it is already halfway through 2021 and significant infrastructure is required to 'unlock' the sites, delivery of homes from these allocations within the next four years is ambitious. Delivery of 300 homes in the first year from Paddock Wood/ East of Capel is very ambitious, as is 150 from Tudeley Village.

3.10 Whilst it is accepted that strategic allocations are required to meet longer term and large -scale housing needs, the emerging Local Plan ought to be realistic as to when and how many homes can be expected from these sites. Further, it should seek to identify a large number and range of small to medium sized allocations to provide for local housing needs and a consistent supply of new homes to account for the risk of delays from larger allocations. Placing such reliance on the delivery of homes from only two strategic sites is a high-risk strategy that could see the historically poor delivery of homes in the Borough continue and/ or worsen.

4.0 SITE ALLOCATION

4.1 Hermes House and the land to the rear ('the Site') provides an opportunity for an additional residential site allocation in Royal Tunbridge Wells within the emerging Local Plan. The Site has not previously been submitted to a Call for Sites and is not included in the Strategic Housing and Economic Land Availability Assessment (January 2021). The previous Call for Sites were held in 2016 and 2017 which was prior to Logistics UK considering relocating to a more appropriate site within Royal Tunbridge Wells.

4.2 For the reasons outlined above, Hermes House is not considered an appropriate employment location and has not been protected by the Council from changing use to residential, albeit this is not a feasible option given the inherent issues with the current buildings. Additionally, the land to the rear does not provide an active educational or recreational function and, if included with Hermes House, could provide a logical extension to the built-up area to create a high-quality residential development that delivers much-needed new homes in the short-term.

4.3 The Limits of Built Development boundary would require a minor adjustment to include that part of the land to the rear of Hermes House that currently falls outside. This area of land is surrounded on three sides by the current Limits of Built Development (i.e. it is inset) and the realignment of the boundary in this location would result in a logical 'squaring off' of the boundary with very limited visual impact.

4.4 Vehicular and pedestrian/ cycle access to the Site would continue to be taken from St John's Road from the existing or a relocated single access point.

4.5 It is envisaged that building heights will reflect the prevailing residential heights within the local area.

4.6 The homes would be provided as a range of private and affordable tenures and across a variety of dwelling types and sizes to cater for a wide range of households.

4.7 The suggested provisions of a site allocation for this Site are as follows:

Land at St John's Road (Hermes House)

This site, as defined on the Royal Tunbridge Wells Policies Map, is allocated for residential development providing approximately 50 dwellings, of which 30 percent shall be affordable housing.

Development on the site shall accord with the following requirements:

- 1 **Vehicular access, delivery and servicing should be provided from St John's Road.**
- 2 **Provide a landscaped boundary to the new Limits of Built Development.**
- 3 **The design shall include appropriate measures to address the impact of the proposal on the gardens of neighbouring residential properties on St John's Road.**
- 4 **Provision of on-site amenity greenspace/ high-quality landscaping.**

5.0 EMERGING POLICY MAP/ POLICIES

Limits of Built Development

5.1 Current adopted policy (Core Policy 2) seeks to protect the Rural Fringe from development with this land only released through adoption of a development plan document (i.e. site allocations DPD). The emerging Local Plan does not seek to take forward the Rural Fringe designation which Logistics UK supports. However, part of the land to the rear of Hermes House would remain outside of the Limits of Built Development. This land is inset from the boundary of the Limits of Built Development and adjustment in this area would represent a logical 'squaring off' of the boundary. This would have very limited visual impact given the small scale of the adjustment but would optimise the delivery of new homes in a high-quality development to meet local needs for homes of different types, sizes and tenures.

5.2 We suggest that the Limits of Built Development boundary should be adjusted to reflect the western extent of the Site boundary as shown on the Site Location Plan (drawing reference 2104/FS/001).

Employment

5.3 The emerging Local Plan (draft Policy ED 2) seeks to protect existing employment buildings/ sites regardless of their location and compatibility with neighbouring properties. It is our position that this is a failing of the emerging policy. Not all existing employment buildings/ sites will be appropriate for this

level of protection (for example, Hermes House) and the policy should not assume this to be the case. Express wording is required to acknowledge this situation and allow for change of use away from employment -generating use where this is not appropriate owing to reasons of, inter alia, neighbourliness, residential amenity and compatibility of land use.

5.4 NPPF paragraph 81(d) requires planning policies to 'be flexible enough to accommodate needs not anticipated in the plan, allow for new and flexible working practices (such as live-work accommodation), and to enable a rapid response to changes in economic circumstances'. As drafted Policy ED 2 provides a rigid policy framework in respect of existing employment sites/ buildings with blanket protection that takes no account of local circumstances and does not provide flexibility for businesses to adapt and evolve. This conflicts with NPPF paragraph 81.

Question 7

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

Question 7a

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

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

To debate the lack of residential allocations and particularly those that can deliver homes in the first five years of the 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

Local Plan Regulation 19 representations in document order

**Comments on Section 5: Place
Shaping Policies: Royal Tunbridge
Wells: Policy STR/RTW 1 The Strategy
for Royal Tunbridge Wells**

Supporting Information File Ref No: SI_148

Comment

Agent	Mr Jonathan Buckwell ([REDACTED])
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Event Name	Pre-Submission Local Plan
Comment by	Axiom Developments ([REDACTED])
Comment ID	PSLP_2099
Response Date	03/06/21 11:33
Consultation Point	Policy STR/RTW 1 The Strategy for Royal Tunbridge Wells (View)
Status	Processed
Submission Type	Email
Version	0.8
Files	DHA Planning for Axiom Developments-full representation.pdf
Data inputter to enter their initials here	KJ
Question 1	
Respondent's Name and/or Organisation	Axiom Developments Ltd
Question 2	
Agent's Name and Organisation (if applicable)	DHA 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/RTW 1 The Strategy for Royal Tunbridge Wells

[TWBC: the full representation attached has been divided between Policy STR/RTW1 (PSLP_2099), Vision and Strategic Objectives (PSLP_), Policies STR3 (PSLP_), STR9 (PSLP_), and AL/RTW17 (PSLP_).

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.

1.1 Introduction

1.1.1 These representations have been prepared by DHA Planning on behalf of Axiom Developments Limited (hereafter referred to as Axiom) in respect of the Tunbridge Wells Borough Council Regulation 19 Local Plan consultation.

1.1.2 These representations relate to land at Colebrooke Park, which Axiom is promoting for employment-generating development as part of the wider development plan review.

1.1.3 Based on the current national and local planning context, we consider this land to be suitable for development.

1.2 The Site

1.2.1 Our client has been promoting land at Colebrooke House for a business park within an attractive parkland campus setting. The site was promoted via the original Call for Sites process in 2016 (site 101) and representations were made at the previous Reg 18 consultation. The site boundary is shown in Figure 1.

1.2.2 The site lies outside of the current settlement boundary for Royal Tunbridge Wells and within both the High Weald Area of Outstanding Natural Beauty (AONB) and the Green Belt.

1.2.3 As a result of the recent A21 dualling project, the site benefits from direct access onto the A21 via the Fairthorne junction. This now provides the site with excellent access to the national road network, whilst also being well-located in relation to the existing employment areas along Longfield Road. The A21 improvements present an excellent opportunity for the site to make a substantial contribution to the local economy through development of the site.

1.2.4 The 8.5ha site comprises a large 19th century residential property set in parkland grounds. Whilst being habitable, the property is currently in need of repairs following a period of under-investment. Its value as a residential property has been substantially affected as a result of the A21 dualling works.

[TWBC: see full representation attached for Figure 1: Proposed allocation site boundary].

1.2.5 There is a unique opportunity to provide employment-generating development which makes the most of the existing characteristics of the site. For example, this could take the form of a high-quality business park, or other employment-generating use set within an established parkland setting and based around the existing 19th century Colebrooke House.

1.2.6 The site provides an opportunity to provide an attractive business location, accessible to the A21 as well as local businesses and services. A Vision Document has been prepared and was submitted with our Regulation 18 representations previously which shows that the site would be capable of delivering around 11,750 sqm of employment-generating floorspace, which would be capable of supporting between 885 and 1,437 jobs if in office use.

1.2.7 The Council's Economic Needs Study (ENS) demonstrates the need for good quality economic development land locally. This was also backed up by responses from stakeholders identifying Tunbridge Wells as a good office and industrial location. ENS paragraph 9.66 in particular identifies demand for offices, and especially higher quality Grade A accommodation in accessible locations, which is the type of development proposed at Colebrooke House. It would score well against all of the bullet points set out in ENS paragraph 10.29, i.e. excellent accessibility; public transport and parking availability; and it being an area with a critical mass of employment use and amenities which would be attractive to investors.

1.2.8 The development would have excellent strategic transport links to the newly upgraded A21 as well as providing opportunities to create and improve existing pedestrian, cycle and public transport links to North Farm, Tunbridge Wells and Tonbridge. Pedestrian, cycle and emergency access links could also be provided into the land to the west, which is also proposed for development as part of the Local Plan proposals.

1.2.9 In respect of deliverability, the site has no planning history of relevance nor a history of unimplemented permissions, and there are no known impediments to the sites being phased for potential development. There is an excellent opportunity to deliver a high-quality employment development scheme during the plan period.

1.3 Background

1.3.1 Tunbridge Wells Borough Council (TWBC) has produced a new Local Plan to guide future development within the borough. As the Council is now satisfied that it has a sound plan it proposes to submit the plan for Independent Examination following completion of this final round of consultation.

1.3.2 Once submitted, the Local Plan will be examined by an Inspector whose role is to assess whether the plan has been prepared in accordance with the Duty to Cooperate, legal and procedural requirements, and whether it is 'sound'. In this regard, the Government published a revised NPPF in February 2019, which provides that to be "sound" a local plan must be:

- Positively prepared – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
- Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- Effective – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in this Framework.

1.3.3 This submission comment on the plan having regard to these tests of soundness.

1.4 Legal Compliance

1.4.1 In terms of legal compliance, the main requirements for the early stages of Local Plan consultation are in relation to:

- planning for community engagement;
- the sustainability appraisal (including consultation with the statutory environment consultation bodies);

- identifying significant cross boundary and inter-authority issues; and
- ensuring that the plan rests on a credible evidence base, including meeting the Act's requirement for keeping matters affecting the development of the area under review.

1.4.2 The Council has undertaken public consultation at various stages. Furthermore, it has liaised with the development industry via Agents Forums and as such we raise no objection to this aspect of legal compliance.

1.4.3 From a wider perspective, we are concerned about the degree to which the Council has complied with the statutory framework for preparing a new plan, albeit we will reserve our position on this matter until all final consultation documentation and statements of common ground have been published.

1.5 Assessment of Soundness

1.5.1 The TWBC Draft Local Plan (herein referred to as 'the plan') sets out the spatial vision, strategic objectives, and overarching development strategy for the borough. It details overarching place shaping policies for each parish and settlement, as well as site specific allocations to deliver the strategy and detailed policies to be applied to all new development.

1.5.2 The plan will set the agenda for development across the borough to 2038 and replace the current Development Plan, which comprises the Local Plan 2006 (saved policies), the Core Strategy 2010, and the Site Allocations Local Plan 2016.

1.5.3 This representation comments on the following elements of the plan:

- Vision and Strategic Objectives;
- Development Strategy and Strategic Policies;
- Place Shaping Policies; and
- Development Management Policies.

Development Strategy and Strategic Policies

1.5.12 The purpose of the Development Strategy is to outline how much development will be provided to meet the needs of the borough and where that development will be located.

Policy STR/RTW1: The Strategy for Tunbridge Wells

1.5.13 We generally support the aims and objectives of this policy, and in particular we do not object to the proposal for safeguarded land at Colebrooke Park as set out at supporting paragraph 5.16. However, as set out further below, we believe there is a case for identifying further employment development locations in Tunbridge Wells, and the unique circumstances of Colebrooke Park lend themselves to a further allocation for employment-generating uses being made.

1.6 Summary and Conclusions

1.6.1 In summary, this representation has been prepared on behalf of Axiom Developments Ltd in response to the Tunbridge Wells Borough Council Pre-submission Local Plan Consultation. The purpose being to provide comment on the Council's proposed development strategy ahead of Examination.

1.6.2 We generally support the Council's overall strategy and do not object to the proposal for the site to be removed from the Green Belt and safeguarded for future employment uses. However, for the reasons set out in these representations, we believe there are strong arguments in favour of allocating the land for development now.

Question 6

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

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

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

or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Policy STR/RTW1: The Strategy for Tunbridge Wells

1.5.13 We generally support the aims and objectives of this policy, and in particular we do not object to the proposal for safeguarded land at Colebrooke Park as set out at supporting paragraph 5.16. However, as set out further below, we believe there is a case for identifying further employment development locations in Tunbridge Wells, and the unique circumstances of Colebrooke Park lend themselves to a further allocation for employment-generating uses being made.

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)?

Supporting Information File Ref No: SI_97

Comment

Agent	David Murray-Cox [REDACTED]
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Event Name	Pre-Submission Local Plan
Comment by	Bellway Homes Strategic [REDACTED]
Comment ID	PSLP_1750
Response Date	04/06/21 12:23
Consultation Point	Policy STR/RTW 1 The Strategy for Royal Tunbridge Wells (View)
Status	Processed
Submission Type	Email
Version	0.5
Files	<u>PSLP_1747-1748, 1750-1756, 1758 Turley for Bellway Homes Representation Redacted.pdf</u>
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Bellway Homes Strategic
Question 2	
Agent's Name and Organisation (if applicable)	Turley
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/RTW 1 The Strategy for Royal Tunbridge Wells

[TWBC: for further comments by Bellway Homes Strategic, please see Comment Numbers PSLP_1747-1748, PSLP_1750-1756, PSLP_1758]

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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TUNBRIDGE WELLS PRE-SUBMISSION LOCAL PLAN – REPRESENTATIONS ON BEHALF OF BELLWAY

We write on behalf of our client, Bellway Homes Strategic, in relation to the Pre-Submission draft Local Plan for Tunbridge Wells Borough which is currently subject to public consultation. This letter provides the background to Bellway's interest in the Borough and sets out representations on their behalf.

BACKGROUND

Bellway has a legal interest in the land to the north and south of High Woods Lane (Mouseden Farm) on the eastern edge of the built up area of Tunbridge Wells/Hawkenbury which it is promoting for residential led development. The site is separated by High Woods Lane. The area south of High Woods Lane is currently in agricultural use and bordered to the east by woodland, to the south by existing sports uses and to the west by existing residential development. The area north of High Woods Lane is also within agricultural use, with further agricultural uses/woodland to the east and an indoor bowls club and allotments to the west.

The adopted Proposals Map indicates that both parts of the site are within the Green Belt and AONB.

On the basis of the Proposals Map published as part of this consultation indicates that the southern part of the land (south of High Woods Lane) is to be designated under Policy RTW1923 with that area to adjoin the 'Proposed Limited to Built Development'. The northern part of the land promoted by Bellway is not subject to any other proposed allocations. The draft Proposals Map appears to indicate that both parts of the site will continue to be located within the Green Belt and AONB.

Policy STR/RTW 1: The Strategy for Royal Tunbridge Wells

We have set out comments elsewhere regarding the disproportionately low levels of development directed to Tunbridge Wells in comparison to other settlements.

Point 15 of the draft policy refers to “a new sports hub at Hawkenbury Recreation Ground, to provide expanded and enhanced facilities to include standing/seating for supporters and other ancillary structures”. We understand this refers to the development expected under Policy AL/RTW 19 which, as these representations sets out, should be considered undeliverable with the Council's own evidence suggesting that this area would be a suitable, sustainable and logical site for housing/economic development (in the SHELAA). These references should therefore be removed from Policy STR/RTW 1.

In addition, we note that the scheme referred to at point 15 of Policy STR/RTW 1 is not the same as which the Council has granted permission for.

SUMMARY

These representations set out **significant concerns** regarding the draft Local Plan for Tunbridge Wells Borough. In summary, the level of housing required to address issues of affordability and does not provide any realistic opportunities to make a meaningful contribution to meeting affordable housing needs. Whilst the Council claims that the housing supply represents a buffer over the planned requirement, this is based on extremely optimistic assumptions and short lead in times before the key sites deliver. In the case of Paddock Wood the Plan then relies upon very high delivery rates.

A more diverse and greater range of sites are required to address affordability, provide affordable housing and to help ensure that the housing requirement is achievable.

The Plan also provides a disproportionately low level of new housing at Tunbridge Wells despite the sustainability of this settlement, in comparison to other, less sustainable locations. This is borne out by the selection of the Tudeley Village site as a location for a new garden village in a remote location where the extent of measures to support sustainable travel is extremely unclear. Alternative options are available which would direct development to the most sustainable settlement (i.e. Tunbridge Wells) and which are in sustainable locations.

This conclusion is supported by the Council's own evidence which demonstrates the availability and suitability, sustainability and logic of alternative sites on the edge of Tunbridge Wells (including the land promoted by Bellway which is subject to these representations).

The Council's own evidence has overstated the contribution that certain sites, including the land promoted by Bellway which is subject to these representations) makes to the Green Belt. When the land is assessed in a more robust manner (and when assessed independently rather than as part of wider Broad Areas), the contribution is significantly reduced.

The southern part of the land promoted by Bellway (i.e. the land south of High Woods Lane) is subject to a planning permission for recreational uses. That application was submitted by the Borough Council, despite it having no interest in the land. In contrast, Bellway has a legal interest in the land and is promoting this area, as part of a wider site, for residential development. Bellway would be willing to work with the Borough Council to explore opportunities for bringing forward the approved recreational facilities in the area, which residential development on the site could help deliver.

Whilst the Council is pursuing (by allocating and seeking planning permission) land outside of its control for sports and recreation uses, it is concurrently planning to release a number of sites which are already within those uses for residential development which the Council does own. As a matter of general principle this approach appears unjustified.

As it is currently drafted the Local Plan is unsound. It relies on unsustainable and undeliverable solutions to housing needs and is partly premised on releasing the Council's own land for housing whilst proposing land it does not own for compensatory sports and recreation purposes. These fundamental issues of unsoundness are compounded by a lack of documentary evidence to explain why the Council has selected the approaches and proposed allocations in the emerging Local Plan.

Bellway would be willing to enter in to dialogue regarding the land north and south of High Wood Lane and the extent to which this site could deliver housing (delivering the greater range and diversity of sites) in a sustainable location. Bellway would be willing to discuss the manner in which such housing could assist in delivering additional recreational facilities in the area.

[TWBC: for full representation, please see supporting documents]

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

If you would like to attach a file in support of your comments, please upload it here. [PSLP 1747-1748, 1750-1756, 1758 Turley for Bellway Homes Representation Redacted.pdf](#)

Supporting Information File Ref No: SI_90

Comment

Consultee	[REDACTED]
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Company / Organisation	Berkeley Strategic Land Ltd
Address	Berkeley House 19 Portsmouth Road COBHAM KT11 1JG
Event Name	Pre-Submission Local Plan
Comment by	Berkeley Strategic Land Ltd ([REDACTED])
Comment ID	PSLP_1679
Response Date	04/06/21 11:48
Consultation Point	Policy STR/RTW 1 The Strategy for Royal Tunbridge Wells (View)
Status	Processed
Submission Type	Email
Version	0.8
Files	PSLP_1678-1682 Berkeley Strategic Land Ltd. Representation Redacted.pdf
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Berkeley Strategic Land 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/RTW 1 The Strategy for Royal Tunbridge Wells
Question 4	

Do you consider that the Local Plan:

Is sound

No

Question 4a

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

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

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

Question 5

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

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Please refer to paragraphs 3.7 – 3.12 of the attached representations.

[TWBC: for full representation with appendices, please see supporting documents]

3.7 Berkeley acknowledges that the Plan limits the growth capacity at RTW based on the constraints posed by the surrounding AONB and Green Belt but feel that further capacity can be accommodated sustainably at RTW and therefore object to Policy STR 1 The Development Strategy and STR/RTW 1 The Strategy for Royal Tunbridge Wells which only plans to allocate approximately 1,416-1,536 dwellings at RTW within the plan period.

3.8 Therefore, Berkeley support's Policy STR 9 of the Plan in principle which proposes the removal of land from the Green Belt which is supported by exceptional circumstances. However, Berkeley feel that additional Green Belt land should be allocated on the edge of sustainable settlements such as RTW and Cranbrook to increase the Council's ability to meet their housing needs in full within the Plan period.

3.9 It is clear that the spatial strategy for the Borough is not reflective of the growth strategy set out within the SA which proposes more urban intensification, especially at RTW. As such, the Council will need to allocate more deliverable sites in sustainable locations in addition to their current supply in order to meet their housing needs in full and have a sound adopted Local Plan.

3.10 Additional sites located at the most sustainable settlements in the Borough should be prioritised, such as Tutty's Farm. The site is in a highly sustainable location which can come forward early in the plan period and deliver the type of homes that the Borough needs without the need for major upfront infrastructure.

3.11 Therefore the overarching development strategy and objective of the Plan should be to maximise delivery of sustainable development in and around Tunbridge Wells, and therefore Berkeley objects to Policy STR 1 and Policy STR/RTW 1.

3.12 In summary, the Spatial Strategy as presented in the Plan has not been positively prepared nor is it justified and therefore does not meet the tests of soundness as set out by paragraph 35 of the NPPF.

Question 6

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Please refer to paragraph 6.14 of the attached representations.

[TWBC: for full representation with appendices, please see supporting documents]

6.14 Therefore, we propose that the Local Plan is amended to include Tutty's Farm as an allocation within Policy STR 1/RTW 1 of the Plan.

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:

Please refer to paragraphs 3.7 – 3.12 of the attached representations.

Question 8

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

Please refer to paragraphs 7.1 – 7.14 of the attached representations.

7.0 Sustainability Appraisal

7.1 The Council's SHELAA site assessment has been supported by an updated SA, included as part of the Regulation 19 consultation.

7.2 The Council's assessment of Tutty's Farm remains unchanged from the previous 2019 SA, however the Council has included additional constraints to development within the SHELAA.

7.3 Berkeley would like to refer the Council to the technical work undertaken in support of the SHELAA submission which has been provided to the Council. This work demonstrates that development will be located outside the area of ancient woodland and the Local Wildlife Site which will be sensitively located to limit potential harm to the AONB.

7.4 Berkeley has provided a re-appraisal of the Council's SA assessment which rescores the site in response to the technical work undertaken to date.

[TWBC: for tables, please see full representation attached as a supporting document]

Biodiversity

7.5 Berkeley commits to providing a net biodiversity gain on all new developments. The masterplan has been designed to be landscape-led through enhanced planting and management of significant landscape features within the site.

7.6 On this basis we consider that the site would have no negative impacts on biodiversity and therefore a positive scoring against this SA objective has been applied.

Heritage & Landscape

7.7 Within the SA, the Council's negative heritage and landscape score has been informed by the likely impact on the settlement edge and landscape setting of Tunbridge Wells.

7.8 The 2021 SHELAA assessment is contradictory, whereby the site is referred to as being "adjacent to the LBD of RTW" and has later been discounted as a suitable site for allocation due to being "outside of the LBD". However, the Council's 2019 SHELAA assessment of the site notes that Tutty's Farm would form a "logical extension to the existing allocation adjacent to the site" which adjoins the built up settlement edge of RTW.

7.9 Therefore, the proposed development would be consistent with the existing character and form of RTW and the neighbouring allocation at Hawkenbury Farm and would not cause a negative impact on the settlement edge of RTW.

7.10 As specified at paragraph 5.5 of this submission, the site is well enclosed by vegetation on its northern, eastern and southern boundaries, providing a strong defensible boundary within the landscape setting of Tunbridge Wells.

7.11 Therefore, to reflect the above, the heritage and landscape SA objective scores have been amended to neutral.

Land Use

7.12 Tutty's Farm has an agricultural land classification of Grade 3 which has informed the Council's negative score for land use.

7.13 However, the positive social impacts of the proposed development in the form of a new purpose-built community building, affordable housing for local people and provision of a variety of natural green spaces would constitute a lower negative scoring of the site against this SA Objective.

7.14 Therefore, the land use SA scoring has been adjusted to a single negative to reflect this.

If you would like to attach a file in support of your comments, please upload it here. [PSLP_1678-1682_Berkeley Strategic Land Ltd. Representation Redacted.pdf](#)

Future Notifications

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

Supporting Information File Ref No: SI_90

Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Berkeley Strategic Land Ltd
Address	Berkeley House 19 Portsmouth Road COBHAM KT11 1JG
Event Name	Pre-Submission Local Plan
Comment by	Berkeley Strategic Land Ltd ([REDACTED])
Comment ID	PSLP_1682
Response Date	04/06/21 11:48
Consultation Point	Policy STR/RTW 1 The Strategy for Royal Tunbridge Wells (View)
Status	Processed
Submission Type	Email
Version	0.7
Files	PSLP_1678-1682_Berkeley Strategic Land Ltd. Representation Redacted.pdf
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Berkeley Strategic Land 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/RTW 1 The Strategy for Royal Tunbridge Wells
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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1.0 Introduction

1.1 These representations are submitted by Berkeley Strategic Land Limited ("Berkeley") in response to the Tunbridge Wells Borough Pre-Submission (Regulation 19) Local Plan ("the Plan").

1.2 Berkeley previously submitted representations in response to the Regulation 18 Local Plan, promoting Land at Tutty's Farm, Hawkenbury and addressed issues relating to the Plan's development strategy.

1.3 Berkeley controls Land at Tutty's Farm, Hawkenbury which lies to the southeast of Royal Tunbridge Wells and amounts to approximately 17.2 acres. The site is located adjacent to the allocated Berkeley site at Hawkenbury Farm (Hollyfields), which is currently under construction.

1.4 The site plan for Tutty's Farm is attached at Appendix 1.

1.5 We would like to continue our positive engagement with the local community in the delivery of key facilities as part of the proposed development and welcome the opportunity to collaborate with the Council to bring forward these proposals for Tutty's Farm.

1.6 However, Berkeley wishes to make the following comments in relation to the soundness of the Plan.

2.0 Duty to Cooperate

2.1 Berkeley acknowledges that the Council have published a Duty to Cooperate (DtC) Statement dated March 2021 alongside the current Regulation 19 consultation.

2.2 The Council notes that they have considered meeting neighbouring authorities unmet objectively assessed housing needs, and have engaged and cooperated on issues referred to at Paragraph 1.29 of the Plan such as, housing, economy/employment, infrastructure, and the environment.

2.3 As referred to in the DtC Statement, the Council have set out they are aiming to meet their own objectively assessed housing need. However, the Plan provides the opportunity to identify additional housing sites to not only provide flexibility in meeting the Borough's own housing needs, but also assist in meeting any unmet housing need in the area.

2.4 Specifically in relation to matters relating to the unmet housing needs of Sevenoaks District Council (SDC), the Council notes they have considered meeting the unmet needs derived from SDC in which work has been undertaken through the Sustainability Appraisal (SA) and has informed SDC of the Council's position in relation to meeting their own housing need. However, due to the SDC Local Plan being found to be unsound, the Council are preparing an updated SoCG between TWBC and SDC, whereby an interim SoCG is expected to be signed imminently.

2.5 Berkeley notes that Option 11 of the SA has considered a growth strategy which has the potential to meet the unmet housing needs of some 1,900 dwellings from SDC. However, this option has not been reasonably tested through the identification and assessment of specific, additional sites that could come forward to help meet the unmet housing need derived from SDC.

2.6 However, we acknowledge the uncertainty surrounding the status of the SDC Local Plan and that a further assessment of the extent to which SDC's unmet housing needs can be met by neighbouring authorities will be needed in addition to the preparation of an updated SoCG between the two authorities. Therefore it is prudent that the Plan identifies additional sites that would strengthen the Council's own housing supply position and provide additional capacity for the unmet needs from SDC should any arise following further work on the Sevenoaks Local Plan.

2.7 In summary, additional sites that are well placed to meet any unmet housing need of SDC and to provide an additional buffer to the Borough's housing land supply, should be allocated within the Local Plan to ensure that specific needs are met. Land at Tutty's Farm is available now and can be delivered within the next five years of the Plan period and is located in a sustainable location, well placed to meet the needs of the wider HMA and the Borough.

5.0 Tutty's Farm, Hawkenbury

Site Summary

5.1 The site is located to the southeast of Tunbridge Wells two miles from the town centre and extends to approximately 17.2 acres and can be seen outlined in red on the site plan at Appendix 1.

5.2 The site is located in a sustainable location with both primary and secondary schools both being easily accessible from the site. A new primary school is being constructed as part of the Hawkenbury Farm scheme, which would be within walking distance of Tutty's Farm.

5.3 The Hawkenbury Recreation Ground is located approximately 300m to the northwest of the site as well as local shops and services, which are readily accessible nearby.

5.4 Tunbridge Wells railway station is located approximately 2km from the site and provides direct train services to central London within 45 minutes.

5.5 The site is located within the Green Belt and consists of grassland and well established hedgerows which separate the land into six interconnecting parcels.

5.6 The site adjoins the eastern boundary of Hollyfields, the existing Berkeley site at Hawkenbury Farm, which received planning consent in February 2017 for 235 homes. Through subsequent phases of development and variations to the original consent the total Hollyfields development now comprises 271 homes. Phase 1 is now occupied and Phase 1B and 2 are currently being built out.

5.7 The eastern boundary to Tutty's Farm is bounded by an open field and Hawkenbury Road to the north, with the recreation ground to the north west, while existing woodland lies beyond the eastern and southern boundaries of the site.

Proposed Scheme

5.8 Tutty's Farm can deliver in excess of 100 dwellings, including a range of house types with a mix of 2, 3, 4 and 5 bed homes.

5.9 A masterplan has been produced which includes a proportion of affordable housing, including shared ownership and affordable/social rent tenures which have been evenly distributed throughout the proposed development.

5.10 The masterplan is included at Appendix 2.

5.11 Additional facilities will be provided to address local needs within Hawkenbury, such as the delivery of a new multifunctional community building providing a HQ for Tunbridge Wells Scouts and other local groups. The community building has the potential to serve the wider community as a multi-functional community building which will ensure that the building is used to its full potential.

5.12 Please see a letter from the Tunbridge Wells Scouts addressing their support for plans for a new purpose built facility at Tutty's Farm attached at Appendix 3.

5.13 Further evidence to support the provision of a new community facility in Hawkenbury can be seen through the response by Hawkenbury Village Association to planning application (ref: 21/00300/FULL) at Land adjacent to Royal Tunbridge Wells District Indoor Bowls Club for the expansion of existing sports facilities.

5.14 The response, which is included at Appendix 4, states that residents of Hawkenbury are supportive of the provision of a new village hall that could be used by local families for parties, gatherings, local

yoga/exercise classes. Therefore, this response further highlights a local need for additional community facilities in Hawkenbury.

5.15 The proposed development of Tutty's Farm could help to meet this identified local need.

5.16 The proposed development at Tutty's Farm would deliver a net biodiversity gain. The masterplan has been designed to be landscape-led through the provision of enhanced planting and management of significant landscape features within the development.

Green Belt

5.17 Berkeley has undertaken an extensive Green Belt Review and Landscape Appraisal of Tutty's Farm which shows that the site weakly performs in Green Belt terms in which development would result in a 'Low' level of harm to the existing landscape due to the site's enclosed nature.

5.18 Please see a copy of the Green Belt Review and Landscape Appraisal attached at Appendix 5.

5.19 The Council's two part Green Belt study analyses Tutty's Farm, which was assessed as part of a much larger under parcel "TW6b" and was denoted an overall harm rating of 'High' when assessed as being part of this wider parcel. However, as part of Berkeley's Green Belt Review, when the site is assessed on a standalone basis, Tutty's Farm can be assessed as having a 'Low' level of harm to the Green Belt.

5.20 Berkeley notes the updated Stage Three Green Belt Study (November, 2020) submitted as part of the Regulation 19 consultation which assesses the Local Plan Green Belt allocations. This study denotes a number of allocated sites as 'Low-Moderate', such as Land to west of Eridge Road at Spratsbrook Farm (Policy AL/RTW 16), which is allocated for 120 homes.

5.21 Policy AL/RTW 16 presents similar characteristics to Tutty's Farm, whereby the site's southern edge abuts the boundary of Wealdon District and a Local Wildlife Site, and lies on the settlement edge of RTW. However, the site poses additional constraints such as the northern part of the site is located within the High Weald AONB, the presence of a Scheduled Monument which overlaps the western edge and air quality issues associated with the A26 on the western boundary.

5.22 Furthermore, Land at Hubbles Farm and south of Hastings Road (Policy AL/PE 2) is allocated for 80 homes which has been rated as having a 'Low' contribution. This site also abuts the settlement edge and a Local Wildlife Sites lies to the south. However, the site also poses additional constraints whereby the sites lies within the AONB, adjoins the Pembury Conservation area and has issues relating to noise from the A21 to the south.

5.23 Therefore, we believe that due consideration should be given in the Council's assessment of Tutty's Farm to the new development edge at Hawkenbury Farm which abuts the western edge, which shows that the site lies adjacent to the built up area of Tunbridge Wells. Hence, the Council should re-assess Tutty's Farm as having a 'Low' contribution to the Green Belt purposes and as having no significant constraints that would prejudice the site coming forward.

5.24 In summary, it is Berkeley's view that based on the Borough's requirement to meet their housing needs in full, the site is located in a highly sustainable location on the edge of RTW, combined with the opportunity for Tutty's Farm to provide local benefits such as a new multifunctional community building providing a HQ for Tunbridge Wells Scouts and other local groups, that exceptional circumstances exist to justify the release of the site from the Green Belt.

6.0 SHELAA

Site Suitability

6.1 Berkeley notes the adjustments to the Council's SHELAA site assessment from 2019 to 2021.

6.2 Notably, the 2021 assessment discounts the fact that the site would form a logical extension to RTW. However, the site would form a sustainable urban extension of the Tunbridge Wells urban area which would abut the boundary of the Hakwenbury Farm allocation.

6.3 The 2021 SHELAA site assessment concludes that the site should not be allocated due to the site being allocated as a Local Wildlife site. Berkeley is aware of the designated Local Wildlife Site at Windmill Farm which borders the site's eastern boundary. This wildlife site will be retained as an integral part of the proposed broad landscape buffer as shown on the masterplan in which the proposed development will deliver a net biodiversity gain.

6.4 In addition, the 2021 assessment states that the site should not be allocated for development due to the site abutting the boundary of Wealden District and therefore, would cause harm to the AONB.

6.5 Tutty's Farm is well enclosed by substantial mature vegetation on the northern, eastern and southern boundaries creating a strong landscape framework that provides physical and visual enclosure. Therefore, even though the site abuts the boundary of Wealden District, the site provides a strong boundary, protecting key views from the AONB and the wider Wealden District landscape.

6.6 In addition, development will be sensitively located away from this boundary and the retention of broad landscape buffers at the northern, eastern and western boundaries, particularly at the Local Wildlife Site, will be maintained to ensure an appropriate separation between built development and the surrounding landscape.

6.7 The 2021 assessment refers to highways concerns deeming the site unsuitable for development. A Transport Technical Note has been prepared by Glanville which has utilised up to date available data and agreed traffic flows with Kent County Council (KCC) Highways, which were used as part of the Hawkenbury Farm planning application.

6.8 The Transport Technical Note is at Appendix 6.

6.9 The proposed main site access is to be provided via a safeguarded corridor for a new highway link from the Hawkenbury Farm site. This safeguarded corridor has been designed to ensure that a safe and suitable access can be created into Tutty's Farm that will meet required visibility and highway standards.

6.10 In accordance with KCC standards, there will also be an emergency access link provided onto Hawkenbury Road. The drawing of the location and design of this emergency access has been included within the Technical Note attached to this submission.

6.11 Glanville have confirmed that Tutty's Farm is a suitable location for development in transport terms which would link well with the existing Hawkenbury Farm development.

6.12 In summary, the existing mature vegetation surrounding the site's boundaries provide a strong sense of enclosure to the proposed development, which would ensure that the setting and key views from the AONB and potential harm to the Green Belt would be minimal. Highways concerns have also been adequately addressed through the inclusion of initial highways advice which concludes that an appropriate access can be provided safely.

6.13 As outlined above and demonstrated within the technical work appended to this submission, Berkeley believe that Tutty's Farm is suitable and deliverable and should be allocated within the Local Plan.

8.0 Conclusions

8.1 Berkeley support the Plan's proposal to seek to meet the full housing needs of the Borough through the provision of a minimum of 12,200 homes (678 dpa) up to 2038.

8.2 However, Berkeley believe that there is an unbalanced level of growth distributed throughout the Borough, whereby there is an over-reliance on strategic allocations at Tudeley Village and settlements of Paddock Wood and East Capel, which we have estimated will under-deliver between 2,490 dwellings – 3,750 dwellings within the Plan period.

8.3 In order to meet the housing need in full, the Plan needs to allocate additional housing sites for at least this level of development. Additional allocations should be focused on the most sustainable settlements, notably the only Primary Regional Town Centre in the Borough, at Royal Tunbridge Wells.

8.4 Tutty's Farm is not proposed for allocation, however these representations and the supporting technical documents demonstrate that the site is a suitable and deliverable site, performs weakly in Green Belt terms, is in a sustainable location, can meet local housing needs, and can provide additional local benefits including a new Scout Hut facility, which together amounts to proving that exceptional circumstances exist.

8.5 Tutty's Farm is wholly within Berkeley's ownership and would be a logical extension to the Berkeley scheme at Hawkenbury Farm on the edge of Tunbridge Wells that is under construction.

8.6 Berkeley's re-assessment of the Council's SA outlines that there are no significant or complex constraints that would prejudice the site from coming forward. In addition, the development could provide investment and improvements to the local area by contributing to the success of the proposed

Hawkenbury sports hub through the delivery of a multi-functional community building for the local community.

8.7 The site is also deliverable without the need for major new infrastructure, which will enable the early delivery within the Plan period and the ability of the site to contribute to maintaining a five year supply of deliverable sites.

8.8 Furthermore, we wish to continue to work collectively with the local community and the Council to bring forward these proposals for Tutty's Farm and recommend the site be removed from the Green Belt and allocated within the Local Plan.

[TWBC: for full representation with appendices, please see supporting documents]

Question 6

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6.14 Therefore, we propose that the Local Plan is amended to include Tutty's Farm as an allocation within Policy STR 1/RTW 1 of the Plan.

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

If you would like to attach a file in support of your comments, please upload it here. [PSLP 1678-1682 Berkeley Strategic Land Ltd. Representation Redacted.pdf](#)

Future Notifications

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

Comment

Consultee	Ms Margaret Borland [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] Southborough [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Ms Margaret Borland [REDACTED]
Comment ID	PSLP_1275
Response Date	04/06/21 13:24
Consultation Point	Policy STR/RTW 1 The Strategy for Royal Tunbridge Wells (View)
Status	Processed
Submission Type	Web
Version	0.3
Question 1	
Respondent's Name and/or Organisation	M Borland
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/RTW 1	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Don't know
Is sound	No
Complies with the Duty to Cooperate	Don't know

Question 4a

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

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

Question 5

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There is a risk of confusion as to what area this policy covers.

The strategy is specifically for “the unparished area at RTW”. Inset map 1 is titled Royal Tunbridge Wells and Southborough but shows the built-up areas of RTW and Southborough that together form the Main Urban Area of the borough, and share an LBD. The Index of Policies Maps and Inset Maps on page 11 states that Inset Map 1 shows unparished areas. My understanding is that no part of the area of Southborough within the LBD is unparished. As the boundary between the parish of Southborough and the unparished areas of RTW is not clearly visible on the map, readers of the Plan might assume that Policy STR/RTW 1 applies to the whole of the MUA.

Please see also response to para 5.1- 5.4 and STR/SO 1

Question 6

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Clarify on the Inset Map 1 and/or in Policy STR/RTW 1 what area is covered by this Policy.

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)

Supporting Information File Ref No: SI_124a-z

Comment

Agent	Mr Douglas Bond [REDACTED]
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Consultee	[REDACTED]
Company / Organisation	Castle Hill Developments Ltd
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Castle Hill Developments Ltd [REDACTED]
Comment ID	PSLP_1929
Response Date	03/06/21 16:55
Consultation Point	Policy STR/RTW 1 The Strategy for Royal Tunbridge Wells (View)
Status	Processed
Submission Type	Email
Version	0.4
Files	APP13S~1.PDF APP21T~1.PDF APP10E~1.PDF APP06S~1.PDF APP16W~1.PDF APP03S~1.PDF APP121~1.PDF APP14E~1.PDF APP08T~1.PDF APP02I~1.PDF APP14A~1.PDF APP19C~1.PDF APP05C~1.PDF App 18 Castle Hill Masterplan.pdf APP07H~1.PDF APP15S~1.PDF APP04S~1.PDF

[APP11R~1.PDF](#)
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[APP14D~1.PDF](#)
[APP01L~1.PDF](#)
[APP17A~1.PDF](#)
[App 20 Castle Hill A21 Appraisal.pdf](#)
[APP11C~1.PDF](#)
[APP14B~1.PDF](#)
[APP09U~1.PDF](#)
[Castle Hill TWBC Reg 19 Reps June 2021 Written Statement \(003\).pdf](#)

Data inputter to enter their initials here KJ

Question 1

Respondent's Name and/or Organisation Castle Hill Developments Ltd

Question 2

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

Question 3

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

Question 3a

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

Policy STR/RTW 1 The Strategy for Royal Tunbridge Wells

[TWBC: see full representation attached. Parts have been input into Policy STR1 (PSLP_1912), STR8 (PSLP_1922), STR9 (PSLP_1925), STR/RTW1 (PSLP_1929) and STR/SS3 (PSLP_1932). See also appendices attached]

Question 4

Do you consider that the Local Plan:

Is legally compliant No

Is sound No

Complies with the Duty to Cooperate No

Question 4a

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

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

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

Question 5

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1. INTRODUCTION

1.1 Our clients (Castle Hill Developments Ltd) control the land at Castle Hill that lies to the north of Tunbridge Wells. This site has been promoted through earlier stages in the Local Plan as an alternative location for strategic growth in the Borough, taking account of its significant credentials as a sustainable location for growth adjoining the extensive existing and committed facilities within Royal Tunbridge Wells town. In contrast to other locations, the development of new homes at the site will ensure the embedment of behaviour associated with the sustainable living unlike other locations in the Borough, especially the new community proposed at Tudeley Village.

1.2 An indicative masterplan for the development of Castle Hill is shown below. This relates to the land which has been promoted for residential development through the SHLAA (DPC7).

[TWBC: see full representation attached for Figure 1 – Indicative masterplan for delivery of around 900 homes and associated facilities at Castle Hill, Royal Tunbridge Wells]

1.3 Further to our submissions on earlier stages in the preparation of the Local Plan, the Council has failed to provide an appropriate strategy which seeks to meet the Borough's development needs, especially with respect of housing. Consequently, for the reasons outlined in these submissions, it is not considered that the Draft Submission Plan adequately addresses the Borough's housing needs in locations which are accessible to existing or committed infrastructure and services such as those at Castle Hill which adjoins the edge of the town of Royal Tunbridge Wells, the administrative and commercial heart of the borough and surrounding area with its extensive range of services and facilities including health, education, culture, leisure and employment. Such locations should be considered in advance of the unjustified removal of land from the Green Belt which as detailed in the representations would be wholly consistent with the approach of national policy in the NPPF. We therefore advocate changes to the Local Plan to address these matters.

1.4 Have regard to the concerns with respect of the appropriateness of the approach and its challenges of delivering sustainable growth, we therefore advocate the removal of the proposed allocation at Tudeley Village with its replacement with an allocation at Castle Hill. For the reasons detailed in this submission, growth at Castle Hill due to its relationship with existing and committed development and facilities would result in achievement of sustainable development. Furthermore, the proximity of Castle Hill to services and facilities that residents will need to undertake their daily life ensures that sustainable behaviours are embedded in residents from initial occupation of the homes. This contrasts with that at Tudeley Village which due to the limitations in that local area will result in need for longer journeys to undertake daily lives, which are therefore likely to result in increased use of the car. Once this behaviour becomes the normal for residents in Tudeley, it will be harder to encourage them to switch to more sustainable alternatives once / if they become available.

1.5 The reports and documents submitted with this representation demonstrate the suitability of the approach advocated. As detailed in the representations, this land is not subject to constraints which would prevent its delivery for development at an early stage during the emerging plan period should this be confirmed through the examination of the Plan.

1.6 We also have several comments/representations on the policies within the Draft Submission Tunbridge Wells Borough Local Plan which should be addressed prior to its submission for examination by the Secretary of State.

1.7 In addition, as outlined in our representations to policy STR1, we have significant concerns that the authority has failed in its obligation to discharge the Duty to Co-operate under the Planning &

Compulsory Purchase Act 2004 (as amended), especially with respect of its engagement with other local authorities, especially Sevenoaks District and Tonbridge & Malling Borough.

1.8 As recognised by Inspector's examining other Local Plans (See paragraph 9 of the Inspector's Report into Examination of the Sevenoaks Local Plan (appendix 3) and paragraph 22 of the Letter from the Inspector's regarding the St Albans City & District Local Plan (appendix 13)), the failure to discharge the Duty to Co-operate cannot be rectified once the Plan has been submitted for examination and therefore it must be withdrawn. This is consequently our preferred solution to the Draft Plan as currently prepared.

2. REPRESENTATIONS AND SUPPORTING INFORMATION

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

- Duly Completed Response Form.
- Copy of submissions on behalf of Castle Hill Development Ltd to the Council's Call for Sites in November 2019 (appendix 1)
- Copy of Inspector's assessment of the Tonbridge & Malling Local Plan (15th December 2020) (appendix 2)
- Inspector's Report into Examination of the Sevenoaks Local Plan (2nd March 2020) (appendix 3)
- Sevenoaks DC v Secretary of State for Communities, Housing & Local Government [2020] EWHC 3054 (appendix 4)
- Calverton PC v Nottinghamshire County Council [2015] EWHC 1078 (Admin) (appendix 5)
- St Albans City & District v Hunston Properties [2013] EWCA Civ 1610 (appendix 6)
- Hundal v South Bucks DC [2012] EWHC 7912 (Admin) (appendix 7)
- Tandridge LP Inspector's interim conclusions (11th December 2020) (appendix 8)
- Uttlesford Local Plan post Stage 1 hearings Inspector's letter to Council 10th January 2020 (appendix 9)
- North Essex Authorities (Braintree, Colchester & Tendring) Inspector's Report (10th December 2020) (appendix 10)
- Committee Report on planning application 19/02267/OUT – land east of Kingstanding Way, Tunbridge Wells (appendix 11)
- Decision Notice on application 19/02267/OUT (appendix 12)
- Examiners Report into the City & District of St Albans Local Plan (14th April 2020) (appendix 13)
- Report to Tonbridge & Malling Borough Council's Planning & Transportation Advisory Board of 17th May 2021 (including annexes and minutes) (appendix 14)
- Sevenoaks District Council's press release of 12th April 2021 regarding Local Plan (appendix 15)
- Inspector's Report into Examination of the West Dorset, Weymouth & Portland Local Plan (August 2015) (appendix 16)
- Advearse v Dorset Council [2020] EWHC 807 (Admin) (appendix 17)
- Castle Hill Masterplan (appendix 18)
- Overview Transport Strategy for Castle Hill, addressing transport principles and connectivity. Prepared by i Transport (appendix 19)
- Land at Castle Hill, Tunbridge Wells A21 Impact Appraisal. Prepared by i Transport (appendix 20)
- Land at Tudeley Village Sustainability Technical Note. Prepared by i Transport (appendix 21)

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

Policy

Representation

Policy STR1: The Development Strategy

Objection

Policy STR8: Conserving and enhancing the natural, built, and historic environment

Objection

Policy STR9: Green Belt

Objection

Policy STR/RTW1: The Strategy for Royal Tunbridge Wells

Objection

Policy STR/SS3: The Strategy for Tudeley Village

Objection

Omission site – Land at Castle Hill, Tunbridge Wells (DPC7) – failure to include as an allocation in policy STR/RTW1

Objection

The proposed change that is sought by the objector are:

1. The plan be withdrawn owing to the failure on Duty to Co-operate.

2. Changes sought to the Local Plan with respect of policy STR1.

A) Ensure that the plan period is 2020 to 2039.

B) That the housing requirement is increased to 14,364 dwellings;

C) That the 14ha of employment floorspace is clarified to reflect the assessed need for around 6ha of offices and 8ha of industrial/ warehousing space; and

D) That reference to a new garden settlement at Tudeley Village is removed from the plan.

E) Reference is made to an urban extension allocation at Castle Hill, North Tunbridge Wells.

3. Changes sought to the Local Plan with respect of policy STR8.

The Plan therefore as currently prepared in not sound with respect of:

a) It is not justified with respect of the inconsistency in consideration of landscape impacts between housing and employment sites in the AONB. The Plan includes major employment development in the AONB notwithstanding the clear availability of alternatives such as at Paddock Wood. The authority has not applied the same approach to housing; and b) It is also inconsistent with national policy in the approach to major development in paragraph 172 of the NPPF. This is clear, as indicated in the representation to policy STR1 that there is a clear need for additional housing in the Borough which consequently provides the justification for major development in the AONB, such as that proposed on our client's land at Castle Hill.

4. Changes sought to the Local Plan with respect of the approach to Tudeley village in policy STR8. The Plan therefore as currently prepared in not sound with respect of:

a) It is not justified as the evidence does not support the removal of land at Tudeley for the garden community; and b) It is also inconsistent with national policy in the approach does not adequately reflect the guidance on considering all sustainable opportunities within the Green Belt before contemplating poorly located greenfield sites like Tudeley. It is therefore contrary to paragraphs 137 and 138 of the NPPF.

To address these matters of soundness, a range of amendments are proposed. The proposed changes are:

That reference to Tudeley village is omitted from policy STR8, alongside consequential amendments to other parts of the plan i.e., the policies map to ensure that the Tudeley site is retained in the Green Belt.

5. Changes sought to the Local Plan with respect of the policy STR/RTW1

The Plan therefore as currently prepared in not sound with respect of:

a) Not positively prepared as the policy (alongside others in the document) fails to meet the areas housing needs, including a contribution towards unmet needs of neighbouring authorities,

b) Is not justified as the evidence does not support the exclusion of the Castle Hill site whereas other sites are included which are inconsistent with the assessments and appraisals of the Council; and c) The policy is not consistent with national policy as it fails to deliver sufficient housing to meet the Borough's needs, including that arising in neighbouring ones.

To address these matters of soundness, several amendments are proposed. The proposed changes are. That policy STR/RTW1 is amended to ensure that it acknowledges the allocation of Castle Hill as a development site with consequential amendments made to the document reflecting its identification.

6. Changes sought to the Local Plan with respect of the approach to Tudeley village in policy STR/SS3. The Plan therefore as currently prepared in not sound with respect of:

a) It is not justified as the evidence does not support the removal of land at Tudeley for the garden community; and b) It is also inconsistent with national policy in the approach does not adequately reflect the guidance on considering all sustainable opportunities within the Green Belt before contemplating poorly located greenfield sites like Tudeley. It is therefore contrary to paragraphs 137 and 138 of the NPPF.

To address these matters of soundness, a range of amendments are proposed. The proposed changes are.

That policy STR/SS3 is omitted from Local Plan, alongside consequential amendments to other parts of the plan i.e., the policies map to ensure that the Tudeley site is retained in the Green Belt.

7. Castle Hill Omission Site: Change sought to the Local Plan.

To ensure that the local plan is sound, land at Castle Hill should be included as a residential allocation with consequential amendments to the settlement boundaries on the northern edge of Royal Tunbridge Wells.

3. OVERARCHING POSITION

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

3.2 We have considerable experience and expertise in dealing with and realising development schemes similar to the Castle Hill proposal at Royal Tunbridge Wells through the development plan system having appeared at EIPs constantly over the last 30 years. These appearances have included representations on plan policy and the promotion of urban extensions in Surrey, Essex, Kent, Berkshire, West Sussex, East Sussex, Essex, Hertfordshire, Buckinghamshire, Devon, County Durham, Cambridgeshire, Hampshire and Oxfordshire. In this context, a principal constraint to the timely delivery of housing is the way in which policies for the allocation of sites have been formulated.

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

3.4 In this instance, the draft Local Plan needs to be amended in order to ensure it robustly plans for the delivery of sufficient housing to address a housing requirement established in accordance with national planning policy and guidance. If the Borough's housing requirement was increased by the current capped requirement, this would result in the need for a further 678 dwellings in the Plan.

3.5 However, we contend that if, contrary to our evidence on the Duty to Cooperate obligation, the Inspector concludes Tunbridge Wells Borough has complied with the Duty to Co-operate, a contribution towards unmet housing needs in adjoining authorities should be made, then the Borough's housing requirement should be increased from 678dpa to 756dpa. This uplift together with an extended plan period, which reflects a robust period for examination of the draft Submission Local Plan, indicates that rather than requiring 12,204 dwellings from 2020 to 2038, this should be increased instead to 14,364 dwellings from 2020 to 2039. This is consequently an increase of 2,162 dwellings. On either basis, a proportion of these much needed additional homes could be delivered through the allocation of the land at Castle Hill, to the north of Royal Tunbridge Wells. A March 2039 plan end date would provide for 15 years after the 2023/24 monitoring period during which adoption could be realistic anticipated.

3.6 To address this requirement for additional homes, we contend that land north of Tunbridge Wells, at Castle Hill should be allocated for residential development (SHLAA ref DPC7). Following site analysis reflected in the submitted master plan, the Castle Hill site can accommodate 900 dwellings. As indicated in these representations and the supporting documents this would be a sustainable addition to the town.

3.7 The representations also highlight a failure of the plan as currently drafted to contribute towards addressing the acknowledged unmet needs of neighbouring authorities and the allocation of Castle Hill can also supply homes to resolve this issue. As detailed in the representations, the Castle Hill site would be a logical addition to the existing and committed development at north Royal Tunbridge Wells (Including the development approached east of Kingstanding Way (appendices 11 and 12)) and should consequently be included in the defined extent of the town, alongside its removal from the Green Belt.

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

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

4. THE NPPF TESTS OF SOUNDNESS

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

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

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

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

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

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

4.7 These amendments relate to the need to increase the level of housing provision within a more appropriate plan period, thereby ensuring the emerging plan is consistent with the Government’s planning advice and policy. They also advocated changes to the extent of the defined settlement area of Royal Tunbridge Wells alongside consequential revisions to the Green Belt together with amendments to other policies of the plan.

4.8 These amendments would reflect our view of the clear sustainability advantages of growth at Castle Hill in preference to unsustainable locations where development conflicts with the approach of the NPPF i.e., Tudeley Village. In the case of Tudeley village, due to its identification in advance of locations which are to be preferred having regard to the approach of the NPPF, we contend that the new settlement proposal should be omitted from the Plan with the site retained in the Green Belt.

4.9 Furthermore, to address the additional identified housing need, we advocate that land at Castle Hill, to the north of Royal Tunbridge Wells (DPC7) should be included as an additional allocation within draft policy STR/RTW1.

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

8. POLICY STR/RTW1: THE STRATEGY FOR ROYAL TUNBRIDGE WELLS

8.1 This policy provides an overview of the allocations and development proposed for the town. To be consistent with the amendments advocated elsewhere in these representations it is essential that the policy is revised to ensure that it reflects the changes associated with the allocation of Castle Hill.

10. OMISSION SITE: FAILURE TO INCLUDE ALLOCATION OF LAND AT CASTLE HILL, TUNBRIDGE WELLS AS AN ALLOCATION WITHIN THE LOCAL PLAN CONSISTENT WITH POLICY STR/RTW1 (DPC7)

10.1 Through the other representations submitted to the policies of the plan, there is a need to allocate additional land for housing development. Having regard to the representations and the earlier promotion of the Castle Hill site for residential development, it is clear that this is a suitable location for allocation. These reasons for this are detailed below.

Consideration of Castle Hill through the Sustainability Appraisal

10.2 Alongside the requirements for duty to Co-operate, the authority also has to provide a Sustainability Appraisal (SA). As acknowledged in the Inspector's conclusions on the St Albans Local Plan (paragraph 3) (appendix 13), the assessment can be regarded as flawed if it omits consideration of seemingly obvious reasonable alternatives. In the case of St Albans District, this was with respect of the consideration of smaller non-strategic locations (up to 500 dwellings) which could be reviewed for potential removal from the Green Belt to address the authority's housing needs.

10.3 With respect of employment opportunities, the Sustainability Appraisal for Tunbridge Wells appraised the potential of sites within the AONB and whether the need for this use would justify development within this protected landscape. As indicated in the SA, the authority accepted that the need for employment justifying the release of 13.4ha of land north of Longfield Road, Tunbridge Wells (AL/RTW17) from the Green Belt, notwithstanding its location within the AONB. The SA refers to the role of landscaping as part of the mitigation of the impacts of this employment development (page 304).

10.4 However, the SA discounts all potential strategic allocations for residential development where the site is within the AONB (Table 27, page 86). There is therefore an inconsistency in the Council's approach and therefore an indication that the authority has rejected a reasonable alternative. This is explored further.

10.5 Since the Castle Hill site adjoins the land north of Longfield Road, Tunbridge Wells employment allocation (AL/RTW17), it would be appropriate to have considered its suitability as part of a wider mixed use development as a reasonable alternative.

10.6 The current SA indicates that only two strategic sites were identified as reasonable alternatives (Table 27, page 86). These were growth at Paddock Wood together with the new settlement at Tudeley. The latter was on the basis that the site:

"has potential for good road and rail transport links to London and the larger settlements of Tonbridge and Paddock Wood. Cycle and pedestrian links to either of the latter were felt to be possible. Additionally, the total area of the sites combined would be sufficient to provide many services and facilities within the settlement, thus reducing the need for regular travel to other centres. For these reasons, this site was considered to be worthy of further examination."

10.7 Although this was the justification for assuming Tudeley was a reasonable alternative for a new settlement, there is no reappraisal of whether the assumptions over the deliverability of potential sustainable transport links for the current proposal and infrastructure requirements.

10.8 As indicated in the review of the viability study for Tudeley, it remains unclear how the scheme is supported by robust evidence to secure an effective and justified plan. Similar parallels with the failure of the North Essex Authorities Plan with respect of several of their proposed new communities (appendix 10), the Uttlesford Local Plan (appendix 9) alongside the one in Tandridge (appendix 8). Consequently, the identified viability confirms that other reasonable alternatives such as Castle Hill must be reviewed.

10.9 Furthermore, Castle Hill has ready access to the services of Tunbridge Wells, by virtue of its proximity, as well as being co-located adjacent to major employment opportunities. Consequently, sustainable behaviours can be embedded in new residents here. This contrasts with Tudeley where the necessary local facilities to enable a sustainable lifestyle will not be available for several years, and the scheme will not deliver the scale and scope of facilities and services that can compare to those present at Tunbridge Wells. Therefore, early residents will not have embedded sustainable behaviours.

Landscape impacts upon the AONB

10.10 The Sustainability Appraisal current discounts strategic housing sites like Castle Hill due to their inclusion within the AONB. It has nevertheless through the identification of the employment allocation on land north of Longfield Road, Tunbridge Wells accepted the principle of major development within the AONB (albeit for commercial units).

10.11 This has been further confirmed by the authority's resolution to grant planning permission for up to 74,000m² GEA of B1 and B8 class floorspace on the site (19/022870/OUT). This application was subsequently approved (appendix 12). The Planning Panel Report which considered this application (appendix 11) details the justification in employment terms for allowing the major scheme in the AONB. It states:

“It is recognised within the evidence base for the Draft Local Plan that there is limited availability of potential economic sites and existing sites able to accommodate growth. Bearing in mind the level of employment land required (as discussed above) together with the nature of such sites which generally comprise large buildings with extensive areas of hardstanding, such sites are better positioned within or next to existing built up areas. Another important factor is the connectivity of the sites and their positioning in relation to the surrounding highway and public transport networks. More isolated sites in rural areas (but outside of the AONB) are less suited to this type of use purely due to connectivity and even if such sites were to be allocated, they are less desirable in the market which therefore jeopardises the delivery of planned employment growth.”

10.12 However as indicated above, there were sites promoted at Paddock Wood (Land west of Maidstone Road and north of Eldon Way (Site ref 51 (7.5ha)), land at Little Rhoden Farm, Lucks Lane (site ref 218 (15.8ha)), land at Eastland Cottages, Maidstone Road (site ref 315 (3.16ha)), Kerrylands Sale Field, Lucks Lane (site ref 340 (6.23ha)) and Swatlands Farm, Lucks Lane (site re 347 (8.56ha))) which have been allocated for Employment use in the draft Submission Plan (Policy STR/SS1) and are outside of both the AONB and Green Belt. Furthermore, the Council's evidence on employment indicates that Paddock Wood is an equally attractive location to the market for employment and like Royal Tunbridge Wells has access to both road and rail networks. Therefore, it is clear that there were clear opportunities for employment growth within the Borough whilst avoiding both the Green Belt and AONB. This is especially important as sufficient land had been promoted at Paddock Wood to address the identified needs for employment floorspace, especially for industrial/warehousing without any need to consider land in either the AONB and/or Green Belt.

10.13 It is therefore clear that there were alternatives to the Longfield Road site. Nevertheless, the Council has confirmed major employment growth within the AONB and Green Belt. Consequently, the Council's discounting of major housing growth in the AONB is inconsistent with its acceptance for employment where there were clear opportunities in unaffected areas.

10.14 Therefore, this is a further illustration that the authority has discounted a reasonable alternative with respect of housing growth at Castle Hill, the same applies with respect of the undue weight given to the protection of designated landscape. The authority is clear that development needs can justify major employment development in the AONB notwithstanding the availability of alternatives (as recognised in paragraph 172 of the NPPF), the same therefore applies with respect of housing growth as confirmed above, the potential of employment growth at Paddock Wood was a suitable and deliverable alternative for major employment growth whilst avoiding the AONB and Green Belt at Royal Tunbridge Wells.

10.15 The NPPF (paragraph 172) acknowledges that great weight should be given to conserving and enhancing landscape and scenic beauty in AONB. With respect of the determination of applications, it identifies three elements that could be included in an assessment of the scheme. These are.

a) The need for the development;b) The cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; andc) The effect on the environment, landscape and recreational opportunities, and the extent to which that could be moderated.

10.16 The Council's rejection of opportunities for strategic residential growth in the AONB through the SA does not confirm that the authority has particularly considered the latter criterion for considering schemes, especially when it has accepted major employment growth in the designation, notwithstanding the suitability and viability of land outside of the designation.

10.17 As indicated on the Castle Hill Masterplan (appendix 18) there are clear opportunities for mitigating the impacts upon the wider AONB in allowing development of the site for around 900 dwellings.

10.18 Through robust assessment, the resulting scheme, as shown in the illustrative masterplan, is located sensitively within an edge of the AONB, an edge adjacent to the major settlement of Royal Tunbridge Wells, where the settlement's urban influence is very apparent.

10.19 Both desk-based and field-based baseline assessments, have informed the illustrative design response, from the initial spatial arrangement to an exceptional vision. In relation to the former, development is located down the hill and towards the urban edge, adjacent to existing built edge. One of the attributes of the AONB, the woodland, enable development to be sensitively assimilated into the receiving landscape, set below and behind adjacent mature trees. The retained and enhanced woodlands, Castlehill Wood, Appletree Wood, Devils Wood and Pilgrims Wood, with associated ghyll streams further down the slopes, visually frame and contained the illustrative scheme.

10.20 All of these landscape elements are retained and enhanced as part of the emerging place, as are the two significant hilltop green spaces which includes Castle Hill and the Hilltop Park. In totality, the site is an area of a little over 118.24ha and the land proposed for new built form is 30.34ha. This limitation of extent has moderated the effect of the scheme on the AONB consistent with NPPF paragraph 172 c.

10.21 Beyond the above moderation, further moderation is to be achieved through high quality design, including commitment to a Design Guide. This will commit to the delivery of an exceptional scheme where blue and green infrastructure, biodiversity net gain, detailing of the built form and assemblage of this built form into lanes and streets, that is characteristic of the best parts of the AONB, will positively responded to the High Weald AONB.

10.22 As with any greenfield site, there will be adverse effects upon the environment, landscape and recreational opportunities, but through successful design, the scheme will moderate such effects to the extent that there are beneficial outcomes, as follows:

- Protects and enhances the green, wooded framework, in part (Ancient Woodland) of the site;
- Protects and enhances blue infrastructure, through the retention of ponds and ghyll streams, and the addition of new components of this 'blue' network through a Sustainable Urban Drainage System;
- Provides new accommodation of a high quality, characteristic form and appearance;
- Provides a landscape mosaic of grassland, and buffer planting;
- Improves accessibility through the landscape, via footpath improvements and links into the major development of Tunbridge Wells;
- Proposes a network of external spaces, for both amenity and ecological benefits, spaces for the benefit of the new and existing community alike;
- Creates a new place where both the homes and the landscape positively respond to their context and reflect local character. The scheme recognises that design quality has to be high, and the early visioning work will be translated into an exceptionally high quality scheme.

10.23 Overall, the scheme represents a logical inclusion of a high quality new place into its urban edge context where the sensitivities of the AONB have been recognised. Great weight has been applied to conserving and enhancing the landscape and scenic beauty of the designation, whilst significantly moderating the extent of any detrimental effect on the environment and landscape, through sensitive master planning and design; and the natural ability of the site to successfully assimilate built form. The proposal is therefore consistent with NPPF paragraph 172.

10.24 The authority has indicated that there were limited opportunities promoted for employment development which necessitated the allocation of land within it to meet the identified needs off Longfield Road. Without commenting on this, the draft policy in the Plan emphasises the role of this location (criterion 4 of Policy STR/RTW1) of providing significant employment growth with approximately 90,000m² of B2 and B8 floorspace. The preceding paragraph 5.15 highlights the importance of the Longfield Road allocation to reinforce the site as a prestigious business park for the town, Borough and west Kent. This therefore illustrates the importance of the site.

10.25 With significant job growth envisaged at Longfield Road of between 950 and 2,500 workers on the site (Applying the employment density matrices in the HCA Employment Density Guide of 36m²/worker (B2) and 70-95m²/worker (B8)), there would be a justification for additional homes nearby to minimise journey lengths and providing the opportunity to embed sustainable behaviours i.e., walk and cycle to work. This would therefore provide justification for the development of homes on the adjoining Castle Hill.

10.26 It is also acknowledged that although the draft Plan envisages some employment development at the expanded Paddock Wood (A recognised existing employment location in the Borough as detailed in the Employment Needs Study (i.e. paragraphs 6.49 and 7.8)), there is none specified for Tudeley Garden Settlement in Table 5 of Draft Plan (Paragraph 5.204 of Draft Plan indicates that 10,000m² of commercial and office space will be provided in Tudeley village centre. This will include retail alongside of commercial activities and business space. The Tudeley Delivery Strategy from the site promoters indicates that less than 3,000m² commercial space would be provided alongside more significant retail development). This Table is followed by further explanation (paragraph 4.56) indicating:

"These allocations total some 26.5 hectares. The sites, which are all 'key employment areas' in the Local Plan, each provide for a mix of business (B and E class) uses. They tend to be developed at a lower density than purely office sites, with consequently lower floorspace coverage. Overall, it is still expected that these allocations are appropriate in relation to the minimum provision required. This takes account of the geographic spread of the sites and their relationship to major housing growth. Also, it recognises that there will be additional floorspace, likely in the form of smaller offices and

possibly workshops, as part of the new settlement at Tudeley Village, the locations of which will be identified through the proposed Supplementary Planning Document (SPD).” (My underlining)

10.27 It is therefore clear that locations for housing and employment growth have been carefully considered to be reflective of the distribution. However, with Tunbridge Wells providing over ½ the employment growth, it would be logical and appropriate for it to provide a similar share of housing.

10.28 The authority has indicated that the limited promotion of employment land necessitated the identification of land in the AONB for employment whereas this was not required for housing. The analysis with respect of policy STR1 indicates that the borough’s need for industrial and warehousing space could readily have been met through locations outside of both the AONB and Green Belt at Paddock Wood (Review of the site submissions/assessments especially those of Paddock Wood). Nevertheless, the Council has concluded that it is justified for employment development in both these designations.

10.29 Therefore, the discounting of Castle Hill for housing due to the availability of alternatives is inconsistent with the Council’s approach to employment. Therefore, as indicated in the landscape submissions above, residential development at Castle Hill can be achieved without harm to the wider area. Furthermore, due to the proximity of the site to existing and committed infrastructure and services, Castle Hill is sustainably located for such development, especially as resident’s sustainable behaviour can be embedded from initial occupation. This contrasts with a need for measures to change resident’s behaviour at Tudeley once the services and facilities can be provided.

10.30 Through the examination of the West Dorset, Weymouth & Portland Local Plan (an authority which also had the potential for growth on land within and outside of an AONB (alongside other significant constraints detailed in footnote 6 of the NPPF – see extract below)), nevertheless considered the suitability of an allocation for significant growth at Bridport. This was a site for around 760 homes and 4ha of employment at Vearse Farm, west of Bridport.

[TWBC: see full representation attached for Extract of constraints in West Dorset and Weymouth & Portland]

10.31 The suitability of the Vearse Farm allocation in the draft Plan was assessed in paragraphs 172-177 of the Inspector’s Report (appendix 16). These indicate:

“172. As the largest settlement in this part of West Dorset, Bridport is the most suitable location to meet future development needs in both the immediate and wider area. The proposed development of Vearse Farm on the western fringes of Bridport is therefore consistent with sustainability principles but led to a large number of representations, including a petition, opposed to the allocation. Local residents and organisations object to the choice and scale of the site and contend that development would see a significant expansion in the population of the town adding to existing problems of traffic congestion and pressure on local services and facilities.

173. The size and extent of the allocation challenges the presumption in the NPPF that major development should be avoided in AONB unless there are exceptional circumstances. It is clear to me that the Councils are well aware of the importance of protecting designated landscape but face the difficult problem of balancing such concerns with the need to provide homes and jobs to meet future needs. In order to achieve this and adhere to sustainable development principles it is inevitable that some areas in the AONB will be affected.

174. From my visits to the area I concur with those who say that buildings on Vearse Farm would be visible from various points in the immediate and wider landscape. However, the topography would make it difficult to appreciate the size of the development from any one location and this could be reinforced by appropriate landscaping. If attention is paid to the design throughout the phasing programme it would be possible to introduce variety in the form and layout to help offset some of the concerns about the scale and massing of the development.

175. I was told of various issues such as flooding problems affecting the site, as well as land downstream, which could increase the likelihood that development would intensify run-off and have adverse consequences for areas between Bridport and West Bay. I cannot discount this but there has been no formal objection by the Environment Agency to suggest this is so serious an issue to curtail either some or all of the housing and employment uses proposed for the site.

176. Similarly, there are fears that traffic generated by the scheme would add to congestion and pressure on the highway network, particularly West Allington Road (B3162). This is the main route into Bridport from the west and one which, I was told, is very sensitive to further development. I am aware that congestion is a significant issue, particularly at peak times and during the summer months. Nevertheless, the Highway Authority is satisfied that measures can be taken to accommodate the level of development involved.

177. It was suggested the forthcoming neighbourhood plan for Bridport could be used to examine development options before a final decision was made. I regard this as unrealistic given that the plan is at an early stage of preparation. The delivery of Vearse Farm is a crucial element in the Councils' housing land supply calculations. Deferring a decision until such time as a neighbourhood plan can be put in place would undermine the soundness of the LP and increase the risk of schemes being promoted in locations where the individual and cumulative impact of development may be greater. On balance and having regard to the site's location and other issues I have referred to, I consider there are exceptional circumstances to justify the identification of Vearse Farm in the LP."

10.32 The approach in West Dorset clearly considered the impact upon the AONB and how the housing/employment needs of the area justified major development in this designation through the Local Plan. The same approach can readily be followed in Tunbridge Wells Borough with respect of Castle Hill, given the benefits of providing housing and employment growth on adjoining sites adjacent to the main town in the authority.

10.33 The appropriateness of the approach for Vearse Farm, Bridport, Dorset in accepting major development in an AONB has been endorsed by the Courts in the judgement of *Adverse et al v Dorset Council* [2020] EWHC 807 (Admin) (appendix 17). This related to an assessment of the Council's determination of an application for 760 dwellings, 4ha of employment and other uses on the site allocated in the Local Plan. The judgement (paragraph 40) acknowledged that the suitability of major development in the AONB had been thoroughly reviewed through the examination of the Local Plan and therefore the authority was justified to conclude the application was acceptable. The judgement (paragraph 41) referenced that the Local Plan Inspector had considered the scope for meeting development outside the designated area before concluding it was appropriate.

10.34 Whilst the NPPF (paragraph 171) indicates that there should be a hierarchy to the protection of designated sites, it recognises that land of the least environmental value should be selected for development. As outlined in the representations, the site at Castle Hill is significantly better in terms of its sustainability credentials due to its proximity to existing and committed services and facilities to ensure appropriate behaviours are embedded from initial construction, unlike that feasible at Tudeley village.

10.35 Although paragraph 172 is of particular relevance to determining applications, it also provides a framework for determining the suitability of growth within an AONB through plan making.

10.36 Having regard to the three criteria, both housing and employment need (latter already accepted by the authority with respect of the land east of Kingstanding Way) provides justification for development in the AONB. As noted, the Council's acceptance of a need for employment was accepted, notwithstanding the clear suitability and availability of land at Paddock Wood which could meet the identified needs whilst avoiding both the AONB and Green Belt.

10.37 Secondly, in contrast to the clear sustainability benefits arising from the proximity of housing at Castle Hill to the existing and committed services and facilities in Royal Tunbridge Wells, it is clear that this is a further factor in support of the site, rather than Tudeley village. The benefits of locating significant housing and employment close to each other at Royal Tunbridge Wells is therefore a further justification for growth at Castle Hill.

10.38 Thirdly, the Castle Hill scheme will retain the existing blocks of woodland (as indicated on the masterplan). The scheme will also include significant landscaping to further minimise impacts (A solution accepted by the authority as mitigation for the Kingstanding AONB impacts in paragraphs 10.78 of the Planning Committee Report (appendix 11)). Additionally, the bulk and scale of buildings will be less than the commercial units which the authority have accepted on the land east of Kingstanding Way (see paragraph 10.68 of the Planning Committee Report (appendix 11) and like the employment scheme, will be viewed within the context of the adjoining built development (paragraphs 10.69 & 10.70).

10.39 Consequently, as recognised by the Council in their assessment of the employment site on land east of Kingstanding Way, development at Castle Hill would also be acceptable having regard to paragraph 172 of the NPPF. accordingly, the Castle Hill site has the ability to successfully accommodate the proposed form and scale of development within the AONB without overriding detrimental effects.

10.40 Furthermore, the SA approach to the strategic employment allocation within the AONB (Appendix F, Page 304) notes the highest levels of employment need occur at Tunbridge Wells as a justification for development within the AONB and that the landscape score reflects the significant but, short-term impacts that will arise but will reduce once the woodland to the east matures. Adopting this NPPF 172 compliant approach to the Castle Hill scheme, this too is in the area of highest residential need.

10.41 As to the extent to which the proposal can be moderated (NPPF paragraph 172c), the Council have relied upon proposed landscaping maturing for the Longfield Road employment allocation. In contrast, the Castle Hill project is moderated by its existing blocks of mature woodland that already contain and therefore moderate the effect of the proposal on the wider surrounding AONB landscape. Evidently, there is an inconsistency within the SA to the consideration of these major schemes within the AONB. If the approach adopted by the SA to the Longfield Road employment site is applied to the Castle Hill scheme, then the latter should not have been rejected at the initial AONB sieving stage and could have come forward as a reasonable alternative and be included within the local plan. A modification to the Local Plan is consequently required to address this.

Green Belt

10.42 The Castle Hill Masterplan highlights the very limited harm to the borough's Green Belt given the well contained nature and definition of the site (by the A21 to the east, railway line to the west and mature Ancient Woodland to the north) which would arise from this site's omission from this designation.

10.43 Although the Council's Stage 1 and 2 Green Belt assessments discounted the suitability of the Castle Hill site, this was with respect of a larger area of land that had been promoted for development. The studies also rejected the suitability of the Tudeley new settlement location, nevertheless through an unpublished 3rd Study an alternative conclusion has potentially been reached. Had the same exercise been undertaken for a more refined Castle Hill site, its acceptability would have also been confirmed.

10.44 Castle Hill lies within the wider BA2 parcel with Tudeley split between parcels BA3 and BA4 which is also a large parcel.

[TWBC: for map see full representation attached]

10.45 Although the Castle Hill site was appraised through the Council's Green Belt assessment (parcel BA2), as illustrated on the extract above, this related to an extensive area of land. In contrast, the Council in assessing the parcel containing the land off Kingstanding Way allocation concluded that the site could be developed without significant impact or harm to the Green Belt (parcel TW4 in the Stage 2 Study).

10.46 The table below therefore assesses the contribution of the Castle Hill site based upon the smaller area promoted through site DPC7, rather than the extensive area of BA2.

Purpose

Comments

Rating

1 – Check the unrestricted sprawl of large built-up areas

The parcel is adjacent to the large built-up area and has a strong degree of containment by permanent features including rising land, the A21, railway line and blocks off ancient woodland. This containment limits the degree of unrestricted sprawl of a large built up area to only a localised and site area only degree.

Moderate

2 – Prevent neighbouring towns merging into one another

Development of this parcel would result in no perception of the narrowing of the gap between towns, especially in the context of the topography and screening provided by the woodland on the northern edge of the site which would be retained

Weak or no contribution

3 – Assist in safeguarding the countryside from encroachment

The parcel relates more strongly to the settlement than to the wider countryside. The strong degree of site containment limits the degree of encroachment to a localised and site area only degree.

Relatively weak

4 – To preserve the special character of historic towns

The parcel forms a minor element in the historic setting of Tunbridge Wells

Relatively weak

5 – Assist in urban regeneration by encouraging the recycling of derelict and other urban land

Individual parcels are considered by the authority in their Green Belt Assessment to make an equal contribution towards this purpose. The same logically applies to the Castle Hill site and therefore it is not assessed further.

Not assessed

Green Belt boundary Strength

The distinct change in landform, mature blocks of woodland, the A21 and railway line create strong Green Belt boundaries, as confirmed in the Landscape Assessment.

10.47 The assessment in the table is clear that development of the Castle Hill site can be released from the Green Belt without significant harm, comparable to the position of the authority with respect of the Kingstanding Way allocation (that has subsequently been granted permission). The Castle Hill site by its degree of containment and physical and visual association with the existing built up area of Royal Tunbridge Wells is less sensitive in Green Belt terms than the Tudeley village allocation, irrespective of the relative sustainability characteristics of the two locations.

Castle Hill Transport Connectivity and Sustainability

10.48 The client's transport consultants have prepared a note of an overview Transport Strategy for Castle Hill, addressing transport principles and connectivity. This is attached as appendix 19.

[TWBC: see full representation for Location and Connectivity of Castle Hill to Tunbridge Wells]

10.49 The location of Castle Hill makes it highly suitable for major and sustainable development being:

- Located adjacent to the main service and administrative centre in the area (Tunbridge Wells), reducing the length of journeys required to reach key services and facilities;
- Collocated with major employment opportunities, offering an unrivalled opportunity for sustainable access to jobs on the doorstep and promoting access by active mode;
- Closely located to everyday facilities within reasonable walking and cycling distance of the site;
- Well-connected to key transport infrastructure, including an established bus and rail network, and good quality walking and cycling connections to local destinations and attractions; and
- Adjacent to the primary road network (the A21 and Longfield Road) ensuring that residual car demands are directed to roads suitable and able to accommodate additional traffic.

10.50 Overall, the scheme would represent a logical and sustainable extension to Tunbridge Wells and one that is better located by comparison to most if not all other alternatives at this scale of development.

10.51 Underpinning the proposals for Castle Hill are a series of transport principles which will guide the development of the site to ensure the delivery of a sustainable and successful new community:

- Connected Communities
- Healthy Lives
- Better Environment
- Smart Development

10.52 The location of the site relevant to key local facilities, and benefiting from sustainable travel connections on the doorstep, means that the development offers a significant opportunity to create a sustainable and integrated development, without the need for a significant and unviable / undeliverable transport strategy, a characteristic of the Tudeley village allocation.

10.53 Existing opportunities for sustainable movement will be enhanced by the provision of a mixture of everyday uses on the site and the delivery of a comprehensive Sustainable Transport Strategy comprising a package of measures to enhance access by all travel modes.

10.54 Existing bus services can be extended to incorporate the site and the scheme can connect to established movement corridors, and the national rail network is within easy reach of the scheme.

10.55 Walking and cycling connections can be achieved to Pembury Road, to connect to the existing Tonbridge – Tunbridge Wells cycle route, and south to North Farm / Kingstanding major employment area and wider Tunbridge Wells urban area, accessing established walking and cycling infrastructure. Public rights of way and local routes can be improved to enhance opportunities for sustainable movement.

10.56 Vehicular access to the site can be achieved to the A21 at Pembury Road, with secondary access to Longfield Road and North Farm Lane (for access to Dowding Way). The northbound A21 slips would be relocated to the site and would deliver quality access to Castle Hill.

10.57 Notwithstanding the sustainable credentials of the site, Castle Hill will generate traffic demands on the local network. Appraisal of traffic impacts identifies that:

- The Castle Hill Scheme is well located to the strategic road network, in a location which does not exhibit any significant congestion issues; and
- The scheme will result in generally a less than 5% impact on the local network, resulting in 1-2 additional vehicle trips each minute on local roads in peak periods. This is a modest impact and capable of being accommodated.

10.58 The location of the Castle Hill adjacent to the established main settlement and connecting to existing and established infrastructure means that no major infrastructure (such as new roads) is needed.

10.59 Overall, there are no transport reasons why Castle Hill cannot be successfully achieved in line with National Planning requirements. The site would represent an excellent opportunity to achieve a sustainable new community, connected to the primary settlement in the district which offers unrivalled sustainable travel opportunities, and in an area where there is adequate infrastructure to accommodate the demands of growth.

Castle Hill A21 Access

10.60 The clients transport consultants have prepared a 'A21 Impact Appraisal' (appendix 20 which sets out the proposed access strategy to the Castle Hill site and provides an assessment of the impact of the access strategy on the A21. The assessment has been informed by engagement with Highways England. It has been demonstrated that:

1) New slip roads can be provided onto the northbound A21 carriageway that comply with design standards and have sufficient capacity to accommodate the additional traffic from the proposed development; 2) The geometry of the Capel junction onto the southbound A21 carriageway complies with design standards and has sufficient capacity to accommodate the additional traffic from the proposed development; 3) The layout of the existing on and off slips at the A22 / Longfield Road / Tonbridge Road junction are underutilised and therefore no junction layout alterations are necessary; 4) The A21 / Longfield roundabout and A21 / Tonbridge Road roundabout improvement being delivered as part of the expansion to Kingstanding Business Park will operate within capacity with the additional traffic from the proposed development; 5) New slip roads will be provided onto the northbound A21 carriageway to address concerns raised by Highways England in relation to the separation between the Capel and Longfield Road junction; and 6) The existing slip roads onto the A21 southbound carriageway will be retained (which have a greater degree of separation). The development will only result in a modest increase in weaving movements. The analysis indicates that short weaving sections of around 200m may be appropriate on urban roads with weaving flows of the magnitude anticipated in the Design Year. This is shorter than the 400m weaving section available between the junctions on the southbound A21 carriageway. Moreover, the additional weaving movements will be undertaken by motorists largely familiar with the layout of the junctions and because there is no lane gain or lane drop between the junctions, traffic from the development does not need to change lane between the junctions.

10.55 The A21 impact appraisal confirms that the site can be satisfactorily accessed off the A21 in addition to vehicular connections to the south.

[TWBC: see full representation for Castle Hill Masterplan]

10.61 The masterplan for Castle Hill looks to bring together a new neighbourhood of an exceptional quality, inspired by the High Weald and set within a natural, well-enclosed site on the northern edge of Royal Tunbridge Wells. New homes build upon the surrounding High Weald character and form,

drawing on the AONB Design guide to reflect the architectural and landscape qualities found within the area. The scheme will function as a natural sustainable urban extension to the town, well-contained by the A21 to the east, a woodland ridge to the north and a railway line to the west.

10.62 The site is naturally formed by the wooded areas that frame the site. The north-eastern part of the site is on rising ground, with mature woodland forming the wooded ridge that forms a prominent skyline feature within distant views to the south and also north on the approach along the A21. The masterplan successfully retains and works around these wooded areas that act as a strong visual amenity feature, contributing to the appearance of the local and wider landscape, and enclosing the site and embedding it into the landscape. The site includes areas of Ancient Woodland and Castle Hill Scheduled Ancient Monument, both of which have been incorporated into the masterplan design. Each are dealt with in turn below.

10.63 The woodlands within the site form a strong sylvan framework within the local and wider landscape. In particular, the wooded ridge to the north forms a prominent skyline feature within views from the south that naturally contains the site. As previously stated, the site is well-enclosed in the wider landscape, is physically and visually well related to the urban area of Royal Tunbridge Wells to the south and will, for the scale of the proposed development, have limited localised effects on the wider AONB landscape. The mature landscape framework ensures that the proposal and its effect on the AONB is moderated to a significant degree from the outset. More localised effects will be moderated by the careful location of development parcels and its sensitive integration with green and blue infrastructure. New homes will be planned within this existing landscape framework, enclosed by the woodland ridgeline and setting of Castle Hill.

10.64 Given the inclusion of Priority Habitat woodland on the site, the masterplan incorporates 25m buffer zones within the design, protecting the Ancient Woodland. The size and type of buffer zone required varies depending on the type, scale and impact of development. Natural England recommend a development set back of at least 15m to protect the woodland, create an appropriate setting and contribute to wider ecological networks and be part of the green infrastructure of the site. The masterplan has, however, increased the buffer zone to 25m, in accordance with TWBC draft Local Plan Policy EN15. The masterplan respects these features by using the appropriate offsets to secure the preservation of the Ancient Woodland. There will be a positive opportunity to improve the Ancient Woodland through the development scheme, including woodland management, rationalising existing recreational activities and woodland restoration including a transition to native species.

10.65 The masterplan creates new areas of parkland, linking together key landscape features and woodland groups. A northern ridgeline park opens views to the northern woodland ridge and acts as a connecting parkland between both the hilltop areas to the east (Castle Hill) and west (proposed Hilltop Park). A new wetland and wooded parkland is also created in the southern part of the site, with the creation of new habitat and drainage ponds located within new woodland groups. This southern park also acts to protect the character of the western hamlet and creates key habitat and ecological connections between Ancient Woodland groups.

10.66 The Castle Hill Scheduled Ancient Monument lies on the north-eastern part of the site. It is primarily of significance for its archaeological value and is of limited historical value. It is not considered that the SAM has any architectural or artistic value. Based on the information currently available, the significance of the Scheduled Monument is considered to be high and the remains of national importance. However, the condition of the monument is likely to have been degraded as a result of historic and particularly modern ploughing. In addition, a series of archaeological excavations and the installation of pylons during the 20th century will have further degraded the condition of the monument.

10.67 A new local centre has been created around the existing Oast House, located at Castle Hill Farm, establishing a new heart to the community and creating a welcoming arrival from the A21. New community facilities and a retirement / care home are located at the foot of Castle Hill. A new two-form entry primary school has been located closely to the local centre, benefitting from the immediate access to the A21 and the local facilities. The school pitches offer the potential to offer additional provision and use to the local and wider community.

10.68 The local centre acts as a central hub for infrastructure, with traffic incoming from the A21 with northbound access. Connections to the old A21 provide southbound access to the A21. The local centre acts as the interchange for these routes, with links further into the development via the proposed spine street. Primary access to the development is located to the east, with immediate access from the A21. A newly designed slipway from the motorway provides access into the scheme, running

adjacent to the historic driveway. New landscape and avenue planting create a unique arrival into the development and extends along the spine street through the development.

10.69 The spine street acts as the primary route through the scheme, as well as key pedestrian and cycle links. The historic driveway is also identified as a key pedestrian and cycle route east-west through the development and links to wider cycle and pedestrian routes. The route will be enhanced to function as a key route with new landscaping and tree planting along its route to create a feature route and sets the edge to the development.

10.70 The masterplan seeks to achieve access to the south from the recently approved Kingstanding development and from North Farm Lane. These routes provide immediate access to Dowding Way and North Farm Road, with direct links towards the centre of Royal Tunbridge Wells.

10.71 The masterplan for Castle Hill sets out a strategic framework for delivering a new community set within the existing landscape setting north of Royal Tunbridge Wells. The site takes into account all the physical constraints of the site, above and below ground, to create a scheme that achieves a balance between both nature, landscape and new homes. In doing so, the proposal creates a place that is embedded within the character of the High Weald as a Hillside community, set within the existing landscape framework.

10.72 We consider that part of the solution to addressing the identified shortfall is to allocate land at Castle Hill, Tunbridge Wells as a high quality and sensitive sustainable urban extension for residential development alongside consequential changes to the policy map.

11. OVERALL CONCLUSIONS

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

11.2 As indicated in the representations, the Plan as currently prepared does not comply with the Duty to Co-operate through a failure to effectively consider how unmet housing needs of neighbouring authorities, especially Sevenoaks District, is to be addressed. The authority has not actively engaged with Sevenoaks and like Tonbridge & Malling (whose plan has also been found to fail the Duty) it is clear that the approach of Tunbridge Wells is insufficient in respect of their legal obligations. The plan also fails under Duty to Co-operate given the significant cross-boundary impacts that arise from Tudeley on neighbouring Tonbridge & Malling. The plan should consequently be withdrawn, and the authority tasked with demonstrating compliance with the Duty to Co-operate obligation including how best to address housing need in the wider area.

11.3 The plan should consequently be withdrawn, and the authority tasked with demonstrating compliance with the duty.

11.4 Irrespective of the failure to comply with the Duty to Co-operate, the plan is not sound with respect of:

a) It is not positively prepared as it does not seek to address the borough's housing needs, therefore further sites should be allocated;b) It fails to allocate land at Castle Hill that has been demonstrated to be a suitable, available and deliverable site that can contribute in a sustainable way to meeting the Council's and wider area's housing needs;c) It is not positively prepared as it fails to boost the supply of housing by seeking to address the uncapped housing need derived through local housing need. This failure is compounded by the lack of identification of further sites to contribute towards addressing unmet need of neighbouring authorities;d) It is not justified with regard to the timeframe that the examination of the Local Plan will take resulting in a delayed adoption of the document;e) It is not justified with respect of the inclusion of land at Tudeley Village to which we object;f) Is not justified in detailing the split in employment needs between offices and industrial/warehousing space; and
g) It is also inconsistent with national policy in the failure to both boost housing supply and make a contribution towards addressing the housing needs of neighbouring authorities as required by paragraph 60 of the NPPF.

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

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

That policy STR1 is amended to:

A) Ensure that the plan period is 2020 to 2039. B) That the housing requirement is increased to 14,364 dwellings; C) That the 14ha of employment floorspace is clarified to reflect the assessed need for around 6ha of offices and 8ha of industrial/ warehousing space; and D) That reference to a new garden settlement at Tudeley Village is removed from the plan. E) Reference is made to an urban extension allocation at Castle Hill, North Tunbridge Wells.

12. FINAL REMARKS

12.1 We trust the above comments are of assistance in preparing the next iteration of the Local Plan and await confirmation of receipt of our representations in due course.

12.2 We welcome the opportunity to open up dialogue with the Council in order to further proposals which would result in the changes advocated, including the allocation of our clients' land.

12.3 Additionally, we confirm that we wish to be notified of each further step in the preparation of the Local Plan, including its submission to the Secretary of State, the publication of the Inspector's Report into the Examination of the Plan together with the adoption of the Local Plan.

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.

Change sought to the Local Plan.

10.73 To ensure that the plan is therefore sound as detailed in the representations, land at Castle Hill should be included as a residential allocation with consequential amendments to settlement boundaries on the northern edge of Royal Tunbridge Wells.

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 assist the Inspector and examination on Duty to Cooperate and issues of soundness that require verbal submissions in response to Matters and Issues to be identified by the Inspector.

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_140

Comment

Agent	Miss Katherine Miles ([REDACTED])
Email Address	[REDACTED]
Company / Organisation	Pro Vision
Address	The Lodge Highcroft Road Winchester SO22 5GU
Consultee	([REDACTED])
Company / Organisation	Cooper Estates Strategic Land
Address	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Cooper Estates Strategic Land ([REDACTED])
Comment ID	PSLP_2051
Response Date	04/06/21 16:54
Consultation Point	Policy STR/RTW 1 The Strategy for Royal Tunbridge Wells (View)
Status	Processed
Submission Type	Email
Version	0.5
Files	Pro Vision for Cooper Estates Strategic Land - full representation with appendices.pdf
Data inputter to enter their initials here	KJ
Question 1	
Respondent's Name and/or Organisation	Cooper Estates Strategic Land
Question 2	
Agent's Name and Organisation (if applicable)	Pro Vision
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/RTW 1 The Strategy for Royal Tunbridge Wells

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.

Please see the attached representations statement prepared by Pro Vision on behalf of Cooper Estates Strategic Land along with the associated appendices. However in summary we have the following comments:

Duty to Cooperate

We have significant concern that, given the context of the problems already identified through the respective Examinations of the SDC and TMBC plans, that the TWBC plan, in the same HMA, is at risk of failing the legal test on the specific matter of a lack of strategic, cross-boundary planning to meet housing needs. We consider that the three Councils have failed to engage constructively to resolve the issue of unmet housing needs, and given the findings of the Inspector in respect of the SDC Examination, namely that "The absence of such engagement means that neither the submitted plan nor neighbouring authorities' plan-making processes have been shaped by adequate consideration of how Sevenoaks' full housing need was to be met", the Regulation 19 LP should not proceed to submission. Instead, TWBC should engage directly with SDC and TMBC to work together to address the housing needs of the West Kent Housing Market Area.

Meeting the needs of Older People

We welcome the recognition by TWBC that there is a specific need for extra care accommodation within the Borough. However, we conclude that insufficient sites are proposed for allocation to meet the identified need. Sites proposed for allocation either will deliver residential care homes / beds instead of extra care accommodation, and/or they may either be undeliverable or with no certainty of deliverability from the evidence available, and in respect of the proposal allocation of the Woodsgate Corner site, even if this site were to come forward for Extra Care housing, the Council itself acknowledges this will not be before 2031 and so therefore this site does nothing to meet the need which is accepted to exist now. We conclude that this need can only be met fully by providing for additional sites through the Local Plan including the land at Sandown Park, Tunbridge Wells.

Soundness

Notwithstanding our concerns about legal compliance, we consider that modifications are required to Paragraph 6.350, and that the Council should not seek through the Local Plan to influence the interpretation of the Use Classes Order. This should be left to the decision-making process, where applications are assessed and determined on their merits and on the facts of the case before the Council at that time. We consider that amendments should be made to Policy H3 to eliminate ambiguity by removing the reference to “units” and insert instead the word “dwellings” to ensure consistency in the policy. We consider that the Plan is also unsound in that there has been no assessment of the viability of seeking affordable housing from C2 residential care community (Extra Care) developments, and so the plan and its evidence base have had no regard to the unique development and operating costs of such developments. The policy is considered to make such developments unviable.

The modifications to the Local Plan suggested on behalf of CESL are necessary to ensure that it would be positively prepared, justified, effective and consistent with national policy.

[TWBC: the full representation (attached with appendices) has been divided into Duty to Cooperate (whole Plan) (PSLP_2048), Policy H6 (PSLP_2049), Policy AL/PE6 (PSLP_2050), Policy STR/RTW1 (PSLP_2051) and Policy H3 (PSLP_2052). As there are many footnotes throughout the representation these have been referenced in a list at the end of each part of the representation].

1.0 Introduction

1.1 These representations have been prepared by Pro Vision on behalf of Cooper Estates Strategic Land Ltd (CESL). CESL is the owner of the land at Sandown Park, Tunbridge Wells (the Site). Pro Vision are chartered Town Planners, Architects, Urban Designers and Ecologists.

Background

1.2 The Site has previously been promoted to Tunbridge Wells Borough Council (TWBC). The Site features in the 2009 Strategic Housing Land Availability Assessment (SHLAA) in two parcels (See **Appendix 1**): Parcel 55 - the land north of Blackhurst Lane; and Parcel 56 - the land south of Blackhurst Lane).

1.3 For Parcel 55, TWBC concluded in 2009:

- . “the site is very well screened with a woodland border so no significant views into and out of the site”; and
- . “it could be suitable for a sensitive ... development... in a woodland setting”.

1.4 For Parcel 56, TWBC concluded:

- . “the site is very well enclosed by woodland boundary to the north, east and west of the site, but the area to the south, exposed to Pembury Road is open”; and
- . “sensitive...development could be accommodated taking in to account the presence of Ancient Woodland and the need for landscaping to protect the open views to the south”.

1.5 The site was subsequently promoted as an omission site for C2 uses within the processes that culminated in the Site Allocations Local Plan (SALP). This included the submission of comments to the Draft SALP in March 2015 and attendance at the Examination between October and December 2015. This also included a Judicial Review that concluded in February 2017.

1.6 The thrust of the CESL representations, including the Judicial Review, were that:

- 1 the housing need for older persons in the 2010 Core Strategy was not based on a National Planning Policy Framework compliant Full Objectively Assessed Need; and
- 2 there was, at the time of the SALP Examination, an uncontested independent and reliable evidence of quantified existing C2 need for an additional 1,400 specialist dwellings for older persons in the

- Borough between 2013 and 2033 (70 units per annum) in the Council's 2015 Strategic Housing Market Assessment (SHMA)²; and
- there was a separate need for 796 care and/or nursing home bedspaces in the same 2013 and 2033 period³; and
- 1 only 3 sites were allocated in the SALP that may have been suitable for C2 uses⁴, but in any event, these were dependent on market forces to deliver these as C2 schemes instead of as C3 housing.
- 2 In any event, these 3 sites would only deliver a maximum of 227 units, and only then if all of the largest site was fully delivered as C2; but as vi. the Council considered that any care facility that did not involve staff attending to bedspaces within an institutional population would constitute a C3 use, not a C2 use; so
- 3 the SALP did not seek to allocate the Site for C2 use within the context of the 2010 Core Strategy.

1.7 At the SALP Examination on 9 December 2015, TWBC conceded that, notwithstanding the above points, the issues raised regarding C2 need would be taken forward via an early subsequent review of the Core Strategy / SALP⁵. This process now forms the emerging Local Plan the subject of this Regulation 19 consultation.

1.8 CESL pursued a Judicial Review (JR) into the SALP adoption. The reasons for the JR are documented in the submitted "*Joint Statement of Facts and Grounds*" made between CESL and TWBC⁶ as part of the JR process. These indicate that the JR was made because:

- The SALP Inspector misunderstood the Claimant's primary case (that the SALP did not address the need for homes of older persons (including, but not only, care homes) as identified in the Core Strategy in 2010) and that he failed to address the issues arising from this position (Appendix 3, Para 59); and so
- The SALP Inspector did not allow the possibility that the SALP could have sought to select and allocate Greenfield sites adjacent to the Limits of Built Development (LBD) at Tunbridge Wells, within the context of a need that had been identified by the 2010 Core Strategy, but which was unmet by the SALP (Appendix 3, Paras 66 and 68); and
- The SALP Inspector concluded, erroneously, that he was precluded by case law from taking into account changes in evidence and policy that have taken place since the Core Strategy was adopted in 2010 (Appendix 3, Paras 80 - 89).

1.9 The February 2017 Judgement to the Judicial Review⁷ concluded that the JR was unsuccessful and that the SALP did not need, at that time, to allocate further sites for C2 use. This was because the 2010 Core Strategy (CS), to which the SALP was a daughter document, set no target for it to do so itself because there was no need identified within the CS for such sites.

1.10 In other words, the reason for the JR failure was not in relation to the merits of the need argument outlined at Para 1.6 above (which evolved after the Core Strategy was adopted), or whether the proposed allocation was or was not C2 use; but a procedural one alone (i.e. the relationship of the SALP to the CS).

1.11 The Site was promoted as a potential C2 development site during the Call for Sites exercises (July 2016 and May 2017) relating to this emerging Local Plan.

1.12 Pro Vision made representations on behalf of CESL to both the Issues and Options stage (June 2017) and the Draft Plan stage (Regulation 18, November 2019) of the emerging Local Plan regarding the policy context for C2 proposals.

1.13 The thrust of the representations at Regulation 18 stage was that, notwithstanding the commitment made by TWBC during the SALP Examination (Appendix 2) to revisit the C2 need and possible allocations resulting:

- The 2015 SHMA, which informed the SALP process, continues to be relevant to the emerging Local Plan. Furthermore, the 2017 Update to the same⁸ sets out the changes to the number of people aged 75 and over who are expected to be living in some form of C2 accommodation which indicates an increase of about 750 people over the 2015-35 period in Tunbridge Wells – equivalent to 37 units per annum (Paragraph 8.3);
- Accordingly, there is still a significant, Council-acknowledged, need for accommodation for the older people;
- The Council continues to assume that the market should be left to decide whether to deliver any site as conventional (C3) housing, for which there is a pressing need within the Borough anyway; consequently

- . The Regulation 18 Consultation Local Plan only carried forward an allocation from the SALP (AL/RTW 32 at Beechwood Sacred Heart School). This site benefits from planning permission⁹, issued September 2017. Therefore, this allocation does nothing to support the established unmet need, and the future need identified within the Borough by the evidence base supporting this Regulation 19 consultation;
- . Policy H9 is, in any event, inconsistent with Paragraph 59 of the 2019 Framework and the June 2019 edition of the Planning Practice Guide relating to Housing for Older and Disabled People¹⁰. Specific elements of the latter that are overlooked are:
 - o “plan-making authorities should set clear policies to address the housing needs of older people, which could provide indicative figures or a range for the number of units of specialist housing for older people needed across the plan area throughout the plan period” (Paragraph: 006 Reference ID: 63-006-20190626);
 - o “Allocating sites can provide greater certainty for developers and encourage the provision of sites in suitable locations” (Paragraph: 013 Reference ID: 63-013- 20190626);
 - o The different types of specialist housing available to meet the diverse needs of older people (Paragraph: 010 Reference ID: 63-010-20190626). This also indicates that care provided within such communities is regulated by the Care Quality Commission (CQC);
 - o When determining whether a development for specialist housing for older people falls within C2 (Residential Institutions) or C3 (Dwellinghouse) of the Use Classes Order, consideration could, for example, be given to the level of care and scale of communal facilities provided. (Paragraph: 014 Reference ID: 63-014-20190626).
 - o Accordingly, Table 6 of the Regulation 18 Local Plan is an inadequate summary of the PPG on this matter, and incorrectly perpetuates the position taken by the CS / SALP.

1.14 The logical conclusion from the Regulation 18 Representations was therefore that TWBC should allocate further sites, specifically for C2 use. This should have prompted a proper consideration by TWBC of all sites promoted for C2 use and including the land at Sandown Park promoted by CESL.

Regulation 19 Consultation

1.15 These representations are the CESL response to the Regulation 19 Pre-Submission Local Plan (the LP).

These representations relate to:

- . The Duty to Cooperate
- . Older People's Housing Need
- . Proposed Older People's Allocations
- . Land at Sandown Park
- . Extra Care Use Class
- . Policy H3

1.16 The National Planning Policy Framework (the Framework) states¹¹ that for a Local Plan to be suitable for adoption it must be both legally compliant and sound. To be considered sound, it must demonstrate that it is:

- . *"Positively prepared – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;*
- . *Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;*
- . *Effective - deliverable over the plan period, and based on effective joint working on crossboundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and*
- . *Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in this Framework."*

1.17 These representations explain why the Regulation 19 Local Plan is neither legally compliant, nor 'sound'. Should the LP progress in its current form to Submission and Examination, CESL requests participation in the LP Examination through written and oral submissions.

5.0 Land at Sandown Park

5.1 In April 2017, the Council prepared a Draft Interim Report as an early version of the Strategic Housing and Economic Land Availability Assessment (SHELAA), with this finalised in July 2019. In this document, the CESL site at Sandown Park was referred to as Site 11454.

5.2 The conclusions of the 2019 SHELAA in respect of the site is at odds with those in the 2009 SHLAA yet in landscape terms the site had not change. Whereas the 2009 document concluded that the site *“could be suitable for sensitive... development”*, the 2019 document concludes that the site is *“considered unsuitable as a potential site allocation”* because of *“significant concerns about impact on the landscape”*.

5.3 There is no apparent explanation for the change in assessment in respect of this site.

5.4 CESL have submitted an application to TWBC for a 108 unit C2 Care Community development. As explained in that application, there is operator support for the proposed development. Audley Group Ltd, is a well-established developer and operator of residential care communities (Audley Villages) across the country. Discussions between CESL and Audley have been ongoing for several years and Audley has expressed an interest in acquiring this Site should outline planning permission for a C2 use be granted. There is a legal agreement in place between CESL and Audley Group enabling Audley to purchase the site if outline planning permission is granted. Therefore, there is strong operator support for the proposed C2 care community. Development on the land at Sandown Park is therefore not speculative – there is a prospective operator willing to deliver this much needed facility. The site should therefore be regarded as deliverable by the Council.

5.5 In terms of the suitability of the site, Paragraph 134 of the Framework sets out the five purposes of Green Belt designation:

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

5.6 With regard to bullet point (d), Royal Tunbridge Wells has grown significantly beyond its oldest core at The Pantiles. The site is on the edge of the existing Town boundary, and adjacent to 20th Century development. The allocation of the site would therefore preserve the setting and special character of the Town. Having regard to bullet point (e), the site and the site is neither derelict nor urban land. Purposes (a) to (c) are considered further below.

5.7 Turning first to Paragraph 134 a), the Council's Green Belt study concluded that *“Development on this parcel would leave only a very narrow physical gap, but the A21 and A246, and associated tree cover, would preserve a sense of separation”*. The allocation of this site would extend the built-up area of Tunbridge Wells in an easterly direction, but as noted by the Council's Green Belt study, the A21 and the area of retained woodland to the south and the east of the site will serve to check the unrestricted sprawl of the built-up area beyond the site. The allocation of the site, and the alteration of the Green Belt boundary in this location to accommodate this site, would therefore not conflict with this purpose.

5.8 Moving on to Paragraph 134 b), the Council's Green Belt Study concluded that *“The A21 and its containing tree cover which prevents any intervisibility between the two settlements, is a key element in the settlement separation”*. It is therefore the A21, and the associated tree cover, that serves to prevent the neighbouring towns of Tunbridge Wells and Pembury from merging into one another. Development on this site would therefore not affect the spatial separation between the Towns and so the allocation of this site would therefore not conflict with this purpose. We note that this was also not deemed to be an issue in respect of the allocation of the Woodgate Corner site.

5.9 Finally, in relation to Paragraph 134 c), the Council's Green Belt Study concluded that *“The parcel is adjacent to the large built-up area and relates more strongly to this than to the wider countryside”*. Given the presence of the A21 to the east of the site, and beyond this the development along the old Pembury Road, the sense of transition from town to countryside is not experienced on this site. Therefore, the site does not assist in safeguarding the countryside from encroachment and the allocation of this site would not therefore conflict with this purpose.

5.10 In summary, the Green Belt Study which forms part of the Council's evidence base concluded in respect of this site that:

- . *“Development on this parcel would leave only a very narrow physical gap, but the A21 and A246, and associated tree cover, would preserve a sense of separation.”* In other words, there would

be a narrowing of the existing gap, but a sense of separation still preserved if this Site were developed.

- . *"The A21 and its containing tree cover which prevents any intervisibility between the two settlements, is a key element in the settlement separation."* In other words, the A21 is the key element separating Pembury and Tunbridge Wells, not this Site, given the conclusions above.
- . *"The parcel is adjacent to the large built-up area and relates more strongly to this than to the wider countryside."* In other words, this Site relates to the existing settlement, therefore, development on this Site will be viewed in that context i.e., against the backdrop of existing buildings.

5.11 The allocation of this site for a C2 use would therefore not infringe any of the five purposes at Paragraph 134 of the Framework, and would also be supported by the Council's Green Belt Study.

5.12 We also consider there is an inconsistency in the Council's assessment of the Sandown Park Site when compared to Site 369 (Woodsgate Corner) which is on the opposite side of the A21, adjacent to the Tesco at Pembury. The Woodgate Corner site also lies within the Green Belt, yet the SHELAA concluded that site to be suitable for development, despite having similar constraints (Heritage, Trees, Highways, Noise, Air Quality and Rights of Way) to those identified in the assessment of the Sandown Park Site. The Woodsgate Corner site is also within the AONB, and in line with the Framework, *"Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection"*. The Sandown Park Site is not within the AONB.

5.13 The Council's approach is therefore unsound as it favours a site within the AONB over a suitable, available, and deliverable site that is outside of it. Further, the Green Belt Study recognised that Site 369 *"forms a largely undeveloped skyline that contributes to the wider rural setting of Tunbridge Wells"*. However, the Sandown Park site was concluded to relate to the built-up area of Tunbridge Wells, and not to the countryside. The Sandown Park Site also cannot be seen from Pembury Road.

5.14 Of the two sites therefore, development on the Sandown Park Site is clearly less harmful compared to the Woodsgate Corner Site on the opposite side of the A21.

5.15 In conclusion, there is clearly justification for allocating the land at Sandown Park, and this site is clearly needed in order to assist the Council in meeting its identified need for Extra Care accommodation.

7.0 Conclusion

Duty to Cooperate

7.1 We have significant concern that, given the context of the problems already identified through the respective Examinations of the SDC and TMBC plans, that the TWBC plan, in the same HMA, is at risk of failing the legal test on the specific matter of a lack of strategic, cross-boundary planning to meet housing needs.

7.2 We consider that the three Councils have failed to engage constructively to resolve the issue of unmet housing needs, and given the findings of the Inspector in respect of the SDC Examination, namely that *"The absence of such engagement means that neither the submitted plan nor neighbouring authorities' plan-making processes have been shaped by adequate consideration of how Sevenoaks' full housing need was to be met"*, the Regulation 19 LP should not proceed to submission. Instead, TWBC should engage directly with SDC and TMBC to work together to address the housing needs of the West Kent Housing Market Area.

Meeting the needs of Older People

7.3 We welcome the recognition by TWBC that there is a specific need for Extra Care accommodation within the Borough. However, we conclude that insufficient sites are proposed for allocation to meet the need. Sites proposed for allocation either will deliver residential care homes / beds instead of Extra Care accommodation, and/or they may either be undeliverable or with no certainty of deliverability in the evidence available, and in respect of Woodsgate Corner, even if this site were to come forward for Extra Care housing, the Council itself acknowledges this will not be before 2031 and so therefore this site does nothing to meet the need which is accepted to exist now.

7.4 We conclude that this can only be addressed by providing for additional sites through the LP including the land at Sandown Park, Tunbridge Wells.

Soundness

7.5 Notwithstanding our concerns about legal compliance, we consider that modifications are required to Paragraph 6.350, and that the Council should not seek through the Local Plan to influence the interpretation of the Use Classes Order. This should be left to the decision-making process, where applications are assessed and determined on their merits and on the facts of the case before the Council at that time.

7.6 We consider that amendments should be made to Policy H3 to eliminate ambiguity by removing the reference to “units” and insert instead the word “dwellings” to ensure consistency in the policy.

7.7 We consider that the Plan is also unsound in that there has been no assessment of the viability of seeking affordable housing from C2 residential care community (Extra Care) developments, and so the plan and its evidence base have had no regard to the unique development and operating costs of such developments. The policy is considered to make such developments unviable.

7.8 The modifications to the LP suggested on behalf of CESL are necessary to ensure that it would be positively prepared, justified, effective and consistent with national policy.

7.9 If the LP proceeds in its current form to Submission and Examination, CESL will seek invitation to participate in the relevant hearings to elaborate these concerns.

Footnotes:

1 See **Appendix 1**

2

(see web link)

, page 18 and Table 5

3 Ibid, page 18 and Table 6

4 Hawkhurst Castle (Policy AL/HA3; 30 units), WA Turner Factory, Broadwater Lane (Policy AL/RTW13, 170 units maximum in a mixed C2/C3

scheme) and Beechwood Sacred Heart School (Policy AL/RTW16, 27 units).

Subsequent to the proposed allocation, but prior to the adoption of the SALP, the Hawkhurst Castle site was granted permission

(13/02636/FULMJ) in November 2013 for a net gain of 36 bedspaces (total now 90).

(see web link)

It is now operational.

At the time of writing, the WA Turner Factory (the larger part of the AL/RTW13 allocation) does not benefit from a planning permission

for the proposed residential allocation or a care facility. Similarly, no part of the adjacent exchange site, which also forms part of the

AL/RTW13 site benefits from a planning permission for a residential or care facility.

The Beechwood Sacred Heart School site (AL/RTW16) has a planning permission for a 69-bed care home alongside the redevelopment

of the school. This permission 16/07697/FULL was granted on 5 September 2017. It is currently in the process of being implemented.

5 **Appendix 2** - Transcription of the SALP Examination session; relevant section highlighted

6 **Appendix 3** – Joint Statement of Facts

7 **Appendix 4** – Judicial Review

8

(see web link)

9

(see web link)

10 <https://www.gov.uk/guidance/housing-for-older-and-disabled-people>

11 NPPF 35

12 NPPF Paragraphs 24 to 27.

13 Duty to Cooperate Statement for Pre-submission Local Plan, March 2021.

14 Joint Green Belt Study, [West Midlands Authorities], LUC, July 2015. (Please see paragraphs 1.4 and 1.5).

15 Green Belt Review Purposes Assessment, November 2013 (please refer to paragraph 2.3.9).

(see web link)

16

(see web link)

17 Examination of the Sevenoaks District Local Plan; Inspector's Letter, 28 October 2019. (Page 5).

18 Sevenoaks District Council v Secretary of State for Ministry of Housing, Communities and Local Government, Case No. Co/1417/2020. Date: 13/11/2020.

19 Examination of the Tonbridge and Malling Local Plan, Inspectors' Letter, 2 March 2021. (Paragraph 13).

20 Examination of the Tonbridge and Malling Local Plan, Inspectors' Letter, 2 March 2021. (Paragraph 12).

21

(see web link)

22

(see web link)

23

(see web link)

24

(see web link)

25

(see web link)

26 5th row from the bottom

27 <https://tunbridgewells.gov.uk/planning/planning-policy/local-plan/evidence>

28 Appendix 5 – Letter from Pro Vision to Steve Baughen Head of Planning

29 Appendix 6 – Email from TWBC Local Plan Team to Pro Vision

30

(see web link)

31 Paragraphs 3.37-3.39

32 Paragraphs 3.49-3.53

33 and Para 6.357 of the Regulation 19 Version of the plan

34 Methodology explained in paragraph 3.44 and Table 5 of the HNA

35 And Para 6.358 of the Regulation 19 Version of the plan

36 Within the definition provided by the Glossary to the 2019 NPPF.

37 Representations to the Sites and Allocations Local Plan (SALP) representor references SAL_S_934 and SAL_S_935, and in-person representations at the Examination to the SALP in November and December 2015

38 Paragraph 61 of the 2019 version; and paragraphs 50 and 159 of the 2012 version.

39 <https://www.gov.uk/guidance/housing-for-older-and-disabled-people>

40 The permitted sites are AL/CRS1 Brick Kiln Farm and AL/CR3 Turnden Farm

41

(see web link)

42 <https://lichfields.uk/media/1728/start-to-finish.pdf>

43 Pg 17 of <https://lichfields.uk/media/1728/start-to-finish.pdf>

44

(see web link)

45

(see web link) and (see web link)

46 (see web link)

47 See para 1.05 of the Committee Report

(see web link)

48 However, the body of AL/PE6 is separated from the roundabout by 2 further Land Registry parcels:

K951328 registered owner KCC

K146982 registered owner Highways England

49

(see web link)

50 2010 publication <http://publications.naturalengland.org.uk/file/128043>

51

(see web link)

52 The LPA suggest this is 2032/33, but as the 2020/2021 year is now complete this year will become Year 12.

53 By which time the Council acknowledges at least 245 additional units would be required.

54 The appraisal of the site is included as Appendix 7

55 Wealdon District Council planning application reference: WD/2019/1648/MAO

56 Note the application description as approved by Wealdon District Council refers specifically to Use Class C2, and note the section entitled

“C2 Use” in the Officers report where it was concluded that: “...*the Council is satisfied that the proposed use is C2 development which can be appropriately controlled by a proposed qualifying person criteria and care package combination which shall be secured by a legal agreement.*”

57

(see web link)

58 RTPI Good Practice Note 8, “Extra Care Housing: Development planning, control and management”, Royal Town Planning Institute (2007)

59 Housing LIN: “Planning Use Classes and Extra Care Housing” Housing, Learning and Improvement Network (2011)

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.

See Question 5 above and in addition please see the attached representations statement prepared by Pro Vision on behalf of Cooper Estates Strategic Land along with the associated appendices.

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:

Given the issues raised in relation to the Duty to Cooperate and the concerns in relation to both legal compliance and soundness, it is considered necessary to participate in the Examination hearings in relation to these matters and to address the questions of the Inspector. Also, and specifically in relation to the promotion of the Land at Sandown Park, Cooper Estates Strategic Land have interest from an operator (Audley Group) and can therefore provide an operator perspective on key issues relating to older peoples housing needs and the planning use class of community care villages.

Future Notifications

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

Comment

Consultee	Julie Davies [REDACTED]
Email Address	[REDACTED]
Company / Organisation	CPRE Kent
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	CPRE Kent [REDACTED]
Comment ID	PSLP_512
Response Date	27/05/21 14:51
Consultation Point	Policy STR/RTW 1 The Strategy for Royal Tunbridge Wells (View)
Status	Processed
Submission Type	Web
Version	0.1
Question 1	
Respondent's Name and/or Organisation	CPRE Kent
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
STR/RTW 1	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes
Is sound	No

Complies with the Duty to Cooperate

Don't know

Question 4a

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

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

- . It is not effective
- . 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.

STR/RTW1 sound policies

CPRE Kent supports much of policy STR/RTW 1 and considers STR/RTW1 draft Policies 2-9, 11-14, 16, 18 to be sound. CPRE Kent also considers site allocations *other than* AL/RTW 5 and AL/RTW 16 to be sound.

CPRE Kent strongly supports points 2 and 3 of the policy which provide for intensification of densities on allocated sites and windfall developments and use of PDL, as this should reduce pressure to develop land in the adjacent green belt and AONB.

CPRE Kent supports point 5 which seeks to maintain employment and leisure uses within the main employment area. Although the proposed business park under point 4, allocated as AL/RTW 17 falls within the green belt and AONB, quite exceptionally, we do not deny that exceptional circumstances involving the whole economy of the Borough might be made out here and therefore do not object to the allocation, which already has the benefit of planning permission.

We strongly support the proposed mitigation in the form of open space and buffer, to be retained and managed for the lifetime of the development to provide mitigation for negative landscape and biodiversity effects and having particular regard to the topography, existing hedgerows and mature trees, ancient woodland and buffers in what is a very sensitive landscape location.

CPRE Kent supports point 6 for a Town Centre Area Plan which should have as a major focus the intensification of development beyond the extremely conservative additional 150-200 dwellings anticipated, this particularly in view of ownership by the Borough Council of some key sites in the town centre whose present use is under review. This should relieve pressure for development in the adjacent Green Belt and AONB in a highly sustainable form.

We similarly support point 7 on mixed use development in the town centre.

CPRE Kent strongly supports points 8 and 9 on active travel and bus services. Much of the congestion in the town arises from short local trips which might be eliminated altogether by the provision of adequate active travel infrastructure and more frequent bus services.

CPRE Kent generally supports points 11,12, 13 and 14 and also point 18 on developer contributions.

CPRE Kent strongly supports point 16 on provision of allotments, amenity/natural green space, parks and recreation grounds, children's and youth play space as required to meet needs and mitigate the impact of future development. In the event that any Green Belt or AONB land adjacent to Royal Tunbridge Wells is finally allocated, CPRE would press for the most generous provision possible of mitigating amenity and natural green space under any subsequent planning application.

STR/RTW unsound Policies

CPRE Kent maintains that the Regulation 19 draft Local Plan does not sufficiently address the impact of the proportion of green belt and AONB in the Borough on its ability to meet identified housing need and that point 1 of Policy STR/RTW1 is therefore unsound. To some extent the scarcity of suitable land could be better mitigated in Royal Tunbridge Wells than is proposed, by seeking to intensify housing allocations within the LBD. It should not lead to the proposed incursions into the green belt under draft allocation policies AL/RTW 5 at Caenwood Farm and AL/RTW 16 at Spratsbrook Farm which are unjustified.

Both these sites are currently within the green belt and adjoining or adjacent to AONB and we do not believe that loss of this green belt land is justified by any current exceptional circumstances in relation to a deficit in housing numbers that could not be remedied in RTW without their allocation.

Even if the Inspector were minded to disagree, these two proposed allocations would not be effective in making efficient use of land in Royal Tunbridge Wells as is required under paragraph 123 of the NPPF and would still consequently not be consistent with national policy.

We develop our arguments further in our response to policy STR/RTW2.

CPRE Kent also objects to the safeguarding of land at Colebrooke House, Pembury Road, Tunbridge Wells (see table 6 Green Belt sites). The Economic Development Topic Paper (page 23) states the site is in both the green belt and AONB.

With regard to point 10 of policy STR/RTW1, CPRE Kent believes that the proposal to build a new roundabout on the A264 at the junction with Halls Hole Road and Blackhurst Lane does not appear justified or consistent with national policy and would most likely be ineffective in reducing the traffic congestion which is put forward as a reason to build it. As such, it appears to be unsound.

A similar roundabout scheme was proposed for Southborough on the A26 at the junction with Speldhurst Road and Yew Tree Road but was found to be likely to worsen the existing congestion and was not implemented, a modified traffic light scheme being substituted.

The roundabout would encourage greater rat-running along Halls Hole Road which is actually a narrow rural lane on most of its length, and would be ineffective in encouraging active travel in the area because it would worsen the environment and road safety for walkers and cyclists on Halls Hole Road for active travel across the eastern side of RTW, including to the Skinners Kent Academy. This would be inconsistent with national policy and to point 8 of STR/RTW 1 which seeks to encourage active travel. The point at which the roundabout would be situated is on an arcadian section of the Pembury Road A264 and would have a seriously detrimental effect on the local environment.

CPRE Kent understands that Sports England supports the proposals for a sports hub at Hawkenbury on land to the north of Hawkenbury Recreation Ground under point 15 of policy STR/RTW1 and site allocation AL/RTW 19. This land is currently green belt and AONB, but, exceptionally, CPRE Kent is not opposed in principle to the proposed use as it would contribute to mitigating the impact of recent housing development at Hawkenbury and allow development within the LBD of parts of some existing sports facilities. However, we do have concerns about the additional car journeys which seem inevitable unless active travel infrastructure is first provided across the urban area to a greater extent than is planned or is likely to be financed in the near future.

The plan is therefore considered to be unsound because it is not effective, not justified and is not consistent with national policy.

CPRE Kent would wish to participate at the examination hearings to explore this issue further.

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.

Point 1 of STR/RTW 1

The Local Plan could be made sound by deleting policies AL/RTW 5 and AL/RTW 16 and achieving greater densification on other sites proposed for allocation and through bringing forward a number of sites within the defined town centre which are likely to be proposed under the forthcoming Town Centre Area Plan under point 6 which CPRE Kent supports. We set out more substantial justification in our response to policy STR/RTW 2.

Point 10 of STR/RTW 1

The Local Plan could be made sound by abandoning the roundabout proposal. Instead, further refinement of the traffic light system might be contemplated. The very high cost of the proposed scheme should be re-allocated as funding for active travel routes which would produce a much higher long term cost benefit, including improvements in health within RTW and might allow mitigation of the negative traffic effects of the proposed allocation AL/RTW 19 for a sports hub at Hawkenbury.

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:

CPRE Kent would wish to participate at the examination hearings to explore further the soundness of proposed housing allocations AL/RTW5 and AL/RTW16.

Question 8

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

CPRE Kent strongly supports the decision of the Council not to entertain development on sites in the green belt and AONB identified in the 2021 version of the SHELAA and in the Sustainability Appraisal including:

Site 73 Land south of Pembury Road
Site 99 Land north of Pembury Road
Site 116 Land south of Pembury Road
Site 112 Land at Sandown Park
Site 165 Pantiles car park
Site 199 Smockham Farm
Site 30 Caenwood Farm (part unallocated)

Site 205 Little Knoll
Site 226 St Marks Recreation Ground
Site 280 Midway
Site 328 Land at Eridge Road
Site 384 Land at Great Bayhall Cornford Lane
Sites 434 and 457 Tutty's Farm
Site DPC5 Land north of Hawkenbury Road

CPRE also supports the non-allocation of Site 12 Grove Junction to West Station which should continue to be safeguarded for possible reinstatement of the Tunbridge Wells to Brighton railway line.

Comment

Consultee	Mr M Booker [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Culverden Residents' Association
Address	[REDACTED] Tunbridge Wells [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Culverden Residents' Association [REDACTED] [REDACTED]
Comment ID	PSLP_711
Response Date	01/06/21 08:20
Consultation Point	Policy STR/RTW 1 The Strategy for Royal Tunbridge Wells (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	Culverden Residents' Association
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/RTW 1 The Strategy for Royal Tunbridge Wells

Question 4

Do you consider that the Local Plan:

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

Question 4a

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

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

The Culverden Residents' Association **supports paragraphs 2,3,4,5,7,11,12,13,14,16 and 18.**

We **strongly support paragraph 6** which will set up a Town Centre Action Plan to ensure the long term vitality and viability of the town centre.

We **strongly support paragraphs 8 and 9 on active travel and bus services.** Perhaps as much as half the congestion in our town arises from short local trips which could be eliminated or reduced by more safe pedestrian and cycle routes and more frequent bus services.

However, in **paragraph 1**, we are **opposed to proposed allocation AL/RTW5.** Any further significant housing development in Culverden or St John's Wards could have adverse consequences both for older established residents and also residents of the many existing new developments. Without taking account of the developments that have recently come on stream at the Dairy Crest site and will occur at the Arriva site and also many recent local windfall developments such as Westcombe house and on the Somerset Road area shopping parade:

. **In Culverden the population increased from 6,310 in 2001 to 8,503 in 2015**

. **In St John's the population increased from 6,690 in 2001 to 7,639 in 2015**

There was no noticeable improvement in community or other amenities during that period and a general diminution in the quality of life. Only significant public realm improvements/traffic and pollution reductions/open space additions/creation of safe active travel routes to schools from Rusthall and Southborough might create an environment where additional housing would be appropriate in our neighbourhood.

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.

Only significant public realm improvements/traffic and pollution reductions/open space additions/creation of safe active travel routes to schools from Rusthall and Southborough might create an environment where additional housing would be appropriate in our neighbourhood.

In **paragraph 10** in the Regulation 18 Draft there was a provision “*Sites outside the AONB but within the High Weald National Character Area, or close to the boundary of the designated AONB landscape, will have similar characteristics and are likely to contribute to the setting of the designated landscape. The AONB Management Plan and any supporting guidance will be a material consideration for these sites*”. This is particularly the case for the farmland between Broomhill Road, Speldhurst Road and Reynolds Lane which not only provides buffer to the adjoining AONB, but is also the setting for the historic house and park at Salomons. We should therefore urge the Inspector to restore this provision.

Question 7

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

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

Question 7a

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

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

We would wish to be heard in relation to proposed allocation AL/RTW5 which is the subject of a separate part B form

Question 8

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

Site Number and Site Address: Site 12 Tunbridge Wells West to Grove Junction

We agree with the view of TWBC in the 2021 SHELAA and Sustainability Appraisal that the site is unsuitable for development because it may be needed in the future to reopen a passenger railway service to Brighton and Croydon

Site Number and Site Address: Site 30 Caenwood Farm Reynolds Lane

We agree with the view of TWBC in the 2021 SHELAA and Sustainability Appraisal that the site is unsuitable for development. The site has high visible landscape value from Speldhurst Road and Broomhill Road and is a buffer to the adjoining AONB on the other side of Broomhill Road. It is an important part of the setting of the historic house, water tower, stables and Park at Salomons and is highly visible from the park. It is part of a Local Wildlife Site, Broomhill and Reynolds Lane Pastures. It is also the only remaining piece of open land preventing coalescence of Tunbridge Wells with Southborough. There are already serious highway issues in Southborough and Tunbridge Wells on the A26 which cause rat-running in our neighbourhood and air pollution. We are objecting to part of this site AL/RTW5 being proposed for allocation by TWBC.

Site Number and Site Address: 165 Pantiles Car Park

We agree with the view of TWBC in the 2021 SHELAA and Sustainability Appraisal that the site is

unsuitable for development. There should be no building on a site which is an integral part of Tunbridge Wells Common which is a Local Wildlife Site and also important for recreation.

Site Number and Site Address: 146 Tunbridge Wells Golf Course + 22 Dingley Dell

We agree with the view of TWBC in the 2021 SHELAA and Sustainability Appraisal that these sites are unsuitable for development. They form an important wildlife corridor between Hurst Wood and Rusthall Common and a useful, tranquil pedestrian route between the Culverden area and Rusthall as well as being an attractive landscape on the edge of Tunbridge Wells.

Site Number and Site Address: 199 Land at Smockham Farm

We agree with the view of TWBC in the 2021 SHELAA and Sustainability Appraisal that the site is unsuitable for development. It contains a Wealden Farmstead with Grade 2 listed farmhouse and barns, and Smockham Lane is an ancient routeway which is also a public footpath linking our neighbourhood with Hurst Wood, Rusthall and Speldhurst via other ancient routeways. It is important for tranquil recreation in a rural setting so close to the main urban area.

The 18thC tanyard at the Farmstead also contains a 19th century pumping station with chimney and an underground reservoir which used to supply water to the former Kelsey Brewery on St John's Road through a pipe said to pass under the Reynolds Lane allotments and Standen Street. The field patterns are mediaeval assart fields and the site as a whole is an important part of the setting of Royal Tunbridge Wells. It is close to Local Wildlife Site TW46 and Sites of Local Nature Conservation Value ID 08 and ID13 which would be adversely affected by any development.

Site Number and Site Address: 205 Land at Little Knoll Reynolds Lane

We agree with the view of TWBC in the 2021 SHELAA and Sustainability Appraisal that the site is unsuitable for development for similar reasons to the ones we set out in relation to Caenwood Site 30.

Site Number and Site Address: 280 Land at Midway Nevill Court

We agree with the view of TWBC in the 2021 SHELAA and Sustainability Appraisal that the site is unsuitable for development as it would damage the setting of Hungershall Park, Nevill Park and Nevill Court, which are of significant heritage and landscape value and themselves are adjacent to the Tunbridge Wells and Rusthall Commons acting as an extension of both on the edge of the countryside beyond.

Comment

Agent	Ian Anderson ([REDACTED])
Email Address	[REDACTED]
Company / Organisation	Lichfields
Address	The Minster Building 21 Mincing Lane London EC3R 7AG
Consultee	([REDACTED])
Company / Organisation	David Lloyd Leisure Ltd
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	David Lloyd Leisure Ltd (- [REDACTED])
Comment ID	PSLP_2144
Response Date	03/06/21 07:26
Consultation Point	Policy STR/RTW 1 The Strategy for Royal Tunbridge Wells (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	David Lloyd Leisure Ltd
Question 2	
Agent's Name and Organisation (if applicable)	Lichfields
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/RTW 1 The Strategy for Royal Tunbridge Wells

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.

DAVID LLOYD LEISURE LTD REPRESENTATIONS. TUNBRIDGE WELLS LOCAL PLAN (PRE SUBMISSION VERSION).

We are instructed by our client, David Lloyd Leisure Ltd (David Lloyd), to submit general representations following the publication of the Tunbridge Wells Reg19 (Pre- Submission) Local Plan.

We appreciate that the advanced stage of the publication document supports representations only in those areas where consideration is given to whether the Plan is sound, legally compliant or otherwise on the Council's approach to the duty to co-operate. However, following a business review, David Lloyd has a requirement within the Tunbridge Wells area. This requirement was post publication of the Reg.18 Plan.

The Borough Council has published the Pre-Submission version of its Local Plan (also known as the Regulation 19 version) which is intended to set out proposed planning policies to guide development in the Borough up to 2038. Within the context of a long-term vision and related objectives, it comprises overarching strategic policies, including a new development strategy, supported by both place-specific local strategies and site allocations, and specific policies on a range of topics, including those relation to the provision of leisure and other 'Class E' development.

The evidence base supports modest additional development for health and fitness facilities in the Borough: notably through additional swimming facilities, and David Lloyd would welcome early engagement with the Council to achieve this.

The deadline for making representations is the 4th June: these representations are submitted within that timeframe.

Background

David Lloyd is Europe's premier health, racquets and fitness provider.

David Lloyd has operated for over 30 years and owns some 99 David Lloyd clubs in the UK (including 3 Harbour Clubs) and a further 23 across Europe and the Republic of Ireland. David Lloyd has ambitious growth plans both in the UK and Europe.

The business has some 600,000 members and is a significant employer in the health and fitness market, employing over 8,000 people. These include an expert health and fitness team of over 2,000 professionals and more than 680 tennis coaches. David Lloyd Clubs had been awarded a Sunday

Times Top 25 Best Big Companies award for the past four years, most recently making it to number 16 in 2020.

David Lloyd's racquets' facilities are unrivalled in the UK, with some 1000 tennis courts, 400 badminton courts and squash courts.

In addition to the racquets' facilities, across all clubs, David Lloyd has over 150 swimming pools and the company offers more than 10,000 exercise classes every week.

David Lloyd also provides significant coaching programs for children, both as part of the normal operation of its clubs and as 'outreach' to local schools, colleges and other amateur organisations. It is estimated that every week some 25,000 children swim and some 16,000 receive tennis coaching at David Lloyd clubs.

In addition to the core activities of racquets and health and fitness, a number of clubs also benefit from health and beauty spas, lounges, food and beverage, crèches, nurseries and specialist sports shops.

The COVID-19 pandemic has brought into sharp focus the need for both fitness and mental resilience and David Lloyd are at the forefront of development both in fitness innovation across its clubs, and mindful-wellness through its classes and spas.

Property Aspirations and Requirements

In both the UK and Europe sophisticated analysis and consumer data assists David Lloyd in identifying where the demographic sweet spot is in any given location.

David Lloyd has identified 50 locations across the UK, including the Tunbridge Wells area, that have a demographic profile that compares to the existing membership base and where there is an under provision of premium health and fitness facilities. This exercise enables David Lloyd to search in very targeted locations for suitable development sites.

Employment

David Lloyd's largest format of club generates circa 80 full time equivalent jobs.

The club targets local employment opportunities in the appointment of full time, part time and self-employed staff. In the majority of cases therefore, employment is sourced locally, targeting local job markets to fulfil the needs and function of the club. Additional services, including cleaning contractors, deliveries for the restaurant and maintenance requirements are, again, sourced locally where possible.

Development Site Opportunities: Tunbridge Wells.

In terms of the retail and leisure needs of the borough, we note that the Retail and Leisure Study (2017) undertaken by the Council has assessed the quantitative and qualitative needs over the plan period, taking account of planned housing growth, as well as the 'health' of the key centres within the borough. The study also sets out the leisure requirements for the borough in broad terms and acknowledges the importance of cultural and leisure activities in supporting the mix of uses within the borough to ensure vibrant and resilient centres.

In helping meet established leisure needs, we note Policy STW/RTW(5) promotes leisure uses within Key Employment Areas, whilst STR/RTW2 Promotes retention and enhancement of Leisure uses in Royal Tunbridge Wells town centre.

The Study notes that there is some leakage outside the Borough from some sectors, and that the largest expressed desire from resident questionnaires was for additional pool / swimming facilities. Taking this as a lead, the Study notes modest capacity for additional health and fitness within the Borough and notes that the market will likely be able to facilitate the development of any such facilities in appropriate locations through the development management process, rather than necessarily requiring specific allocations. This is a view which we would support and will allow some flexibility in terms of the application of format and location.

It is pertinent that much of the evidence base supporting this additional growth in the Borough is 2015-2017. The UK health and fitness market continues to grow, with trends continuing towards a more health conscious society, which has seen a boom in mental wellness and holistic classes including yoga, Pilates and mindfulness.

This social sustainable agenda is strongly supported within Sport England's 'Planning for Sport' Guidance, which focuses on 12 principles in seeking to help the planning system provide opportunities

for all to take part in sport and physical activity. The guidance builds on the importance the Government, and its National Planning Policy Framework, places on the need for the planning system to enable and support healthy lifestyles.

Principle 8 states planning policies and Councils should support the new provision, including allocating new sites, for sport and physical activity which meets identified needs. The guidance further adds the planning system should be proactive in delivering new sport and physical activity provision which implements the recommendations and actions of relevant assessments of need. Where relevant, this should include allocating deliverable sites for new provision for sport and physical activity planning policy documents (for example site allocations documents and neighbourhood plans).

At this stage David Lloyd have not secured a specific site in Tunbridge Wells but have been reviewing various opportunities and will be engaging shortly with the Council with a view to advancing proposals within the Borough to help meet further enhancement of heath, fitness and wellbeing provision.

We look forward to hearing from you with confirmation that this written representation has been received and its contents noted, although clearly this is set within the context of David Lloyd not having made representations to earlier versions of the Plan.

Question 7

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

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

For office use only

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

Supporting Information File Ref No: SI_12a-q

Comment

Agent	Mr Mike Pickup [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Town and Country Planning Solutions
Address	- - -
Consultee	Gleeson Strategic Land [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Gleeson Strategic Land
Address	Sentinel House Harvest Crescent Fleet GU51 2UZ
Event Name	Pre-Submission Local Plan
Comment by	Gleeson Strategic Land (Gleeson Strategic Land - [REDACTED])
Comment ID	PSLP_213
Response Date	18/05/21 10:43
Consultation Point	Policy STR 1 The Development Strategy (View)
Status	Processed
Submission Type	Email
Version	0.17
Files	PSLP_213_TCPS for Gleeson Strategic Land SI-4 Appendix 3 Pre-application Advice.pdf PSLP_213_TCPS for Gleeson Strategic Land SI-6 Appendix 5 Response to TW Borough Council.pdf PSLP_213_TCPS for Gleeson Strategic Land SI-16 Appendix 13 SHELAA Assessment Site 99 July 2019.pdf PSLP_213_TCPS for Gleeson Strategic Land SI-17 Appendix 14 SHELAA Assessment Site 99 January 2021.pdf PSLP_213_TCPS for Gleeson Strategic Land SI-13 Appendix 10 Response from Kent County Council.pdf

[PSLP 213 TCPS for Gleeson Strategic Land SI-9 Appendix 7b Landscape and Visual Appraisal.pdf](#)
[PSLP 213 TCPS for Gleeson Strategic Land SI-14 Appendix 11 Revised Masterplan Drawing.pdf](#)
[PSLP 213 TCPS for Gleeson Strategic Land SI-7 Appendix 6 Green Belt Assessment.pdf](#)
[PSLP 213 TCPS for Gleeson Strategic Land SI-10 Appendix 8 Archaeological and Heritage Assessment.pdf](#)
[PSLP 213 TCPS for Gleeson Strategic Land SI-3 Appendix 2 Site 99.pdf](#)
[PSLP 213 TCPS for Gleeson Strategic Land SI-2 Appendix 1 Site 291.pdf](#)
[PSLP 213 TCPS for Gleeson Strategic Land SI-1 Redacted.pdf](#)
[PSLP 213 TCPS for Gleeson Strategic Land SI-12 Appendix 9b Technical Note.pdf](#)
[PSLP 213 TCPS for Gleeson Strategic Land SI-15 Appendix 12 Revised Access Drawing.pdf](#)
[PSLP 213 TCPS for Gleeson Strategic Land SI-11 Appendix 9a Technical Note.pdf](#)
[PSLP 213 TCPS for Gleeson Strategic Land SI-5 Appendix 4 Pre-application Advice Response.pdf](#)
[PSLP 213 TCPS for Gleeson Strategic Land SI-8 Appendix 7a Landscape and Visual Appraisal.pdf](#)

Data inputter to enter their initials here

HB

Question 1

Respondent's Name and/or Organisation

Gleeson Strategic Land

Question 2

Agent's Name and Organisation (if applicable)

Town & Country Planning Solutions

Question 3

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

Policy

Question 3a

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

Policy STR 1 The Development Strategy

Question 4

Do you consider that the Local Plan:

Is sound

No

Question 4a

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

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

- . It is not 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.

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

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

- 1 These representations on behalf of Gleeson Strategic Land (Gleeson) relate to the Pre-Submission draft version of the Tunbridge Wells Local Plan published in March 2021. Gleeson has an interest in land known as 'Sandown Park' located on the northern side of Pembury Road immediately adjoining the built up limits of Royal Tunbridge Wells (RTW) on the eastern edge of the town.
- 1 These representations (which comprise one of a number of other representations submitted to the Borough Council) relate to the Council's assessment of the land's potential for housing purposes in the latest iteration of the Strategic Housing and Employment Land Availability Assessment (SHELAA) and the Council's published 'Site Assessment Sheets for Royal Tunbridge Wells' dated January 2021.
- 1 Gleeson's have made representations to the Council at all stages leading up to the current Pre-Submission draft of the Local Plan being published in March 2021. In the Council's original 'Site Allocations Development Plan Document: Site Templates Green Belt and Rural Fringes Supporting Information' produced in February 2015, the land at Sandown Park was identified as site number 291 (see Appendix 1 attached). The land was noted as being 'adjacent to the high Weald Area of Outstanding Natural Beauty' (HWAONB), the boundary of which runs along the southern side of Pembury Road.
- 1 In April 2017, the Council then published a Strategic Housing and Employment Land Availability Assessment (SHELAA) as a 'Draft Interim Report' with the land at Sandown Park being identified as site no. 99 (see Appendix 2 attached). The site assessment not only noted the site as being 'enclosed' and 'well screened', but also noted its various sustainability credentials in relation to its proximity to local schools, the food store Tesco at Pembury to the east as well as local bus services and the National Cycle Route 18 adjacent to the site. This assessment made no mention (and presumably therefore, raised no significance) to the site being adjacent to the HWAONB boundary on the opposite side of Pembury Road to the south.
- 1 In response to this publication, Gleeson submitted representations explaining that since promoting the land for housing purposes at the Site Allocations Local Plan Examination in November 2015 (Representation no. SAL-S-732), extensive additional assessment work had been undertaken and various survey assessment reports and studies (in relation to ecology, landscape, archaeology, arboriculture and transport) in addition to an illustrative layout plan, were all submitted for the Council's consideration in May 2017.
- 1 Subsequent to this, further supporting documents were prepared and submitted to the Council as part of a 'pre-application' request by Gleeson on 2nd March 2018 (Appendix 3), to which the Council provided a response on 9th May 2018 (Appendix 4). While this consultation was through the Council's 'pre-application' advice service, it was made clear at the time that Gleeson's proposal related to submissions associated with the emerging Local Plan seeking the potential allocation of the land for housing proposes and for informal recreation.
- 1 On 10th May 2019 (Appendix 5), Gleeson responded to the matters raised by the Council in its pre-application advice dated 9th May 2018. This was accompanied by four additional supporting

/ amending documents (together with a consultation response from the Highway Authority that was dated 5th February 2019) to provide a revised Illustrative Layout Plan and a revised Access Drawing no. ITB12398-GA-005. In order to ensure that these supporting documents and illustrative drawings are considered as part of the Regulation 19 Examination, they have been resubmitted again with these current representations and now form Appendices 6 – 12 attached.

- 1 Given this previous dialogue with the Council and the submission of detailed and comprehensive supporting documents, it is of considerable concern to Gleeson that none of these previous representations were then been taken into account in the Council's subsequent iteration of the SHELAA dated July 2019, (in which site no. 99 formed part of the 'Site Assessment Sheets for Royal Tunbridge Wells' - Appendix 13) and in the most recent version of the SHELAA for Royal Tunbridge Wells January 2021 now forming Pre-Submission documents to be considered and assessed as part of the Local plan Examination .
- 1 Furthermore, the Council's previous 'Sustainability Appraisal' (published with the Consultation Draft of the Local Plan published in September 2019) for the site was also seriously flawed and the 'negative scores' given (which were not set out in any detail) were unjustified given that (as demonstrated by the supporting documents previously submitted to the Council by Gleeson), any impact is capable of being mitigated. Furthermore, significantly the Council's flawed assessment claimed (incorrectly) that the site is *"in the Area of Outstanding Natural Beauty"*.
- 1 The Council's 2019 Sustainability Assessment stated that *"Negative scores are given for air, climate change, heritage land use, landscape and noise"* and that *"high harm"* would be caused if the land were to be released from the Green Belt and there were also *"highway concerns"*.
- 1 The Council's Sustainability Appraisal (September 2019) included a table of 'scores' for the site (number 99) in Appendix E on page 165 which stated that;
"This site scores a number of neutral scores with some positive ones. Negative scores are given for air, climate change, heritage, land use, landscape and noise. The site is a greenfield site in the AONB, part of a Green Belt parcel of land that would cause high harm if released from the Green Belt. The location of the site along Pembury Road relative to distance to key services and facilities is likely to encourage car use. This has informed the air score and climate change score given. Noise score reflects location along the busy Pembury Road. The site forms part of the landscape setting of the main urban area of Tunbridge Wells and helps prevent coalescence between Tunbridge Wells and Pembury, the frontage is within the Conservation Area. This has influences the heritage and landscape scores given."
- 1 In the most recent version of the Council's 'Sustainability Appraisal of the Pre-Submission Local Plan' dated February 2021, the Gleeson site has simply been 'screened out' presumably as a consequence of the Council's previous flawed 2019 Sustainability Appraisal. The site (no. 99) is referred to as a 'reasonable alternative site' in the table on page 131 and its location is shown in Figure 10, but there is no updated assessment notwithstanding the comprehensive nature of the representations (and supporting documentation) submitted by Gleeson previously. Page 137 of the most recent Sustainability Appraisal merely states;
"On the whole, the reasonable alternatives that were not chosen for allocation had more negative scores than those that were allocated. In some locations across the settlement, reasonable alternative scores reflected the sensitivity of the local environment for example sites near the northern stretch of the Pembury Road."
- 1 As there has been no opportunity for Gleeson to have their objection to the Council's SHELAA Assessment and Sustainability Appraisal scoring for the site considered formally by an independent Local Plan Examiner, Gleeson's case has been restated again below;
 - i) 'Air score and climate change score'
- 1 The Council's previous Assessment stated *"The location of the site along the Pembury Road related to distance to key services and facilities is likely to encourage car use. This has informed the air score and the climate change score given"*.
- 2 As demonstrated by the Transport Assessment submitted to the Council previously however and as previously recognised by the Council in its 2015 'Site Templates' document, the site is in fact well located in relation to a number of local facilities including a number of schools within 200m – 2,800m distance, the Pembury Tesco store within 1,000m distance as well as Pembury Hospital within 1,500m distance. There are also convenient bus stops close by along both sides of Pembury Road which provide service connections to Tunbridge Wells town centre and the mainline rail station. In addition, the site is also well related to employment opportunities at North Farm Industrial

Estate and Knights Park. The Gleeson land is also located immediately adjacent to part of the designated National Cycle Network.

- 1 The site is therefore, in a sustainable location where there are opportunities for a range of means of transport that do not rely on car use. Indeed, as the largest town with the greatest range of facilities than any other settlement within the Borough, this edge-of-town location must reasonably be regarded as a far more sustainable location than other more remote sites being promoted elsewhere by the Council in the Pre-Submission draft Local Plan, which are bound to lead to much greater car use and longer car trips due to the lack of alternative means of transport and / or distance to facilities. This includes the Council's proposal for a new 'garden village' at Tudeley and at other locations elsewhere in the Borough.

ii) 'Heritage, land use'

- 1 The Archaeological and Heritage Assessment by EDP (May 2019) – Appendix 8, clearly demonstrates that the site could be developed in a form that would have no significant impact on any Heritage Assets (including the Tunbridge Wells Conservation Area boundary that runs along the Pembury Road frontage and the Grade II listed building located at Pembury Grange some 200m to the north of the site) and the site does not have any known significance in terms of archaeology.

iii) 'Landscape'

- 1 The site has been the subject of a comprehensive Landscape Impact Assessment (Appendix 7), which again demonstrates that the land is capable of development in form that would have no harmful impact upon the character and appearance of the site or its wider landscaped setting. The majority of the trees along the road frontage would be retained (save for the few that need to be removed in order to provide a suitable means of vehicular and pedestrian access) and these can be reinforced with new planting. As such, the landscape setting along this part of Pembury Road in approaching Tunbridge Wells from the east, would not be harmed and could be enhanced so that there would be no harmful impact upon the part of the Tunbridge Wells Conservation Area that extends along the northern side of Pembury Road.

iv) 'Noise'

- 1 Like any site abutting a road frontage, there is potential for some degree of exposure to road traffic and noise. The illustrative layout plan (Appendix 11) indicated however, that the proposed housing area would be set well back from the road frontage and with suitable sound mitigation measures adopted if required, there is no reason why road noise should in any way limit the site's potential for housing purposes.

v) 'Green Belt'

- 1 For the reasons put forward in the Green Belt Impact Assessment Report (Appendix 6) and in other separate representations submitted in relation to the Pre-Submission Draft Local Plan, the Council's own Green Belt Study (June 2017) in relation to this land is severely flawed and unreasonable. The Council's Green Belt Study looks at the effect of the removing the whole of the land between the existing built up area of Tunbridge Wells and the Pembury by-pass from the Green Belt, which is expressed as 'high', whereas this **is not** the proposal being put forward by Gleeson. It remains unclear why, given that Gleeson had raised concerns previously with the Council in the way that its Green Belt Study has been undertaken, there has been no revision in selecting suitable sites for proposed release within the Green Belt at this location.
- 1 The Gleeson proposal is not to release the whole of the 6.5 hectare area of land for development as appears to have been assessed in the Council's latest SHLAA iteration in July 2019 (Appendix 13). As clearly shown by the illustrative layout plan (Appendix 11) submitted to the Council previously, the Gleeson proposal is to only develop the western part of the site for 70 – 80 dwellings next to the existing development boundary and to retain the rest of the land within the Green Belt for use as informal recreation. Thus, the housing element released from the Green Belt would be closely related (and effectively round-off) existing built up limits to this part of RTW and the land to be retained within the Green Belt, as well as being made publically accessible for informal recreation, would help ensure retention of a significant green gap (with proposed structural planting and future management) so as to maintain and enhance its Green Belt function in preventing the coalescence between Tunbridge Wells and Pembury.
- 1 The Gleeson proposal submitted to the Council back in March 2018, would be in a similar form to that now proposed in relation to allocations AL/RTW5, AL/RTW14 and AL/RTW16 elsewhere

on the edge of RTW, that involve releasing land from the Green Belt for housing purposes but also retaining adjoining land within the Green Belt for associated recreational use.

vi) 'Highway' Impact

- 1 Following the submission of the previous supporting transport documents (Appendices 9 and 10), the Council is aware that Gleeson has had a previous dialogue with the Highway Authority at Kent County Council. The Highway Authority's latest response (Appendix 10) does not raise any fundamental concerns as to why a sustainable means of access for Pembury Road cannot be achieved as indicated on Access Drawing no. ITB12398-GA-005 (Appendix 12). This was modified in light of the Highway Authority's latest response and also so as to minimise its visual impact on this part of the road frontage in light of comments contained in the Council's 'Pre-Application Advice' response in May 2018 (Appendix 4).
- 1 The Council's supporting Consultation draft document 'Limits to Built Development) Topic Paper (August 2019) stated (in paragraph 7.2) that *"Reviewing the LBD's will also ensure that development will be focused in those settlements which are most sustainable in terms of providing facilities and services..."*. It also contained (at paragraph 7.6) a schedule of criteria that the Council claims to have used to determine land that should or should not be included within LBD's.
- 1 The assessment criteria is now set out in Table 1 of the Limits to Built Development Topic Paper publish in February 2021. The Gleeson proposal is to extend the RTW LBD to include approximately 3 hectares of land for housing purposes (for 70 – 80 dwellings) and release this land from the Green Belt. The proposal is also to retain the rest of the Gleeson land (some 3.3 hectares) immediately to the east of the housing allocation within the Green Belt and to undertake structural planting (with future management) so that this can become publically accessible as informal open recreational space.
- 1 Having regard to the Council's Table 1 criteria, the Gleeson proposal would be adjacent to and form a logical extension to the built up area and not result in harmful protrusion into the countryside (criteria a); it would not result in coalescence and retain the gap with Pembury on the eastern side of the A21 (criteria b); it will have no adverse impact on landscape character with the layout, landscaping and open space proposed (criteria d), the release of the housing land from the Green Belt is justified on the same basis as the other edge of settlement allocations proposed at RTW, and with no adverse impact on other designated areas of national and local landscape, archaeological, geological, ecological or heritage importance (criteria d); the proposal will relate well and be in keeping with the form and function of RTW (criteria e); will not extend linear features or result in ribbon development as the housing element would reflect the depth of the site (criteria f) and the would be reasonable access to local facilities and services using non-private car mode (criteria g).
- 1 The various supporting documents produced by Gleeson and submitted to the Council previously (and resubmitted with these representations) demonstrate therefore, that this proposal would meet all the relevant criteria listed in the Topic Paper – selection criteria schedule, such as to warrant the allocation of the housing land and to accordingly extend the RTW LBD to include the land on Inset Map 1 of the Submission draft version of the Local Plan. Instead, the Gleeson land has not been fairly or properly objectively assessed in the Council's latest iteration of its SHLAA, nor has the proposed housing element been considered as a potential RTW LBD amendment on the schedules for RTW listed on pages 67 – 73 (and Figure 19) of the LBD Topic Paper.
- 1 Gleeson also considers that their site has previously been unreasonably assessed and given low sustainability scores when considered against other potential housing sites at RTW and most notably former SHELAA site 137, which was subsequently proposed to be released from the Green Belt to provide approximately 270 dwellings in the consultation version of the Local Plan as draft Policy AL/RTW 18 (now allocated under Policy AL/RTW16). The previous SHELAA Sustainability Assessment notes that *"The scores for this site are mixed"* and include negative scores for air quality due to increased car use on the A26 and in terms of noise, the site is near to the main Gatwick flight path as well as road noise. There are also negative Green Belt loss and landscape impact scores and a negative heritage score due to compromising the setting of a Hill Fort (a scheduled Ancient Monument) and the complete loss of an assart field.
- 1 As can be determined by comparing the Sustainability Appraisal for this now allocated site and the unallocated Gleeson land, the overall 'scores' for the two sites are similar and there is simply no sound justification for allocating one site and not the other. The Council approach to 'plan making' has clearly been inconsistent in this respect.

Conclusions

- 1 For the reasons set out in these representations on behalf of Gleeson, it is considered that the Council's latest SHLAA assessment for Royal Tunbridge Wells site no. 99 is severely flawed and that this has resulted in unjustified and unreasonably negative 'scores' that has counted against the Council considering this site as a suitable edge of main settlement Green Belt release for housing purposes. This in turn, has resulted in site no.99 being unreasonably excluded from the updated Sustainability Assessment and as a consequence, not allocated as a housing and informal open space allocation on Inset Map 1, with the RTW 'Limits to Built Development' boundary.
- 1 As such, it is Gleeson's case that the Council's evidence in support of its decision to exclude Site no.99 as a housing and open space allocation has not been positively prepared and is unjustified and ineffective and therefore, conflicts with Government advice set out in paragraph 35 of the National Planning Policy Framework (NPPF) February 2019.
- 1 Gleeson therefore, requests that the Examination Inspector now provides them with a formal opportunity to review the Council's SHLAA assessment (and Sustainability Appraisal) for Royal Tunbridge Wells site no. 99 in light of these representations, to ensure that the site is fairly assessed as a suitable housing alternative to others being promoted by the Council at the Regulation 19 stage, and to include the Gleeson land as an allocated site on Policy Map 1 of the Local Plan.
- 1 It should be noted that these representations should also be read in conjunction with other representations submitted on behalf of Gleeson in relation to the Council's proposed Development Strategy, Green Belt Review and the proposed new policy relating to Local Open Space Designations.

List of Appendices [TWBC: Please see supporting documents]

- 1 Tunbridge Wells Borough Council Local Plan – Site Allocations Development Plan Document; Site Templates Green Belt and Rural Fringe Supporting Information – February 2015 Site 291; Land at Sandown Park.
- 1 Tunbridge Wells Borough Local Plan – Strategic Housing and Economic Land Availability Assessment; Draft Interim Report April 2017 Site 99; Land at Sandown Park.
- 1 Pre-Application Advice request (letter dated 2nd March 2018).
- 2 Tunbridge Wells Borough Council response to Pre-Application Advice request (letter dated 9th May 2018).
- 3 Response relating to matters arising following Tunbridge Wells Borough Council's response (letter dated 10th May 2019).
- 4 Green Belt Assessment by EDP dated May 2019.
- 5 Landscape and Visual Appraisal by EDP dated May 2019.
- 6 Archaeological and Heritage Assessment by EDP dated May 2019.
- 7 Technical Note by i Transport dated 14th December 2018.
- 8 Response from Kent County Council (Highway Authority) dated 5th February 2019.
- 9 Revised Masterplan Drawing no. 1232.02.
- 10 Revised Access Drawing no. ITB12398-GA-005.
- 11 SHELAA Site Assessment Sheets for Royal Tunbridge Wells (Site 99) July 2019.
- 12 SHELAA Site Assessment Sheets for Royal Tunbridge Wells (Site 99) January 2021.

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.

Include the omission site for housing within the RTW Limit to Built Development for the reasons Set out in the representations attached [TWBC: Please see supporting documents]

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 present the case on behalf of Gleeson Strategic Land

Question 8

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

See representations attached [TWBC: Please see supporting documents]

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

[PSLP 213 TCPS for Gleeson Strategic Land SI-1 Redacted.pdf](#)

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

[PSLP 213 TCPS for Gleeson Strategic Land SI-2 Appendix 1 Site 291.pdf](#)

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

[PSLP 213 TCPS for Gleeson Strategic Land SI-3 Appendix 2 Site 99.pdf](#)

Future Notifications

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

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

Supporting Information File Ref No: SI_11a-b

Comment

Agent	Mr Mike Pickup [REDACTED]
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Company / Organisation	Town and Country Planning Solutions
Address	- - -
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Email Address	[REDACTED]
Company / Organisation	Gleeson Strategic Land
Address	Sentinel House Harvest Crescent Fleet GU51 2UZ
Event Name	Pre-Submission Local Plan
Comment by	Gleeson Strategic Land (Gleeson Strategic Land - [REDACTED])
Comment ID	PSLP_209
Response Date	18/05/21 10:03
Consultation Point	Policy STR/RTW 1 The Strategy for Royal Tunbridge Wells (View)
Status	Processed
Submission Type	Email
Version	0.4
Files	PSLP_208-209_TCPS for Gleeson Strategic Land SI-2 Appendix 1.pdf PSLP_208-209_TCPS for Gleeson Strategic Land SI-1.pdf
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Gleeson Strategic Land
Question 2	

Agent's Name and Organisation (if applicable)

Town & Country Planning Solutions

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/RTW 1: The Strategy for Royal Tunbridge Wells

Question 4

Do you consider that the Local Plan:

Is sound

No

Question 4a

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

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

- . It is not 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.

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.

Introduction

- 1 These representations are submitted on behalf of Gleeson Strategic Land (Gleeson) who have previously made representations to the Council at all the 'plan making' stages of the new Borough wide Local Plan. Gleeson are concerned that notwithstanding these previous representations, the Council appears not to have taken them into account in producing the latest 'Pre-Submission' stage of the Local Plan.
- 1 The previous representations submitted on behalf of Gleeson related to the Council's proposed Development Strategy, the Council's Green Belt Study, Local Green Space Assessment and Strategic Housing and Employment Land Availability Assessment (SHELLA), which taken together, related to the promotion of an 'omission housing site' at Sandown Park on the northern side of Pembury Road at Royal Tunbridge Wells (RTW) – which is Green Belt land this in now the subject of a draft designation for Local Open Space (under Policy EN15) as shown on Inset Map 1 of the Pre-Submission draft version of the Local Plan (see the extract below).
[TWBC: for extract image, see full representation attached].
- 1 These further representations reflect Gleeson's continuing concerns that the Council has failed to properly consider the opportunity and benefit of releasing part of this land to contribute to the Council's housing requirement. Instead, the Council has unreasonable and without justification,

chosen to allocate the land as Local Open Space (which is the subject of separate representations submitted on behalf of Gleeson).

- 1 In order for these latest representations to be manageable as part of the Local Plan Examination, they have been submitted under the same headings as previously (i.e. in response to the Council's Development Plan Strategy, Green Belt Study, Local Open Space Assessment and SHELAA) but need also to be considered together to paint the wider picture of Gleeson's concerns about the way the draft local Plan has been produced.
- 1 These specific representations are focussed upon objections to the Council's proposed Development Strategy set out in draft Policies STR1 and STR/RTW1 and Policy Map 1 for Royal Tunbridge Wells and Southborough.

Gleeson's case for objecting to the draft Development Strategy

- 1 The Borough Council's proposed Development Strategy for the Borough is set out in draft Policy STR1 (Development Strategy) of the Pre-Submission Draft version of the Borough Local Plan (2020 – 2038) published in March 2021. The development strategy for Royal Tunbridge Wells and Southborough is set out in draft Policy STR/RTW1 and development proposals for this main 'regional hub' settlement are shown on Inset Map 1. Gleeson object to these draft policies in being fundamentally flawed in failing to have proper regard and weight to all available options to accommodate future growth and in particular, the available Gleeson site at Sandown Park at Royal Tunbridge Wells (RTW). For the reasons examined in these representations, it is Gleeson's case that this land is not only available but also it is suitable for housing use in a highly sustainable edge of settlement location and that as such it should be allocated for housing and open space use as a revision to Inset Map 1 of the Plan.
- 1 Gleeson welcome the Council's intention to meet in full the Borough's assessed housing requirement over the period 2021 – 2038 amounting to 12,200 additional dwellings (at an average of 678 dwellings per year). Based upon the Housing Land Supply. The Council's Housing Land Supply Assessment at 31st March 2020, confirms that based upon this requirement, a further 7,221 dwellings will be needed up to 2038 (taking into account existing housing allocations that remain unimplemented (276 dwellings) but excluding any provision for unmet housing need for an additional 1,900 dwellings required in neighbouring Sevenoaks District (referred to in paragraph 4.12 of the draft Plan).
- 1 Paragraph 4.43 of the draft Plan acknowledges that;
4.43 It is found that, even promoting all suitable SHELAA sites for allocation in the Local Plan, the borough could meet only a fraction of its housing need without the provision for strategic sites, namely the substantial expansion of Paddock Wood (including land at east Capel) and the creation of a new garden settlement at 'Tudeley Village'. With these proposals, the Local Plan can meet the housing need in line with the NPPF's standard method.
- 1 While it is undoubtedly the case the unmet part of the future housing requirement could not met without releasing Green Belt land at Paddock Wood and at Tudeley Village, the main focus should rightly be upon making the best use of previously developed and underutilised land within the existing 'Limits to Development Boundaries' (LBDs) of settlements, but also in ensuring that all potentially suitable housing sites around the Borough's main regional hub settlement of RTW have first been properly examined and assessed so as to minimise the release of land in less sustainable Green Belt and other locations elsewhere.
- 1 Furthermore, when producing the initial 'Issues and Options' consultation document back in May 2017, the Council identified six possible options for meeting such needs or indeed, a combination of such options. The Distribution of Development Topic Paper (September 2019) confirms (at paragraph 5.5) that the option identified to potentially deliver development along the A21 on the eastern side of RTW as a 'Growth Corridor' was by far the most supported of the options by respondents (60%). The Council's current Core Strategy Development Plan Document adopted in June 2010 recognises RTW (together with Southborough) as the 'Main Urban Area' and in being by far the most sustainable settlement in the Borough with a wide range of facilities and which the former South East Plan (May 2009) recognised as performing an important role as a 'Regional Hub'. Indeed, the former South East Plan identified a need to review Green Belt land around RTW and Southborough as a potential location to accommodate future development needs in a sustainable manner.
- 1 Moreover, notwithstanding that RTW (with Southborough) is by far the largest and most sustainable settlement within the Borough, throughout the stages of the Local Plan production, there has been no joined-up approach in assessing housing potential on sites around the eastern side of

RTW that are also located within the potential A21 Growth Corridor, and this potential has not been assessed or weighed against alternatives. Instead, the Council's Green Belt study (Final Report dated July 2017) has in the main, ruled out the release of Green Belt land for housing purposes on the eastern side of RTW because of the claimed effect of this being 'high' when assessed against Green Belt Policy functions set out in paragraph 134 of the National Planning Policy Framework (NPPF) February 2019.

- 1 A clear example of this is the land being promoted for housing purposes by Gleeson at Sandown Park on the northern side of Pembury Road at RTW. Gleeson's proposals are shown on an illustrative masterplan (Appendix 1 attached) submitted to the Council previously, which should be considered in conjunction with other detailed supporting documents submitted as part of Gleeson's other representations in relation to the Pre-Submission draft Local Plan.
- 1 While this proposal would result in the removal of some 3 hectares of Green Belt land in order to provide 70 – 80 dwellings, this can be achieved in the form of a minor urban extension that would round off development within this eastern part of Tunbridge Wells. This can also be achieved without giving rise to any harm to the extent of the retained Green Belt land that would continue to prevent the urban coalescence of Tunbridge Wells with Pembury, which is located on the opposite side of the A21 to the east.
- 1 As part of Gleeson's proposals, some 3.3 hectares of associated land located between the proposed housing allocation and the A21 would be retained within the Green Belt, but managed and enhanced by new structural landscape planting and set aside for informal recreational use. This would therefore, not only retain the land's Green Belt function, but would also make compensatory strengthening improvements by landscape enhancement and future management, as well as providing new public access on informal open recreational space where there is none at present.
- 1 This proposal, which Gleeson originally presented to the Council back in March 2018, would be similar to the form of the proposed housing allocations elsewhere at RTW with land released from the Green Belt at proposed sites AL/RTW 5, AL/RTW 14 and at AL/RTW 19. The Council has not put forward any compelling justification as to why it would not be sustainable or in line with the Council's draft Development Strategy Policies STR1 and STR/RTW1.
- 1 For reasons set out in other current representations submitted on behalf of Gleeson, the Council's July 2017 Stage Two Green Belt Study is seriously flawed in the way that it has assessed the potential of the land for housing purposes. This is because the Council's Study assumes the removal of **all** of the Green Belt land between the current built up confines of RTW and the A21 Pembury by-pass and by concluding that in doing so the degree of harm would be 'high'.
- 1 As the Council was already aware from previous consultations with Gleeson in relation to this site, this **is not what was being proposed** and the Gleeson scheme has not therefore been assessed (or indeed reassessed) in any fair, reasonable or proportional way, nor has it been assessed against the much greater potential harm of removing land from the Green Belt at a wholly unsustainable location at Tudeley Village (which has also been assessed in the Green Belt Study as also having a 'High' adverse impact).
- 1 The Council's proposed Development Strategy should therefore, be reviewed in order to properly and fairly reassess the full potential of the releasing Green Belt land around RTW within the A21 corridor, as one of the most sustainable options to help meet the housing requirement, **before** considering and assessing other less sustainable options such as removal of the land from the Green Belt at other less sustainable locations beyond Tunbridge Wells.

List of Appendices

- 1 Illustrative Masterplan Drawing no. 1232/02. [TWBC: see full representation attached].

Question 6

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

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Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question

5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Include the omission site for housing within the RTW Limit to Built Development for the reasons set out in the representations attached

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)

For office use only

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

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 present the case on behalf of Gleeson Strategic Land

If you would like to attach a file in support of your comments, please upload it here. [PSLP_208-209_TCPS for Gleeson Strategic Land_SI-1.pdf](#)

If you would like to attach a file in support of your comments, please upload it here. [PSLP_208-209_TCPS for Gleeson Strategic Land_SI-2_Appendix 1.pdf](#)

Future Notifications

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

Supporting Information File Ref No: SI_111

Comment

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Consultee	Mr David Wells [REDACTED]
Company / Organisation	Logistics UK
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Event Name	Pre-Submission Local Plan
Comment by	Logistics UK [REDACTED]
Comment ID	PSLP_1867
Response Date	04/06/21 12:48
Consultation Point	Policy STR/RTW 1 The Strategy for Royal Tunbridge Wells (View)
Status	Processed
Submission Type	Email
Version	0.6
Files	PSLP_1855, 1864-1867 Barton Willmore for Logistics UK SI.pdf
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Logistics UK
Question 2	
Agent's Name and Organisation (if applicable)	Barton Willmore LLP
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/RTW 1 The Strategy for Royal Tunbridge Wells

Inset Map 3 (plus all showing LBD boundary)

[TWBC: this representation has been input against Section 5 - Royal Tunbridge Wells, Policies ED 2, STR/SS 1, STR/SS 3 and STR/RTW 1— see Comment Numbers PSLP_1855, PSLP_1864, PSLP_1865, PSLP_1866 and PSLP_1867. The full representation has been attached as Supporting Information]

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

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TWBC LOCAL PLAN REG. 19 REPRESENTATIONS

HERMES HOUSE, ST JOHN'S ROAD, ROYAL TUNBRIDGE WELLS

1.0 INTRODUCTION & OVERVIEW

1.1 These representations are made on behalf of Logistics UK in respect of their headquarters at Hermes House, St John's Road, Royal Tunbridge Wells TN4 9UZ and the land to the rear ('the Site': see Site Location Plan (drawing reference 2104/FS/001) enclosed at Appendix 1) and are submitted to the Regulation 19 consultation on the emerging Tunbridge Wells Borough Council ('TWBC') Local Plan (Pre -Submission Local Plan, undated).

1.2 The Site currently comprises offices in employment use (albeit currently only sparsely / rarely occupied) with associated car parking, accessed from St John's Road, and an area of grassland to the rear. The Site is not located within a conservation area and there are no known designated or

non-designated heritage assets on or in proximity. The Site falls within Flood Zone 1 and is not known to be subject to any ecological designations.

1.3 Logistics UK have occupied Hermes House since 1975. The older building on site is understood to have originally been constructed as church and used for religious purposes before being converted to offices. It has an unusual circular plan form that does not lend itself to modern office use and results in inefficient use of the space, both in terms of the area of unused space and the ability to lay out the useable space in a manner conducive to modern working practises. Moreover, Logistics UK run training and conferencing events from Hermes House which again does not lend itself to this purpose owing to the number of structural supports/ columns.

1.4 An extension was constructed in the late 1980s to provide two floors of office accommodation on a more regular plan form. Whilst at the time the extension functioned well it is now dated and requires significant upgrade works including replacement of all windows, a new heating system and air conditioning. There are also difficulties providing heating and cooling across the two elements of Hermes House as both differ significantly in their construction and design. This creates further inefficiencies.

1.5 A number of Logistics UK's staff travel to work by train. Hermes House is accessible by car but is some 1.8 km from the nearest train station (Tunbridge Wells) and is located outside of designated town centre/ employment areas. The Site is not in a sustainable employment location. Moreover, it is located in a predominantly residential area where adopted and emerging policy would resist new employment uses owing to the impact on residential amenity, issues of neighbourliness and incompatibility of land use.

1.6 As a result of the poor quality of the existing employment accommodation and its poor public transport accessibility and location within a residential area, Logistics UK has been planning to vacate Hermes House and relocate to a more appropriate premises and location within Tunbridge Wells. This process has been expedited owing to the pandemic and shift to a greater proportion of staff working from home thus requiring a smaller area of employment floorspace in any event.

1.7 Given the location of Hermes House in a residential area, residential has been identified as the most appropriate and compatible use moving forward. Moreover, TWBC has been unable to demonstrate a five-year supply of housing land for the most recent monitoring years and has a worsening Housing Delivery Test score despite having an Action Plan in place. The emerging Local Plan provides the opportunity to address the current and historically poor housing delivery in the Borough. However, the heavy reliance of the emerging Local Plan on two large strategic sites to meet almost 75% of its housing need over the Plan period is a high-risk strategy. Moreover, delivery of new homes on these strategic sites is not anticipated for four years (in our view at the earliest). The Council should, therefore, seek to allocate additional small/ medium scale sites for residential development to address historically unmet need, provide fluidity in five -year housing land supply and ensure short -term delivery of homes to mitigate the risk of delays from the strategic sites.

1.8 There are Borough-wide benefits of including additional site allocations that are deliverable in the first five years of the Plan. There are also local benefits to Royal Tunbridge Wells which has relatively few proposed site allocations that are expected to yield new homes in the initial five year period. A steady supply of new homes is required in key settlements to provide choice and variety in the market and to mitigate against increasing issues of affordability. The Council should consider additional residential allocations in Royal Tunbridge Wells that are deliverable in the short-term to maintain a steady supply of new homes in this principal settlement.

1.9 In addition to the above, allocation of a previously developed site in an established urban area such as Hermes House reduces the pressure on greenfield development and reduces the need for Green Belt release. NPPF paragraph 137(a) requires LPAs 'to make as much use as possible of brownfield and underutilised land' before concluding that exceptional circumstances exist to justify release of land from the Green Belt for development. Hermes House is a brownfield, underutilised site and whilst this Site alone would not remove the need for some Green Belt release to meet TWBC's housing needs, it ought to be considered as an option for allocation before Green Belt sites in the sequential approach to identifying land to meet residential development needs through the emerging Local Plan.

1.10 Redevelopment of Hermes House alone would yield relatively few dwellings. As such Logistics UK has also reviewed the potential of the land immediately to the rear. The land to the rear is currently in educational use but does not serve a specific educational or recreational function, nor has it been

identified as a suitable location for future educational development being distant from the main school campus. In short, this area of land forms part of the school grounds but is incidental to the educational/ recreational function of the school.

1.11 The Site has an area of approximately 0.65 hectares. A capacity study (enclosed at Appendix 2: drawings reference 2104/FS/010) indicates that circa 48 homes could be accommodated at a density of 74 dwellings per hectare. Combining Hermes House with the land to the rear allows the number of new homes to be optimised and also for a more varied mix of homes of different sizes suitable for a range of households (including apartments and houses) in addition to a greater number of affordable homes.

1.12 The Hermes House part of the Site currently falls within the Limits of Built Development as per the Policies Map (2016). The Council has imposed Article 4 Directions on a number of existing employment buildings to prevent them from changing from office to residential under current Permitted Development regulations. These 'protected' employment buildings are largely those falling within accessible town centre and/ or established/ designated employment locations. Hermes House falls within a solely residential area and has not been 'protected' through an Article 4 Direction. Subject to meeting the requisite criteria, Hermes House could therefore be converted to residential. However, as set out above, the, inter alia, awkward plan form, inherent issues with heating and cooling and poor standard of the building would make for poor/ substandard homes which prevents this from being an option.

1.13 The southern part of the land to the rear also falls within the Limits of Built Development with approximately 0.15 hectares falling outside and within the area currently designated as Rural Fringe.

1.14 Logistics UK consider the Site to be ideally placed to deliver a range of high -quality new homes in an established residential area, with only a minor adjustment to the existing boundary of the Limits of Built Development required to facilitate this. It is Logistics UK's position that the Site should be included within the emerging Local Plan as a residential site allocation to deliver circa 50 new homes. The Site is deliverable in the short -term and will assist in diversifying the type and scale of site allocations thus reducing reliance on large -scale strategic allocations that require significant new infrastructure and risk delay, with the consequential impact on housing land supply and delivery.

1.15 The Site is deliverable in the short -term as per the NPPF definition (Annex 2):

'To be considered deliverable, sites for housing should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within 5 years'

1.16 The Site comprises previously developed land (Hermes House) with very little landscaping and mown/ managed grass on the land to the rear. There is very limited ecological potential with no trees/ hedges that would pose a constraint to development as proposed. There are also no national designations that would impede the development such as Green Belt, flood risk or heritage. Access is established from St John's Road.

2.0 CURRENT USE

Employment

2.1 Hermes House was converted from its previous religious use to offices prior to Logistics UK's occupation. The older building has an unusual circular plan form and includes an amphitheatre - style space. This space has historically served a function for seminars/ conferences but the structural supports/ columns are not ideal for this purpose and the resulting office floorspace is awkward and inefficient and cannot be considered to provide modern, functional or flexible office accommodation.

2.2 In an attempt to improve the quality of the employment accommodation on site Logistics UK constructed an extension in the late 1980s (LPA reference 84/01473/FUL) facilitated by the demolition of a residential property. Whilst providing a more regular plan form, this extension is now over 25 years old and requires significant upgrade works to allow it to continue to function as office floorspace. For example, the large areas of glazing make the space too hot in summer but too cold in winter. The extension does not benefit from air conditioning and the heating system is inadequate. Both are required along with new windows. However, there are inherent difficulties providing heating and cooling systems to serve the older part of the building and the extension. This further adds to the inefficiency of the current buildings.

2.3 In addition to the above, Hermes House is located in a predominantly residential area outside of a designated town centre and employment location. It is accessible by car but some 1.8km from Tunbridge Wells train station. Several members of staff travel to work at Hermes House by train, a proportion that Logistics UK consider would be higher if the offices were located in a more convenient location in proximity to the train station.

2.4 There is also the issue of compatibility of land use. Hermes House is surrounded on three sides by residential properties, being located on a residential road in a predominantly residential neighbourhood. Logistics UK runs software that requires a constant (24/7) power supply and generators. Care is taken to minimise noise from the generators but they are not ideal in a residential area. Moreover, the heating and cooling systems required to address the inherent issues with the current buildings and allow the employment use to continue will further add to the noise emitted. These issues, coupled with vehicle movements, staff outside use (including from the smoking shelter) and the types and scale of signage required, are present with the existing employment use and any likely future employment use.

2.5 It is on the basis of the above that Logistics UK consider that Hermes House should be returned to its former residential use as this would be more compatible with the established residential use and character within the area. Moreover, in line with adopted Core Strategy (2010) Core Policy 7, employment uses, particularly of the scale of Hermes House, are more appropriately sited in sustainable and accessible town centre and employment locations.

Education

2.6 Approximately 60% of the land to the rear of Hermes House is located outside of the Limits of Built Development and within the Rural Fringe, with the southern portion (circa 40%) within the Limits of Built Development. It is all within educational use forming part of the grounds of an neighbouring school.

2.7 This land has been included within the Site as it forms a logical extension to the Hermes House site and allows for an improved residential layout that facilitates the delivery of a higher number of homes that includes a greater variety of homes of different sizes (including apartments and houses) and a higher number of affordable homes.

2.8 Whilst this land is within educational use, it does not have a defined educational or recreational function. It is laid to grass and forms an incidental part of the wider school grounds. When the school has previously expanded this land has been reviewed as an option but discounted owing to its location remote from the main core of the school. It is also not easily accessible from the public highway (although it would be accessible from St John's Road through Hermes House if the sites were to be combined as proposed). In short, this land does not form a specific educational or recreational function and it is Logistics UK's position that it would be an appropriate location for small-scale residential development.

3.0 CASE FOR RESIDENTIAL

Historic Supply/ Delivery of New Homes

3.1 TWBC has a published shortfall in five-year housing land supply (Monitoring information (tunbridgewells.gov.uk) [accessed 01/06/2021]) and at 1 April 2020 could only demonstrate 4.83 years supply (see Five-Year Housing Land Supply 2019/20). This was based on a 5% buffer. However, given that TWBC's previous Five-Year Housing Land Supply 2018/19 report also identified a shortfall (4.69%: see paragraph 12), NPPF paragraph 73 would previously have indicated that a 20% buffer is appropriate. This has subsequently been superseded by the Housing Delivery Test whereby the 20% buffer is to be applied to LPAs with a Housing Delivery Test score of 85% or below.

3.2 TWBC has a published score of 86% in the Housing Delivery Test for the period 2016/17 to 2018/19 (Monitoring information (tunbridgewells.gov.uk) [accessed 01/06/2021]) (published February 2020). Whilst 1% higher than the threshold for the 20% buffer, TWBC has failed to meet or exceed its housing requirement for two of the three monitoring years that have informed the Housing Delivery Test result. The one year it did exceed it was when the housing requirement was notably lower owing to the method of calculation (pre-Standard Method). Moreover, the 2021 Housing Delivery Test results see TWBC's score reduce to 85% (Housing Delivery Test: 2020 measurement - GOV.UK (www.gov.uk) [accessed 01/06/2021]) thus housing delivery is worsening in the borough and the 20% buffer (NPPF paragraph 73) should be applied to the calculation of five-year housing land supply. This places even greater pressure on TWBC to identify additional land for residential development.

Proposed Supply of New Homes

3.3 The emerging Local Plan utilises the Standard Method figure of 678 homes per annum (Pre - Submission Local Plan paragraph 4.10) from which to establish the number of homes to plan for. The Planning Practice Guidance ('PPG') is clear that the Standard Method provides a 'minimum annual housing need figure' (PPG paragraph: 002 Reference ID: 2a -002-20190220) and a not a housing requirement figure. Whilst there is acknowledgement within the emerging Local Plan that exceptional circumstances do not exist to deviate from the Standard Method (paragraph 4.9 and 4.11) i.e. to provide for a lower number of homes, and that TWBC may need to consider taking unmet need from neighbouring authorities (see paragraph 4.13), there does not appear to have been an attempt to identify whether it would be appropriate to actively plan for a higher housing requirement.

3.4 The emerging Local Plan has been developed on the basis that site allocations to deliver some 6,900 additional homes will be required (paragraph 4.17) (albeit the Housing Supply and Trajectory Topic Paper for Pre-Submission Local Plan (February 2021) states that the Council must plan for a minimum of 7,221 homes through site allocations (paragraph 5.4). We have not interrogated the assessment that underpinned this conclusion (nor the discrepancy between the Topic Paper and Pre-Submission Local Plan). However, the emerging Local Plan is clear that this is based on the assumption that 'all previous allocations are still suitable and developable' (paragraph 4.17). In reality this may not be the case and the emerging Local Plan should actively seek to progress additional site allocations. Moreover, pursuant to the PPG, the Standard Method should be treated as a minimum figure. Thus, whilst the emerging Local Plan identifies site allocations capable of delivering between 8,076 and 8,461 homes over the Plan period (see Table 4), this may not be enough to provide for the housing required.

3.5 The historically poor housing delivery (as evidenced by the Housing Delivery Test) in the Borough and failure to maintain a five-year housing land supply should also be factors that weigh in favour of the identification of additional housing allocations to come forward in this Local Plan.

3.6 It is also noted that, whilst Royal Tunbridge Wells has 18 draft residential site allocations within the Pre-Submission Local Plan (see Section 5), the Housing Supply and Trajectory Topic Paper for Pre-Submission Local Plan (February 2021) identifies very few homes being delivered within the current five-year period (see Table 9, pages 29/30). This risks an undersupply of new homes in Royal Tunbridge Wells which will serve to drive up already high house prices. There would be merit in identifying additional site allocations, such as Hermes House, that are deliverable in the short term and can assist in providing consistent delivery of new homes in the Borough's principal settlement over the Plan period.

Strategic Allocations

3.7 The reliance of the emerging Local Plan on large-scale, strategic allocations is also of concern. Approximately 6,300 homes are identified as coming forward from two strategic allocations: approximately 3,500 homes at Paddock Wood/ East Capel (draft Policy STR/SS 1); and approximately 2,800 homes from a new settlement – Tudeley Village (draft Policy STR/SS 3). This represents almost 75% of all new homes planned for through the emerging Local Plan (taking the upper range provided at Table 4; 78% if taking the lower range). There is, therefore, significant reliance on the delivery of new homes from these two strategic sites.

3.8 It is common for it to take some time to see homes delivered on large -scale, strategic sites owing to, inter alia, the complexity of the planning process, landownership and often significant new infrastructure requirements. In the case of the proposed allocations at Paddock Wood and Tudeley Village this includes new schools, neighbourhood centres, employment and sports, health and community facilities. Moreover, Framework Masterplan SPDs are requirements of the draft policies, to be adopted in advance of planning permission being granted, which will add significantly to the overall planning process. Furthermore, the use of Compulsory Purchase Order powers is referenced in both allocations indicating anticipated issues with landownership.

3.9 The Housing Supply and Trajectory Topic Paper for Pre-Submission Plan (February 2021) identifies delivery of homes from both strategic allocations from 2025/26, with 300 homes completed per annum from Paddock Wood/ East Capel and 150 from Tudeley Village (see Table 9, page 30). Given that Framework Masterplan SPDs are required before planning permission can be granted, it is already halfway through 2021 and significant infrastructure is required to 'unlock' the sites, delivery of homes from these allocations within the next four years is ambitious. Delivery of 300 homes in the first year from Paddock Wood/ East of Capel is very ambitious, as is 150 from Tudeley Village.

3.10 Whilst it is accepted that strategic allocations are required to meet longer term and large -scale housing needs, the emerging Local Plan ought to be realistic as to when and how many homes can be expected from these sites. Further, it should seek to identify a large number and range of small to medium sized allocations to provide for local housing needs and a consistent supply of new homes to account for the risk of delays from larger allocations. Placing such reliance on the delivery of homes from only two strategic sites is a high-risk strategy that could see the historically poor delivery of homes in the Borough continue and/ or worsen.

4.0 SITE ALLOCATION

4.1 Hermes House and the land to the rear ('the Site') provides an opportunity for an additional residential site allocation in Royal Tunbridge Wells within the emerging Local Plan. The Site has not previously been submitted to a Call for Sites and is not included in the Strategic Housing and Economic Land Availability Assessment (January 2021). The previous Call for Sites were held in 2016 and 2017 which was prior to Logistics UK considering relocating to a more appropriate site within Royal Tunbridge Wells.

4.2 For the reasons outlined above, Hermes House is not considered an appropriate employment location and has not been protected by the Council from changing use to residential, albeit this is not a feasible option given the inherent issues with the current buildings. Additionally, the land to the rear does not provide an active educational or recreational function and, if included with Hermes House, could provide a logical extension to the built -up area to create a high-quality residential development that delivers much-needed new homes in the short -term.

4.3 The Limits of Built Development boundary would require a minor adjustment to include that part of the land to the rear of Hermes House that currently falls outside. This area of land is surrounded on three sides by the current Limits of Built Development (i.e. it is inset) and the realignment of the boundary in this location would result a in logical 'squaring off' of the boundary with very limited visual impact.

4.4 Vehicular and pedestrian/ cycle access to the Site would continue to be taken from St John's Road from the existing or a relocated single access point.

4.5 It is envisaged that building heights will reflect the prevailing residential heights within the local area.

4.6 The homes would be provided as a range of private and affordable tenures and across a variety of dwelling types and sizes to cater for a wide range of households.

4.7 The suggested provisions of a site allocation for this Site are as follows:

Land at St John's Road (Hermes House)

This site, as defined on the Royal Tunbridge Wells Policies Map, is allocated for residential development providing approximately 50 dwellings, of which 30 percent shall be affordable housing.

Development on the site shall accord with the following requirements:

- 1 Vehicular access, delivery and servicing should be provided from St John's Road.**
- 2 Provide a landscaped boundary to the new Limits of Build Development.**
- 3 The design shall include appropriate measures to address the impact of the proposal on the gardens of neighbouring residential properties on St John's Road.**
- 4 Provision of on-site amenity greenspace/ high-quality landscaping.**

5.0 EMERGING POLICY MAP/ POLICIES

Limits of Built Development

5.1 Current adopted policy (Core Policy 2) seeks to protect the Rural Fringe from development with this land only released through adoption of a development plan document (i.e. site allocations DPD). The emerging Local Plan does not seek to take forward the Rural Fringe designation which Logistics UK supports. However, part of the land to the rear of Hermes House would remain outside of the Limits of Built Development. This land is inset from the boundary of the Limits of Built Development and adjustment in this area would represent a logical 'squaring off' of the boundary. This would have very limited visual impact given the small scale of the adjustment but would optimise the delivery of new homes in a high-quality development to meet local needs for homes of different types, sizes and tenures.

5.2 We suggest that the Limits of Built Development boundary should be adjusted to reflect the western extent of the Site boundary as shown on the Site Location Plan (drawing reference 2104/FS/001).

Employment

5.3 The emerging Local Plan (draft Policy ED 2) seeks to protect existing employment buildings/ sites regardless of their location and compatibility with neighbouring properties. It is our position that this is a failing of the emerging policy. Not all existing employment buildings/ sites will be appropriate for this level of protection (for example, Hermes House) and the policy should not assume this to be the case. Express wording is required to acknowledge this situation and allow for change of use away from employment-generating use where this is not appropriate owing to reasons of, inter alia, neighbourliness, residential amenity and compatibility of land use.

5.4 NPPF paragraph 81(d) requires planning policies to 'be flexible enough to accommodate needs not anticipated in the plan, allow for new and flexible working practices (such as live-work accommodation), and to enable a rapid response to changes in economic circumstances'. As drafted Policy ED 2 provides a rigid policy framework in respect of existing employment sites/ buildings with blanket protection that takes no account of local circumstances and does not provide flexibility for businesses to adapt and evolve. This conflicts with NPPF paragraph 81.

For office use only

New Site Submission? Enter site address

Logistics UK, Hermes House, St Johns Road,
Tunbridge Wells

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.

4.7 The suggested provisions of a site allocation for this Site are as follows:

Land at St John's Road (Hermes House)

This site, as defined on the Royal Tunbridge Wells Policies Map, is allocated for residential development providing approximately 50 dwellings, of which 30 percent shall be affordable housing.

Development on the site shall accord with the following requirements:

- 1 Vehicular access, delivery and servicing should be provided from St John's Road.**
- 2 Provide a landscaped boundary to the new Limits of Build Development.**
- 3 The design shall include appropriate measures to address the impact of the proposal on the gardens of neighbouring residential properties on St John's Road.**
- 4 Provision of on-site amenity greenspace/ high-quality landscaping.**

5.2 We suggest that the Limits of Built Development boundary should be adjusted to reflect the western extent of the Site boundary as shown on the Site Location Plan (drawing reference 2104/FS/001).

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 debate the merit of amending the boundary of the Limits of Built Development to the rear of Hermes House and to adduce evidence to support the adjustment of the boundary in this location.

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	Sarah Macintyre [REDACTED]
Email Address	[REDACTED]
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Sarah Macintyre [REDACTED]
Comment ID	PSLP_1761
Response Date	04/06/21 16:12
Consultation Point	Policy STR/RTW 1 The Strategy for Royal Tunbridge Wells (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	Sarah Macintyre
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/RTW 1 The Strategy for Royal Tunbridge Wells

Policy AL/RTW 12 Land at Tunbridge Wells Telephone Engineering Centre, Broadwater Down

[TWBC: this representation has been input against Policies STR/RTW1 and AL/RTW12 – see Comment Numbers PSLP_1761 and PSLP_1763]

Question 4a

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

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

Question 5

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

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

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

I am writing with respect to the plan for a huge scale development in the south side of the town, around A12 and adjacent areas.

I strongly recommend that the number of proposed dwellings is reduced for reasons highlighted below. I do, however, appreciate the need to use brownfield rather than greenfield sites for development and strongly object to any further development of green field sites, such as the field adjoining the Ramslye estate.

1. There is currently a complete lack of cycling paths, safe cycling routes from this end of town into the centre. Any proposal would need to be a linked up plan, not just a box ticking one which takes a cyclist further away from their destination.
2. The current traffic in the area is already heavy and often at a standstill in the mornings/evenings. There is no proposal to support any changes to this, no vision of how to improve the local traffic conditions or how to reduce pollution and its health impacts on the local community.
3. There are very few safe crossing points in the area - to support pedestrians/non car users.
4. Additional traffic will impact the green spaces that are to remain.
5. Housing that has recently been built in other areas does not appear to be of sustainable, low energy type. Green space designated in these areas for playgrounds are minimal. Cars and garages dominate.

Given the imperative to reduce our carbon footprints, CO₂ emissions and environmental impact, I query where the real sustainability and vision for a cleaner, safer, environmentally friendly plan is.

I would strongly recommend a genuine review to help address these points.

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

Consultee	Caroline McAughtry ()
Email Address	
Address	
Event Name	Pre-Submission Local Plan
Comment by	Caroline McAughtry ()
Comment ID	PSLP_1330
Response Date	04/06/21 15:32
Consultation Point	Policy STR/RTW 1 The Strategy for Royal Tunbridge Wells (View)
Status	Processed
Submission Type	Web
Version	0.3
Question 1	
Respondent's Name and/or Organisation	Caroline McAughtry
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.	
5.91, 5.92, 5.93, 5.94	
Question 4	
Do you consider that the Local Plan:	
Is sound	No
Question 4a	
If you consider that the Local Plan is not sound, please answer this question.	

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

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.

5.91 Existing vehicular access to the site is directly from the A26 Eridge Road to the south east corner of the site, close to the bend in the Eridge Road. The Spa Valley Railway Line is located south of the site, including a bridge that crosses the Eridge Road just south of the site access. The existing access from the site onto the Eridge Road is already dangerous with a steep slope onto a busy bend with restricted visibility. The proposed development will add considerably to the traffic using this access road and so will represent a much greater risk of accident.

There is no pedestrian footpath on the garden centre side of the Eridge Road and so the pedestrians from the houses on the development going into town will need to cross a busy road on a dangerous bend.

Therefore:

1) Traffic Safety and Hazard: Vehicle access point on A26 Eridge Road. Road Traffic Safety compromised due to additional vehicle movement volumes; with a traffic hazard as there is restricted line of sight (ref. also 5.94) Note: Existing access considered to be on apex of bend, not as defined above as 'close to the bend'. 2) Pedestrian Safety and hazard: No available pavement on the Common side of the A26 pedestrians will be crossing the A26 at a dangerous busy point

5.92 The site was released from the Green Belt, and the Development Strategy Topic Paper and Green Belt studies set out the exceptional circumstances and compensatory improvements to the remaining Green Belt to justify the changes to the boundary in this location. What to date have been the compensatory improvements to the remaining Green Belt?

The 2019 Plan describes the site as being part of a Biodiversity Opportunity Area where any development should demonstrate net gains for nature and biodiversity. Reference was also made to the DEFRA "MAGIC" website which described the area as suitable as woodpasture and parkland. Both these descriptions have been removed from the current plan.

5.93 It lies adjacent to the Royal Tunbridge Wells Conservation Area and to Tunbridge Wells Common, which is a designated Local Wildlife Site. Part of the site is also covered by the Environment Agency's Flood Zone 3.

River Grom flooding Report 2017 (Currently Correct /Relevant unless structural changes have been made)– Ref pages 7-9 Extracts:(page 7 – 2.3 para 4)To the south and east of The Pantiles, much of the area has separate surface water and foul water drainage. The surface water sewers generally discharge to watercourses which ultimately flow into the River Grom.(Page 9 – 2.4.1 para 3).... There is a Combined Sewer Overflow (CSO) from the public combined sewer in the culverted section of the River Grom that allows the combined sewer in the Pantiles area of Tunbridge Wells to discharge into it if its capacity is exceeded.

The development is in a river valley. Under present conditions High Rocks Lane regularly floods as the point where it meets Hungershall Park (and where it is presumed the proposed "emergency exit" will be for the development). As a result the road is always in a poor condition with potholes that reappear quickly after frequent repairs. The road at this point is a blind bend with no footpath so pedestrians and cyclists often veer across the roadway to avoid the potholes and create a real danger

of accidents to oncoming vehicles. This situation will only get worse once a large area of the valley floor is concreted over as a result of the development.

It was recently noticed by local residents that the site currently suffers from a sewage problem. A large manhole cover had been dislodged and was surrounded by household waste which had obviously been forced out. It is hoped that this would be resolved as part of the development, especially as the River Grom is in close proximity and there is a seasonal flooding issue in that area, as referred to above in the 2017 flooding report.

5.94 *Development would need to be sensitively designed to respect the location in proximity to the Common, the conservation area, and the topography of the site. However, it constitutes a sustainable site on the edge of the town centre and could accommodate a mix of uses, to include the retention/expansion of the existing garden centre business and the introduction of some residential development within the site. However, Kent County Council, as the local highways authority, considers that the scale of development on the site may be limited due to the current access constraints. 108 Tunbridge Wells Borough Local Plan Regulation 19 Consultation Pre-Submission Local Plan Map 14 Site Layout Plan*

Policy AL/RTW 14 Land at Tunbridge Wells Garden Centre This site, as defined on the Royal Tunbridge Wells Policies Map, is allocated for the expansion of the existing Use Class E (a) commercial use (garden centre) with an element of residential of approximately 25-30 residential dwellings, of which 30 percent shall be affordable housing. Development on the site shall accord with the following requirements:

- 1 *Means of access, including secondary and emergency means of access, to be informed by a transport statement; it is likely that the scale of any development may be limited by the quality of access arrangements that can be achieved within the confines of the site. An emergency access is likely to be required to the north;*

Planning consents often require provision of social/affordable housing under Section 106 Agreements, but invariably the developer comes back to the local authority later and pleads that it renders the scheme unviable. The 30% (eg) then falls away to 10% or less. The infrastructure requirements on this site will render development especially expensive. The contribution this site could make to meeting housing need is negligible.

Previous planning for access - Refused(89/02011/FUL | New vehicular access. New gate and 1.8m high chain link boundary fence | Wyevale Garden Centre Eridge Road Royal Tunbridge Wells Kent TN4 8HP (midkent.gov.uk)) Ref. No: 89/02011/FUL | Received: Tue 07 Nov 1989 | Validated: Thu 14 Jun 1990 | Status: Decided Council Letter 1990 - Extracts detailing the Refusal reasons:1 a) The proposed access would be likely to create unacceptable additional hazard to traffic.2 a) The sight lines are inadequate and would create unacceptable additional hazards to traffic3 a) The proposal would be undesirable in an area which is predominately rural in character, and would be detrimental both to the appearance and to the rural amenities of the locality.4 a) The proposal would be likely to be unacceptably detrimental to residential amenities of adjacent dwellings

The only change since 1990 is higher volumes of traffic on High Rocks Lane and Hungershall Park.

No known local precedents have been set for a requirement of a secondary and/or an emergency access. Example: The existing adjacent large estate has no secondary or emergency access.

Access: The suggested 'North' secondary and emergency access point will:

- . Destroy a Bio Diverse habitat, impacting the natural rural dynamic .
- . By default the access point becomes a tacit 'extra access' immediately opening onto High Rocks Lane with hazardous restricted/limited line of sight which is onto a speed de-restricted area and is a width constricted lane, plus opposite another lane entrance point; as highlighted in the council's planning permission access refusal 1990.
- . There is a high probability for this access to become a local shortcut

Proposing a Secondary and Emergency access appears to be a leverage argument to open up the site with another access point thereby ignoring the hazards identified, refer to previous valid refusal rational.

There is a high probability for dangerous additional 'on road parking' at the lower end of Hungershall Park/ corner of High Rocks lane/ Cabbage Stalk Lane. The proposed new developments at Spratsbrook Farm and the old Plant & Tools Hire site by The West Station which is to have access directly on to

Eridge Road, will both increase traffic flows along this busy stretch and force drivers to find alternative routes.

Newts and a variety of amphibian wildlife have been seen in the site North aspect / River Grom area of this location.

In traffic management terms an emergency exit would require either traffic light control, or a roundabout (taking up additional land) further eroding the natural character of the area.² *The provision of pedestrian and cycle access to the north and improved pedestrian and cycle access into the town;*

If the access point is allowed to the north, then the suggested access is onto a hazardous speed de-restricted and width restricted lane. This was one of the reasons the previous planning for access was refused.

This would also create a safety hazard for pedestrians as there is no pavement from the suggested access secondary/emergency point towards Cabbage Stalk Lane.

- 1 *Adequate servicing and parking to serve the expanded commercial use on the site;*
- 2 *Provision of a green route through the site from east to west connecting to existing Public Rights of Way on Tunbridge Wells Common and Cabbage Stalk Lane; Site East West access – Cabbage Stalk Lane will cause additional volume of use. This poses the following problems:*
 - 1) *Compromise to safety and hazard as now a designated cycle path. Several near misses have already occurred with current multi-use volumes; as the majority of cyclists appear to disregard this lane as being a shared facility with pedestrians, pedestrians and dog walkers, plus vehicular access traffic.*
 - 2) *Cyclists coming out of the new development will generally turn right into Cabbage Stalk Lane, adding to the volumes of cyclists using that lane. Furthermore, this will surely add to the number of cyclists on the Common who increasingly seem to be ignoring the “no cycling” rule there.*
 - 3) *For those who might turn left into High Rocks Lane, this would add to the number of cyclists on this narrow lane with blind corners and numerous potholes - adding yet further risk to themselves, pedestrians and cars.*
 - 4) *This is likely to further increase the volume of cyclists coming down the hill in Hungershall Park and towards the proposed development. Residents are increasingly concerned about the number of cyclists coming around the corner at very high speed and oblivious to the blind entrance several drives. There have been near misses recently and including one cyclist who recently came off his bike near the entrance to the drive at no. 12 Hungershall.*

- 1 *Development shall be located on the areas identified for mixed use on the site layout plan; Tunbridge Wells Borough Local Plan 109 Pre-Submission Local Plan Regulation 19 Consultation*
- 2 *Green infrastructure shall be provided on the areas shown indicatively in green on the site layout plan, and these shall be retained and enhanced. This shall include suitable buffering and enhancements to the River Grom corridor and to the setting of the adjacent Tunbridge Wells and Rusthall Common; The plan shows a green space buffer running alongside Cabbage Stalk Lane. The current woodland buffer is substantial and therefore the developer is likely to bulldoze and excavate as much as is feasible subject to ground stability and the preservation of valuable and species trees etc. The trees provide cover and privacy for wildlife and seclusion for walkers and local residents but are not in themselves wonderful specimens but are nevertheless very important to the semi rural nature of the area. The retention of as much tree cover as possible is very important.*

The River Grom flows along the Southern boundary of the plot alongside the railway line. The woodland and the river provide a habitat for deer and other wild animals. It would be desirable if the western end of the plot be preserved for wildlife, not be built upon and not used for vehicular access.⁷ *Regard will be given to existing hedgerows and mature trees on-site, with the layout and design of the development protecting those of most amenity value, as informed by an arboricultural survey and a landscape and visual impact assessment;*

The development will inevitably destroy and erode an established valuable bio-diverse habitat in a unique rural area.

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

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_40

Comment

Agent	Miss Wakako Hirose [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Rapleys Llp
Address	[REDACTED] LONDON [REDACTED]
Consultee	Mr David Munns [REDACTED]
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Mr David Munns [REDACTED]
Comment ID	PSLP_581
Response Date	28/05/21 11:49
Consultation Point	Policy STR/RTW 1 The Strategy for Royal Tunbridge Wells (View)
Status	Processed
Submission Type	Email
Version	0.7
Files	PSLP_581 Rapleys for Mr Munns SI-1 Site location plan.pdf
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	David Munns
Question 2	
Agent's Name and Organisation (if applicable)	Rapleys LLP
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/RTW 1 The Strategy for Royal Tunbridge Wells

Inset Map 1

Question 4

Do you consider that the Local Plan:

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

Question 4a

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

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

Re: Tunbridge Wells Pre-Submission Local Plan Consultation – Representations on behalf of Mr D Munns regarding Grosvenor Garage Mitsubishi, 123 - 125 St James' Road, Tunbridge Wells TN1 2HG

We act on behalf of Mr David Munns, the owner and operator of Grosvenor Garage Mitsubishi, 123-125 St James' Road, Tunbridge Wells, TN1 2HG (the 'Site') and have been instructed to submit representations to the current consultation on the Pre-Submission Local Plan ('the draft Local Plan').

Background

The Site is owned and currently operated by our client as a Mitsubishi car dealership. The Site will be available for redevelopment in June 2022, as Mitsubishi Motors are withdrawing from selling new vehicles in Europe in September 2021 and the current business will be wound down from then to a closure in June 2022. As such, these representations are being submitted to ensure that there is a positive planning policy framework for the Site which would support and facilitate its redevelopment.

The Site and Surroundings

The Site extends to 0.126ha and is located on the eastern corner of the Junction of St James' Road, Quarry Road and Grosvenor Bridge, located approximately 0.6 miles to the north of Tunbridge Wells Town Centre. It is located within the main urban area of Royal Tunbridge Wells as the principal town and administrative centre as defined in the draft Local Plan.

The Site is bound by St James' Road to the north, Stratford Street to the east, a residential property on Stratford Street and commercial units on Quarry Road to the south and Quarry Road to the west. Please find enclosed a site location plan (ref: SJR-TW_SLP01), showing the Site location and the extent of our client's ownership.

The Site's existing use is a car showroom/dealership (Sui Generis) and is therefore "previously developed land". The site is currently occupied by a mixture of single and double storey buildings with a forecourt fronting St James' Road and parking spaces on the roof of the building accessed via Stratford Street.

The surrounding area is predominantly residential, generally characterised by 2-3 storey residential properties on the eastern side of St James' Road and Quarry Road and more modern 6 storey apartment blocks on the western side, recently or under construction (with the latter being a consented residential development on land opposite the Site).

The Site is an accessible and sustainable location, being within walking distance of facilities and services in Tunbridge Wells Town Centre and a Neighbourhood Centre and in close proximity to the 21st Century Cycle Route.

It is therefore considered that the Site represents a significant opportunity for redevelopment as previously developed land in the urban area of Tunbridge Wells and regeneration of the prominent junction location with use and scale commensurate with the recent development in the area.

The Site's Availability, Suitability and Achievability

The National Planning Policy Framework ('the NPPF') requires that planning policies should identify a sufficient supply and mix of sites, taking into account their availability, suitability and likely economic viability with regard to meeting housing needs. It further requires that planning policies should identify a supply of specific, deliverable sites for years one to five of the plan period, and specific developable sites or broad locations for growth, for years 6-10 and, where possible, for years 11-15 of the plan. The NPPF defines that to be considered deliverable, sites for housing should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that the housing will be delivered on the site within five years.

As confirmed above, the Site will be available for redevelopment when the current operation ceases in June 2022. With the landowner's intention to promote the Site for redevelopment now with marketing of the Site to commence within the next 5-7 months, the Site has a realistic prospect of being delivered in the first five years of the Plan period, subject to a developer being identified and necessary planning permission.

It is considered that the Site is suitable and achievable for residential development, potentially with commercial use on the ground floor for the following reasons:

- . The Site is previously developed land within the Limits to Built Development ('LBD') within the main urban area of Royal Tunbridge Wells in the adopted and the draft Local Plans, where the NPPF and the draft Local plan prioritises for meeting housing needs. Vision and Strategic Objective 1, Policy STR1 and Policy STR/RTW1 of the draft Local Plan promote the effective use of urban and previously developed land in meeting the identified housing needs.
- . The existing buildings on the Site were converted from a storage building and subsequently extended through the redevelopment of part of the Site between the 1980s and 1990s as a car showroom. Therefore, the existing buildings and the Site configuration are bespoke to the operation of the Site as a car showroom. Therefore, the optimum reuse of the Site would be achieved through redevelopment of the Site.
- . The Site is a sustainable location for residential use, as it is located within the existing residential area of the Neighbourhood Centre, within walking distance of Tunbridge Wells town centre and in close proximity to the existing cycle route.
- . The Site's existing use as a car showroom is not safeguarded as designated employment land in the existing Local Plan and the draft Local Plan. As such, in principle, the Site's redevelopment for alternative residential development does not conflict with the existing or emerging land use policy.
- . There are no known constraints which would preclude the Site's redevelopment for residential development.

The above demonstrates that the Site is available and suitable for housing development and is achievable with a realistic prospect that housing development is delivered within the first five years of

the Plan period. The Site is a deliverable housing site, which should be allocated for residential development in the emerging Local Plan in line with the NPPF and the draft policies which seek to meet the housing needs through the effective use of previously developed land in the urban area of Tunbridge Wells.

Meeting the Housing Need

The draft Local Plan proposes to meet the identified housing need from the following sources:

- . The number of dwellings that already have planning permission;
- . Sites that are already identified within the Site Allocations Local Plan 2016, but which have not yet been implemented, and
- . 'Windfall' – non-allocated sites – which are small sites that are not identified in plans but come forward in line with the general, rather than site-specific policies.

The draft Local Plan describes windfall sites as a reliable source of supply, as the occurrence of these and likely future trends has been carefully reviewed and there is compelling evidence that such sites will continue to provide a reliable source of supply. Of 12,204 dwellings identified as the housing need, the draft Local Plan relies on windfall sites to deliver 1,670 units and the minimum total allocations for 7,221 units. Furthermore, it also notes that the potential for unmet needs elsewhere outside the Borough needs to be considered. As such the number of dwellings to be delivered through allocations are the minimum requirement.

Policy STR/RTW 1 of the draft Local Plan seeks to deliver additional housing through the redevelopment and intensification of windfall development within the defined LBD in Royal Tunbridge Wells in addition to allocations. Therefore, the Site's redevelopment for housing could come forward as a windfall site. The Borough's Development Strategy Paper for Pre-Submission Local Plan (2021) identifies that the suitable previously developed land and underutilised land within the LBD have already been allocated in the adopted Local Plan documents, resulting in limiting the number of remaining such suitable sites for additional allocations in the emerging Local Plan. As the Site is previously developed land within the LBD and is a deliverable housing site as demonstrated above, it should be allocated for residential development so that the Site's opportunity to contribute to meeting the housing needs is secured through the Local Plan. The NPPF also supports this approach and states that Local Plans "should positively seek opportunities to meet the development needs of their area".

In terms of the Site's capacity, based on the Site area, context and accessibility and the density of recent residential developments in the area, it is considered that the Site has a potential to deliver circa 25 units, subject to the design process and the mix of units. The allocation of the Site would be in line with the NPPF which advises that small and medium sized sites can make an important contribution to meeting housing development of an area, and are often built-out relatively quickly. Indeed, the site allocations within the Local Plan includes sites as small as having a capacity to deliver 9 units.

Conclusion

To conclude, these representations seek the allocation of the Site for residential development on the basis that:

- . It is previously developed land within the BDL of the urban area of Tunbridge Wells in a sustainable location;
- . It is available and suitable for housing development with a realistic prospect that it is delivered within five years of the Plan period; and
- . It has the significant opportunity to contribute to meeting the housing needs.

It is therefore considered that to ensure the soundness of the draft Local Plan, the Site should be allocated so that the Local Plan is positively prepared and consistent with national policy which seeks to enable the delivery of sustainable development.

[TWBC: For the Site Location Plan please see supporting documents]

For office use only

New Site Submission? Enter site address

123 - 125 St James' Road, Tunbridge Wells, TN1
2HG

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.

To allocate the site at Grosvenor Garage Mitsubishi, 123-125 St James' Road, Tunbridge Wells for residential development (potentially with commercial use) for including in Policy STR/RTW1.

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:

We wish to reserve our right to participate in the hearing session to explore the Inspector's Matters, Issues and Questions in relation to the proposed allocation of the site.

If you would like to attach a file in support of your comments, please upload it here. [PSLP_581_Rapleys for Mr Munns SI-1 Site location plan.pdf](#)

Future Notifications

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

Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Royal Tunbridge Wells Town Forum
Address	- - - -
Event Name	Pre-Submission Local Plan
Comment by	Royal Tunbridge Wells Town Forum [REDACTED]
Comment ID	PSLP_842
Response Date	01/06/21 08:15
Consultation Point	Policy STR/RTW 1 The Strategy for Royal Tunbridge Wells (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	Royal Tunbridge Wells Town Forum
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/RTW 1 The Strategy for Royal Tunbridge Wells

Question 4

Do you consider that the Local Plan:

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

Question 4a

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

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

- . It is not effective
- . 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.

STR/RTW1 Sound policies

The Royal Tunbridge Wells Town Forum supports most of policy STR/RTW 1.

We **strongly support paragraphs 2 and 3** which provide for intensification of densities on allocated sites and windfall developments and the efficient use of Previously Developed Land. This should reduce pressure to develop land in the Green Belt and AONB surrounding the town.

Under **paragraph 4**, the proposed business park (allocated as **AL/RTW 17**) is in the Green Belt and AONB, but we accept that exceptional circumstances involving the whole economy of the Borough can be made out and therefore do not object to the allocation, which already has planning permission in any case. We **strongly support** the proposed open space and buffer, to be retained and managed for the lifetime of the development to provide mitigation for negative landscape and biodiversity effects, and the existing hedgerows and mature trees and ancient woodland in what is a very sensitive landscape location.

We **strongly support paragraph 5** which seeks to ensure retention, expansion and intensification of employment and leisure uses in the main employment area.

We **strongly support paragraph 6** which establishes a Town Centre Action Plan to ensure the long term vitality and viability of the town centre and its commitment to include the Royal Tunbridge Wells Town Forum, as a key stakeholder We anticipate being actively involved in contributing to the plan for development in the town and to the use of PDL and this should reduce pressure to develop land in the adjacent Green Belt and AONB.

We **strongly support paragraph 7** in relation to mixed use developments and, in the light of our comments above, hope the TCAP will bring forward several more.

The Town Forum also **strongly supports paragraphs 8 and 9 on active travel and bus services**. Perhaps as much as half the congestion in our town arises from short local trips which could be eliminated altogether by the provision of adequate active travel infrastructure and more frequent bus services. Transport policies in the Local Plan support national policy on Active Travel and increasing densities in our town centre to reduce urban sprawl will contribute to greater active and sustainable travel.

We generally support **paragraphs 11, 12, 13, 14, 16** and also **paragraph 18** on developer contributions.

We are neutral concerning the proposals for a sports hub at Hawkenbury on land to the north of Hawkenbury Recreation Ground under **paragraph 15 of policy STR/RTW1 and site allocation AL/RTW 19**. While we support it in principle with the exceptional use of Green Belt and AONB which would allow housing development within the Limits to Built Development of parts of some other existing sports facilities, we are very concerned about the additional car journeys which seem inevitable unless active travel infrastructure is first provided across the urban area to a much greater extent than is planned or is likely to be financed in the near future. Many of these car journeys would be on the highly unsuitable Halls Hole Road and Cornford Lane, which are both ancient Rural Lanes where the future emphasis should be on active travel.

STR/RTW1 Unsound Policies

Unfortunately, we also consider that two paragraphs of policy STR/RTW1 are **unsound** because the proposals appear to be **unjustified** and **inconsistent with national policy**.

Paragraph 1 of STR/RTW 1

We consider allocations under STR/RTW 1 of **AL/RTW 5** at Caenwood Farm and **AL/RTW 16** at Spratsbrook Farm to be unsound.

Both these sites are within the Green Belt and adjoining or adjacent to AONB and we do not believe that loss of this Green Belt land is justified by any current exceptional circumstances. These two proposed allocations would also not be **effective** in making efficient use of land in Royal Tunbridge Wells (as is required under paragraph 123 of the NPPF) and would therefore **not be consistent with national policy**.

If there is shown to be a deficit in housing numbers for RTW, this could be remedied without their allocation. We develop our arguments further in our response to policy STR/RTW 2.

Paragraph 10 of STR/RTW 1

While the Town Forum supports most of policy STR/RTW 1, we do not believe that the proposal to build a **new roundabout on the A264** at the junction with Halls Hole Road and Blackhurst Lane is sound, **is not justified or consistent with national policy and would be ineffective** in reducing the motorised traffic congestion which is put forward as a reason to build it.

A similar roundabout scheme was proposed for Southborough on the A26 at the junction with Speldhurst Road and Yew Tree Road. After professional analysis of traffic patterns, it was found to be likely to worsen the existing congestion and was not implemented, a modified traffic light scheme being substituted. We believe the A264 roundabout scheme would be proved ineffective upon closer scrutiny.

A number of similar issues arise again with the proposal for an additional A264 roundabout. It would encourage greater rat-running along the unsuitable Halls Hole Road which is actually a narrow lane on most of its length with some high retaining walls/banks which are hazardous to motor traffic. In doing so it would also encourage additional traffic on Forest Road, which is a residential road and should not be used for other than local traffic. This is one reason by the roundabout proposal is not justified.

The proposal would be **ineffective** in encouraging active travel in the vicinity because it would worsen the environment and road safety for walkers and cyclists who could otherwise advantageously use Halls Hole Road and Blackhurst Lane for active travel across the eastern side of RTW, including to the Skinners Kent Academy, to Dunorlan Park, to the proposed sports hub at Hawkenbury and to and from Pembury. In this, the proposal would also be **contrary to national policy and to paragraph 8 of STR/RTW 1** which seek to encourage active travel and also contrary to **policy EN3** on reducing climate change.

Furthermore, account must also be taken of Policy AL/RTW 19, the proposed development of a sports hub with sports pitches, stadium and car parking at Hawkenbury. It would be accessed by car from High Woods Lane which adjoins Halls Hole Road which would inevitably increase traffic using this highly unsuitable road and Cornford Lane which are already heavily used rat runs. A roundabout on Pembury Road at the junction with Halls Hole Lane would drive unsustainable levels of traffic to these new facilities along what are country lanes, past residential properties, the town's largest and well-used public park at Dunorlan and allotments. This is **not justified**.

The point at which the roundabout would be situated is on an Arcadian section of the Pembury Road A264 and would have a detrimental effect on the local environment. It would seriously change the

leafy and Arcadian character of Pembury Road, which is an important historic landscape approach to RTW with many large 19thC mansions discreetly hidden behind leafy frontages. It maintains part of the overall charm of a town which still manages to avoid intrusive road infrastructure within its heart. Loss of this feature would **not be justified**, particularly as the proposal would not prove effective in reducing motor traffic and congestion.

Finally the very substantial cost of the roundabout proposal would **not be justified** in the context of other transport needs in RTW of a much more urgent order, such as improvements to active travel corridors and Low Traffic Neighbourhoods which also figure in Policy STR 6 and which we strongly support.

Question 6

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Paragraph 1 of STR/RTW 1

The Local Plan could be made sound by deleting draft policies AL/RTW 5 and AL/RTW 16 and achieving greater densification on other sites proposed for allocation and through bringing forward a number of sites within the defined town centre which are likely to be proposed under the forthcoming Town Centre Area Plan.

Paragraph 10 of STR/RTW 1

The Local Plan could be made sound by **abandoning the roundabout proposal** on the A264. Instead, further refinement of the traffic light system might be contemplated. The very high cost of the proposed scheme should be re-allocated as funding for active travel routes which would produce a much higher long term cost benefit, including improvements in health within RTW and might allow **mitigation of the negative traffic effects** of the proposed allocation AL/RTW 19 for a sports hub at Hawkenbury. We would support an alternative proposal which has been put forward to reduce traffic on Halls Hole Road and Cornford Lane thus reducing congestion at the A264 junction.

Question 7

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

Question 7a

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

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

We wish to be heard both to amplify on aspects of policy STR/RTW1 which we support and to develop our arguments against paragraph 10 on the A264 roundabout and in relations to the proposed allocations in the Green Belt at Caenwood and Spratsbrook Farms.

Question 8

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

The Royal Tunbridge Wells Town Forum strongly supports the decision of TWBC not to allocate for development sites in the unparished area in the Green Belt and AONB identified in the 2021 version of the SHELAA and in the Sustainability Appraisal including:

Site Number and Site Address: Site 30 Caenwood/Whitgates Farm Reynolds Lane

We support the conclusion that this Green Belt site is unsuitable for development. The site is of significant landscape value and acts as buffer to the adjacent AONB and the setting of the historic house and Park at Salomons. It also acts as the only remaining tract of open land preventing coalescence of RTW and Southborough and is part of a Biodiversity Opportunity Area and adjoins a Local Wildlife Site. There are significant highway issues with the AQMA in Southborough/Tunbridge Wells on the A26. We are opposed to a small part of this site now being proposed for allocation as AL/RTW5, having been ruled out under the Regulation 18 Draft.

Site Number and Site Address: Site 39 Land adjoining Dunorlan Park

We support the conclusion that this Green Belt site is unsuitable for development. In the 2015 Royal Tunbridge Wells Forum document "Developing our Green Network" we suggested that this parcel of land should be considered for incorporation in Dunorlan Park if the necessary funds could be raised.

Site Number and Site Address: 73 Land South of Pembury Road

We support the conclusion that the site is unsuitable for development. It lies in the AONB and the southern parts of the site would have a significant adverse landscape effect if developed. There are also highway issues.

Site Number and Site Address: 99 Land north of Pembury Road

We support the conclusion that this Green Belt site is unsuitable for development. This site constitutes an important landscape approach when arriving in Royal Tunbridge Wells from Pembury Road. It is even more significant when leaving RTW as it clearly marks the point at which the settlement ends and prevents coalescence with Pembury.

Site Number and Site Address: 114 Land at Sandown Park

We support the conclusion that this Green Belt site is unsuitable for development, particularly the southern section, on landscape and highway concerns.

Site Number and Site Address: 116 Land south of Pembury Road

We support the conclusion that the site is unsuitable for development. It lies in the AONB and the southern parts of the site would have an adverse landscape effect if developed. There are also highway issues.

Site Number and Site Address: 165 Pantiles Car Park

We support the conclusion that the site is unsuitable for development. It would be inappropriate to

allow any built development on a site which is an integral part of Tunbridge Wells Common in a particularly sensitive location and important to the semi-rural setting of Royal Tunbridge Wells. Tunbridge Wells Common is a Local Wildlife Site and also an important place for green recreation.

Site Number and Site Address: 199 Land at Smockham Farm

We support the conclusion that this Green Belt site is unsuitable for development. The site is centred around a characteristic Wealden Farmstead of considerable antiquity and crossed by a non-designated heritage asset in the form of an ancient routeway which provides a recreational footpath linking the St John's area of RTW with the Woodland Trust owned Hurst Wood, Rusthall and Speldhurst.

Site Number and Site Address: 205 Land at Little Knoll Reynolds Lane

We support the conclusion that this site is unsuitable for development for landscape, highway and ecological reasons as part of a wider landscape in a Green Belt area which prevents coalescence of RTW and Southborough. It is close to Local Wildlife Site TW46 and Sites of Local Nature Conservation Value ID 08 and ID13 and development would be prejudicial to these sites

Site Number and Site Address: 226 St Marks Recreation Ground Frant Road

We support the conclusion that the site is unsuitable for development as it would result in the loss of a useful sports facility and because it sits on a landscape edge of RTW.

Site Number and Site Address: 280 Land at Midway Nevill Court

We support the conclusion that the site is unsuitable for development. It is Green Belt land and adjoins open countryside to the south west and to the east the iconic Arcadian parks and semi-rural setting of Hungershall Park and Nevill Park and to the west the 20th century parkland development of Nevill Court, which together form one of the jewels in the crown of Royal Tunbridge Wells' parkland developments. All would be adversely affected by any further development in the area.

Site Number and Site Address: 328 Land at Eridge Road

We support the conclusion that the site is unsuitable for development and should be retained as an important open space for the Ramslye estate and as a landscape approach to the town centre.

Site Number and Site Address: 384 Land at Great Bayhall

We support the conclusion that the site is unsuitable for development. This very large site is a visually prominent part of the AONB viewed from Cornford Lane and it marks the new boundary for Pembury formed by the A21 bypass, which was set into the landscape so as to be invisible from Cornford Lane and other parts of the nearby AONB. It also maintains a completely rural feel to the landscape adjoining Royal Tunbridge Wells and is an important landscape feature.

Site Number and Site Address: 434 Tutty's Farm Hawkenbury

We support the conclusion that the site is unsuitable for development. This Green Belt site adjoining the AONB sits in the middle of a fine landscape closed to the south west by Benhall Wood. No further development should be allowed to occur on this far side of Hawkenbury Road.

Although the following sites are just outside the unparished area of Royal Tunbridge Wells, we also support the decision not to allocate them because these un-allocated sites are important to the setting of Royal Tunbridge Wells and/or also serve to prevent the coalescence of RTW with other settlements:

Site Number and Site Address: 146 (Rusthall) Spa Golf Course and 22 Dingley Dell

We support the conclusion that these Green Belt sites are unsuitable for development. Site ref 22 Dingley Dell and Site ref 146 Spa Golf Course are within the Green Belt. It is acknowledged that very

great harm would arise if these sites were released from the Green Belt and we share that judgement. Site 146 provides an important wildlife corridor to and from nearby Hurst Wood linking into the Rusthall Common. It maintains an attractive setting to the edge of Royal Tunbridge Wells and prevents coalescence between the settlements of RTW and Rusthall. Site 22 partly adjoins it and shares the same characteristics. The sites also prevent coalescence between the settlements of RTW and Rusthall.

Site Number and Site Address: 49 (Capel) Land at Castle Hill Farm

We support the conclusion that the site is unsuitable for development. The western part of this site is AONB and Green Belt, part of a key landscape approach to RTW from the north and is visible not only from the railway line but also from the Tunbridge Wells Circular Walk. It is Town Forum policy to seek to maintain the integrity of this high quality landscape as the most significant green gateway to the urban area and a clearly visible barrier to coalescence of RTW with Tonbridge.

Site Number and Site Address: 62 (Capel) Land south of Devils Wood

We support the conclusion that the site is unsuitable for development. This site is AONB and Green Belt, part of a key landscape approach to RTW from the north and is visible not only from the railway line but also from the Tunbridge Wells Circular Walk. It is Town Forum policy to seek to maintain the integrity of this high quality landscape as the most significant green gateway to the urban area and a clearly visible barrier to coalescence of RTW with Tonbridge.

Site Number and Site Address: 77 (Capel) Land adjacent to Forest Farm

We support the conclusion that the site is unsuitable for development. This site is AONB and Green Belt, part of a key landscape approach to RTW from the north. It is Town Forum policy to seek to maintain the integrity of this high quality landscape as the most significant green gateway to the urban area and a clearly visible barrier to coalescence of RTW with Tonbridge. The northern part of the site, which is an open field, is one of the rare places in the area where it is still possible to hear the song of skylarks.

Supporting Information File Ref No: SI_128

Comment

Agent	Miss Louise Darch ([REDACTED])
Email Address	[REDACTED]
Company / Organisation	Tetra Tech Planning
Address	5th Floor, Longcross Court 47 Newport Road Cardiff DF24 0AD
Consultee	([REDACTED])
Company / Organisation	Standard Life Investments UK Real Estate Fund
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Standard Life Investments UK Real Estate Fund (- [REDACTED])
Comment ID	PSLP_1954
Response Date	04/06/21 07:54
Consultation Point	Policy STR/RTW 1 The Strategy for Royal Tunbridge Wells (View)
Status	Processed
Submission Type	Email
Version	0.4
Files	<u>PSLP_1954-1970_TetraTech for Standard Life SI (not inclusive).pdf</u>
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Standard Life Investment UK Real Estate Fund
Question 2	
Agent's Name and Organisation (if applicable)	Tetra Tech 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/RTW 1 The Strategy for Royal Tunbridge Wells

Former Policy AL/RTW 15 (Land at Knights Park)

Inset Map 01 - RTW and Southborough

[TWBC: this representation has been input against Policies PSTR/RTW 1, ED 10, STR 1, ED 1, STR/RTW 1, AL/RTW 18, STR 5, EN 2, EN 7, TP 1 and TP 3 – see Comment Numbers PSLP_1954, PSLP_1959, PSLP_1960, PSLP_1961, PSLP_1963, PSLP_1965, PSLP_1966, PSLP_1967, PSLP_1968, PSLP_1969 and PSLP_1970]

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
	. 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.

Executive Summary

Our client - Standard Life Investments UK Real Estate Fund own Knights Park which forms a leisure park located to the north east of Royal Tunbridge Wells, situated south of Longfield Road. The well-established park offers a range of leisure uses including an Odeon Cinema, Bowlplex, Nuffield Health fitness and well-being centre, a Punch pub and a Frankie & Benny's restaurant. The Park plays a critical role in the economic function of the Borough.

In respect of the Draft Local Plan consultation (2019), Tetra Tech Planning (formerly WYG) submitted representations to Tunbridge Wells Borough Council (TWBC) in support of Policy AL/RTW 15 (Land

at Knights Park), which previously allocated the site as a preferred location for leisure use (at Section 5.31). The draft Policy AL/RTW 15 stated:

“This site, as defined on the Royal Tunbridge Wells draft Policies Map, is allocated for compatible leisure uses that would deliver an intensification of the leisure offer currently provided within the site...”

After review of the Pre-Submission Local Plan (February 2021), it appears that the Council has opted to omit Policy AL/RTW 15 (Land at Knights Park) and the associated Policies Map allocation in its entirety, with no clear justification having been provided in support of this change in stance. In summary:

1. In the context of the Tunbridge Wells Retail & Leisure Study (Nexus, 2017) (“2017 Study”), the Draft Local Plan proposed the allocation of Knights Park (Policy AL/RTW 15) for compatible leisure use;
2. Without clear justification within the Council's evidence base (i.e. by virtue of the Tunbridge Wells Retail Commercial Leisure & Town Centre Uses Study Update (Nexus, February 2021) (“2021 Update”), Consultation Statement for the Draft Local Plan (March 2021) or otherwise) Knights Park has been deallocated for leisure use and now forms unallocated land within the Limits to Built Development;
3. In parallel, Policy ED 1 (Key Employment Areas) by virtue of its current wording places preference in policy terms for the development of new leisure and retail floorspace across c. 90 ha of land immediately adjacent to Knights Park (i.e. Royal Tunbridge Wells North Farm / Longfield Road).

On this basis, **we strongly object to the unjustified omission of Knights Park AL/RTW 15 (Land at Knights Park) as a leisure allocation**, and consider the decision renders the Plan ‘unsound’ for the following reasons.

Introduction

The Site Assessment Sheets for Royal Tunbridge Wells, Strategic Housing and Economic Land Availability Assessment (SHELAA) (January 2021) states;

“The site is not considered to be suitable for further commercial leisure uses which would conflict with the town centres first approach. Although it is a PDL [previously developed land] site and within the existing LBD [Limits to Built Development], it would not be appropriate to allocate for further commercial leisure uses in this location which might detract from supporting development in Royal Tunbridge Wells town centre”.

This statement is questionable on the grounds that there is evidence in the Council's own background papers to suggest that the existing designated town centres within the administrative area are physically incapable of accommodating certain leisure demands of the Borough (see below). Whilst it is acknowledged that neither the 2017 Study nor the 2021 Update consider there to be a specific quantitative need for the Council to allocate new leisure floorspace, we contend that the qualitative deficiencies of the town centres identified within the 2017 Study and 2021 Update justify the allocation. As there has been no change in the town centres first policy set out in the NPPF since the Draft Local Plan was published including Knights Park for leisure use, we question the Council's rationale for this change in stance.

Moreover, as set out below, the strategy being pursued by the Council in the Pre-Submission Local Plan assigns preference for leisure development at other out of centre locations within the Key Employment Areas by virtue of Policy ED1 (Key Employment Areas) (i.e. Royal Tunbridge Wells North Farm / Longfield Road Area and Southborough High Brooms Industrial Area) and Policy STR/RTW 1 (The Strategy for Royal Tunbridge Wells). This approach demonstrates a clear bias against future development at Knights Park based on an unsubstantiated assumption that development at the Park might result in significant adverse impact on the established town centres. The question as to why Knights Park as a vital economic driver within with Borough has been specifically excluded from the Key Employment Areas is equally seriously questioned.

The following section sets out how the Council's stance in respect of Knights Park is fundamentally at odds with the NPPF tests of ‘soundness’ in regard to the preparation of local plans and strategies (paragraph 35), which advise that a Plan should be a) positively prepared, b) justified, c) effective and d) consistent with national policy.

Economic importance of Knights Park

As previously highlighted, Knights Park is a vital element of the local economy in terms of hospitality and leisure for the Borough, contributing skilled and unskilled jobs and resulting in significant expenditure within the local area. The 2017 Study highlights the following in respect of Knights Park;

- In respect of the cinema provision (Odeon): *“There are two full-time cinemas in the Borough which together attract a healthy 50.6% of all cinema trips made by residents of the Study Area (55.0% overall). These are the Odeon cinema in Tunbridge Wells (9 screens) and the Kino cinema in Hawkhurst (1 screen), with the Odeon cinema attracting 44.7% of all trips and the Kino cinema attracting 5.9% of all trips”* (paragraph 8.21). *“The Borough benefits from notable inflow of cinema trade, with the Odeon in Tunbridge Wells also being the most popular designation for residents in Zones 2 (40.3% of all trips), 5 (95.3%), 8 (40.5%) and 12 (54.3%)”* (paragraph 8.22)
- In respect of the bowling alley provision (Bowlplex) this accounts for *“... all ten-pin bowling trips made by residents of the Borough. It also accounts for all ten-pin trips made by residents of Zones 5 and 8 outside of the Borough, and 90.8% of trips made by residents of Zone 2. Similarly to the Odeon in Tunbridge Wells, the Bowlplex **proves to be a key destination for leisure trade within the Borough itself, in terms of attracting those from outside**”*. (paragraph 8.31) (Tetra Tech emphasis)

In view of the above, it is clear that TWBC should be harnessing and safeguarding the ability for Knights Park to continue to draw in trade and keep pace with the wider leisure market, as one of its key existing economic assets.

Leisure Market Deficiencies

The NPPG (paragraph 005 Reference ID: 2b-005-20190722) states; *“It may not be possible to accommodate all forecast needs for main town centre uses in a town centre: there may be physical or other constraints which make it inappropriate to do so. **In those circumstances, planning authorities should plan positively to identify the most appropriate alternative strategy for meeting the identified need for these main town centre uses, having regard to the sequential and impact tests**”* (Tetra Tech Planning). Whilst the Council’s 2017 Study and 2021 Update suggest is that there is not any Borough wide quantitative leisure need, it is deemed unrealistic to conclude from the evidence base that the designated centres in Tunbridge Wells are currently able to accommodate all the different types of leisure development required by the residents of the Borough, particularly the requirement for modern large footplate units, for example those required for cinemas, bingo, certain restaurants, pubs and gyms. This is acknowledged through observations made within the 2017 Study and 2021 Update, which recognise that:

- In respect of the national cinema market, that: *“... with typical floorspace requirements of 2,790 - 4,180 sq m, the contracted rent obligations for cinema operators are significant, **making both the spatial and financial prospects of town centre sites unfeasible**”* (para 3.134, 2021 Update) (Tetra Tech emphasis). The 2017 Study indicates that: *“growth in population to 2035 will provide welcome additional patronage to the existing cinemas...”* (paragraph 8.65, 2021 Update). Tetra Tech note that whilst the desire of the Council to see another cinema delivered in Tunbridge Wells town centre is acknowledged, the former ABC cinema site in the town centre has remained derelict since 2001 and the mixed-use planning permission intended for an Everyman cinema is still yet to be delivered (albeit we acknowledge groundworks were recently commenced to ensure the permission did not expire). The potential inclusion of a cinema at Royal Victoria Place likewise never came to fruition. At paragraph 3.148, the 2021 Update advises that; *“...there may be requirements for these uses in the medium to longer term”*, whereas paragraph 8.17 indicates that; *“whilst town centre allocations for new cinema and theatre floorspace remains desirable (if not necessary), viability and deliverability remains challenging”*.
- In terms of food and beverage (F&B) uses, the 2021 Update confirms: *“At the time of our assessment, there was only one F&B unit to let in Royal Tunbridge Wells – a 257 sq m restaurant on Mount Ephraim to the north of the town centre. Over the past 5 years, the lowest annual take-up of F&B space was recorded in 2016 where c. 418 sq m was leased across two units. On this basis, **the current supply is insufficient to meet even the lowest level of typical demand...**”* (paragraph 3.84) (Tetra Tech emphasis). Whilst the 2021 Update goes on to suggest that there is unlikely to be high demand for F&B space in the immediate and short term (due to the after effects of the COVID-19 lockdowns), Tetra Tech would contest this suggestion and highlight that the Plan must look forward to consider the longer term requirements of the market going forward during the economic recovery post COVID-19 up to 2038. It is highly anticipated the desire for larger floorplate units will form part of that requirement.

Clearly, the physical constraints of the town centre locations are having an adverse impact of the Borough’s ability to service its’ own leisure needs. In this regard, the 2017 Study identifies a notable amount of leakage from the Study Area (i.e. the Tunbridge Wells Borough administrative area) indicating that of the 71.2% Study Area residents who make restaurant trips, under half (just 31.7%) were made

to venues within the Borough. Likewise, a high leakage in respect of residents visiting bars, pubs, social clubs and nightclub trade out of Zone 10 (Paddock Wood, 37.0%) was identified (paragraph 8.28, 2017 Study) which lies within a 10-minute drive-time of Knights Park. This current trend obviously raises several concerns regarding sustainability and need to travel for leisure use.

The allocation of Knight Park to accommodate the abovementioned deficiencies in the defined town centres seems an entirely rationale and practical approach, allowing the Council greater control over the location and provision of out of centre leisure floorspace. The allocation would curb other ad-hoc out of centre development in potentially less sustainable locations. It is deemed that Knights Park forms a sequentially preferable site for the provision of such new leisure floorspace, encouraging linked trips with the other leisure facilities at the site. The Park should be favourably utilised to accommodate the modern leisure floorplates / floorspace that are unable to be accommodated in constrained town centre locations. In parallel, the leisure allocation will favourably serve a newly established residential catchment, in a highly accessible location and reduce the need to travel to other leisure destinations further afield.

In respect of the identified deficiencies in the leisure market, the Pre-Submission Local Plan is currently deemed to be 'unsound' based in its failure to recognise the need to purposefully allocate sites to accommodate leisure floorspace beyond the centres defined in the retail hierarchy (Policy ED 8) and to provide certainty by allocating sequentially preferable sites to address such deficiencies.

Conflict with other plan policies

As is discussed in greater detail within our representations put forward in respect of Policy ED1 (Key Employment Areas), the Pre-submission Plan likewise places preference in policy terms on retail, food and drink and other leisure development in the neighbouring Royal Tunbridge Wells North Farm / Longfield Road area by virtue of the policy wording.

Policy ED1 states; "*The retention of existing, and proposals for new, employment provision, to include the following uses, will be acceptable within these defined areas...*" Table 12 then identifies various 'Key Employment Areas' including the Royal Tunbridge Wells North Farm / Longfield Road area as being suitable for –

- . Class B (general industry and storage and distribution)
- . Class E (financial, professional and other business uses, retail, food and drink, and leisure)
- . Class F (appropriate leisure uses) and
- . Other sui generis uses of an appropriate type and scale

The policy wording continues to state: "*Proposals for the retention of existing floorspace and the encouragement of new floorspace in the Key Employment Areas on allocated and non-allocated and vacant sites, and through the intensification or redevelopment of existing sites, **will be supported in principle***" (Tetra Tech emphasis). In respect of suitable uses, paragraph 6.446 likewise states: "*Such uses include leisure and retail where appropriate, particularly for the North Farm/Longfield Road area in Royal Tunbridge Wells, which is already established as a mixed employment, retail, and leisure destination*".

As previously mentioned, it is acknowledged that the NPPF advises that planning policies should; "(e) where suitable and viable town centre sites are not available for main town centre uses, allocate appropriate edge of centre sites that are well connected to the town centre. If sufficient edge of centre sites cannot be identified, **policies should explain how identified needs can be met in other accessible locations that are well connected to the town centre**" (paragraph 85) (Tetra Tech emphasis). Notwithstanding this, it is questioned whether it is in fact TWBC's intention to assign a policy preference for retail and leisure use across the c. 90 ha of land (i.e. the extent of the Royal Tunbridge Wells North Farm / Longfield Road Employment Area) within 1.7 km of the Tunbridge Wells town centre on the proposed Policies Map. These areas include; Stag Trading Park, Kingstanding Business Park, High Brooms Industrial Estate, Decimus Park, North Trading Estate, Colebrook Industrial Estate, The Fountain Retail Park, Longfield Retail Park, Tunbridge Wells Shopping Park and Great Lodge Retail Park and various standalone trade/retail units situated along Longfield Road.

Whilst it is noted that the supporting plan text at paragraph 6.445 indicates: "*Given that Class E of the revised Use Class Order could enable retail uses to occupy non-retail Class E premises in out-of-centre locations, circumventing any relevant 'town centre first' policies (as set out in Policies ED 9: Defined Town and Rural Service Centres and ED 10: Sequential Test and Local Impact Test), and where there is a risk that an alternative use within Class E (such as retail) would impact on the health of surrounding centres, a condition may be attached to any approval of planning permission in out-of-centre locations*

to restrict the use to that applied for”, this approach is not communicated in the policy wording, and moreover the proposed policy wording, in fact states that; “The retention of existing, **and proposal for new, employment provision**, to include the following uses, **will be acceptable within these defined areas**” (Tetra Tech emphasis). Whilst it is accepted that by virtue of the introduction of the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020, that the Council retain no control over changes within Class E (Commercial, Business and Service) and Class F (Local Community and Learning), the policy wording which applies to new floorspace circumvents the impact test and pre-empts the outcome of the sequential test for both retail and leisure use, in a manner contrary to national policy (NPPF, Chapter 7). The policy is therefore quite clearly at odds with paragraph 16 (d) of the NPPF which requires “policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”. The same arguments likewise apply to Policy STR/RCTW 1 which similarly promotes; “the retention, expansion, and intensification where relevant of existing employment premises and **support leisure uses within the Key Employment Areas**” (Tetra Tech Emphasis). Significantly, the policy approach of Policy ED1 and STR/RTW 1 are clearly not ‘consistent with national policy’ nor in any way ‘justified’ by the Council’s own retail and leisure evidence base and therefore clearly renders the plan ‘unsound’.

Conclusion

Based on the foregoing, the current leisure use policy approach as set out in the Pre-submission Draft is fundamentally at odds with the thrust of national planning policy in respect of the location of main town centre uses as defined by the NPPF or the allocation of sites based on identified need (NPPF, paragraph 85). The current Pre-submission Local Plan clearly assigns preference to the neighbouring out of centre Royal TunbridgeWells North Farm / Longfield Road area for new retail, food and drink and leisure floorspace with no clear justification having been provided within its retail and leisure evidence base, as required by the NPPF, and therefore is clearly ‘unsound’ in this regard. Based on the preceding, we consider that Knights Park should be reallocated for leisure use, in line with our suggestion modifications outlined in response to Question 6 below. Likewise, please see our suggested modifications in respect of Policy ED 1 and Policy STR/RTW 1 in the following section.

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.

Proposed Modifications

The proposed modification is for the:

- Re-allocation of Knights Park for Leisure Use by virtue of Policy AL/RTW 15 (or alternative policy reference) and associated allocation on the Policies Map** - On the basis of the preceding, it is proposed that the land at Knights Park allocation should be positively re-introduced back into the Plan to address the leisure use deficiencies of the Borough on previously developed land and in a sustainable location capable of benefitting from linked trips. For this policy allocation to be deemed ‘effective’ and therefore ‘sound’ (and as recommended within our Draft Plan Regulation 18 representations (**see Attachment A**)), the policy wording should confirm the scope of ‘leisure’ use permitted for the purposes of this policy. It is advised that this definition should remain consistent with the ‘Leisure Activities’ identified in the Council’s evidence base – Tunbridge Wells Retail and Leisure Study (Nexus, 2017) (see Figure 8.1) which confirms ‘Leisure’ includes: indoor sports and health facilities, cinemas, restaurants, pubs and bars, ten pin bowling, bingo, theatre / concert hall, museum / art galleries, and outdoor sports. Other minor alterations to the

former policy wording are likewise suggested below, to ensure the policy remains clear, concise and effective. As such, the suggested policy wording is as follows:

"Policy AL/RTW XX (Land at Knights Park) - This site, as defined on the Royal Tunbridge Wells draft Policies Map, is allocated for compatible leisure uses that would deliver an intensification of the leisure offer currently provided within the site, to include; indoor sports and health facilities, cinemas, restaurants, pubs and bars, ten pin bowling, bingo, theatre / concert hall, museum / art galleries, and outdoor sports.

Development on the site shall accord with the following requirements:

1. **Provide suitable vehicular access and not result in an adverse**; impact upon wider highways network; 2. **Deliver suitable parking provision** (see Policy TP 3: Parking Standards); 3. **Positively respond to the surrounding landscape setting** assessment to inform by virtue of siting and design (see Policy EN 1: Design and other development management criteria); 4. **Where necessary, retain the Retention of trees belt between Knights Wood and Knights Park along the western boundary of the site** (see Policy EN 124: Trees, Woodlands, Hedges and Development); 5. **Development proposals will need to demonstrate, where appropriate, demonstrate a positive contribution to Biodiversity Opportunity Area targets** (see Policy EN 944: **Biodiversity Net Gain Net Gains for Nature: biodiversity**).

It is expected that contributions will be required, towards the following if necessary, to mitigate the impact of the development.:

a. ~~The provision of sustainable and active transport mitigation measures, particularly contributions to existing bus provision to extend bus routes into the site; and/or b. Potential highway works within the vicinity of the site, including the provision of pedestrian crossings; and/or c. Potential town centre-wide, or town-wide transport mitigation measures (for a. to c. see Policies TP 1: Transport Assessments, Travel Plans, and Mitigation and TP 2: Transport Design and Accessibility); d. The provision of buildings and spaces to provide cultural infrastructure; e. Other mitigation measures identified through the pre-application process and planning application."~~

Suggested Policies Map (Inset Map 01 - RTW and Southborough) update:

[TWBC: See supporting document for map]

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:

It is deemed that the consideration of leisure matters requires our attendance at the public examination of the Tunbridge Wells Borough Local Plan up to 2038.

Question 8

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

Sustainability Appraisal

The Sustainability Appraisal (SA) of the Pre-Submission Local Plan (February 2021) evaluates the Knights Park allocation for retail and leisure use (see Figure 1.1, Column 1 & 2 in the schedule below for reference). As the candidate site wasn't proposed to be allocated for retail use by ourselves, or as part of the Draft Local Plan, the 'summary' commentary regarding the negatives scores given, particularly in respect of Business Growth and Services and Facilities based on the assumed impact on the town centre are deemed to be unreasonable. When comparing with other sites allocated in the Pre-submission Local Plan (Columns 4 and 5 - for example), it appears as though the Knights Park site has been assigned diminished scores on certain objectives in error. After reviewing the 'Decision Aiding Questions used for Scoring SA Objectives' at Appendix B of the SA, the following

Sustainability Objectives were re-scored, resulting in a more positive scores for; Business Growth, Climate Change, Deprivation, Land Use, Landscape, Services and Facilities and Water. The associated explanation for the proposed uplift in scores for each of these objectives is provided, where applicable, in Column 3. The new SA scores of the revised AL/RTW 15 (Land at Knights Park) are now provided at Column 6 and demonstrates that the site scores equally, if not better than other sites which have been put forward for

allocation within the Pre- Submission Local Plan (for example: AL/RTW 18 and AL/RTW 17).

Figure 1.1 Knights Park SA Review

[TWBC: See supporting document for Figure 1.1]

Overall from a sustainability perspective, the fact that 550 homes and a primary school have recently been constructed surrounding the Park within easy walking distance at Knights Wood, only serves to substantiate the position that the de-allocation of the Park for leisure use within the Pre-submission Local Plan is entirely unwarranted, and not 'positively prepared' as required by the NPPF. Furthermore, the recent COVID-19 pandemic measures now place even greater emphasis on the need to ensure facilities are safeguarded within easy walking distance of resident populations, in the context of the 'stay local' messaging and lessons learnt from the pandemic. Similarly, the well-being and equalities benefits of facilitating new jobs within an area with the highest unemployment within the Borough should not be overlooked.

In conclusion, we are not aware of any reasoning as a result of the SA exercise which would preclude the proposed allocation of the site for leisure use.

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_128

Comment

Agent	Miss Louise Darch ([REDACTED])
Email Address	[REDACTED]
Company / Organisation	Tetra Tech Planning
Address	5th Floor, Longcross Court 47 Newport Road Cardiff DF24 0AD
Consultee	([REDACTED])
Company / Organisation	Standard Life Investments UK Real Estate Fund
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Standard Life Investments UK Real Estate Fund (- [REDACTED])
Comment ID	PSLP_1963
Response Date	04/06/21 07:54
Consultation Point	Policy STR/RTW 1 The Strategy for Royal Tunbridge Wells (View)
Status	Processed
Submission Type	Email
Version	0.4
Files	PSLP_1954-1970_TetraTech for Standard Life_SI_(not inclusive).pdf
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Standard Life Investment UK Real Estate Fund
Question 2	
Agent's Name and Organisation (if applicable)	Tetra Tech 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/RTW 1 The Strategy for Royal Tunbridge Wells

[TWBC: this representation has been input against Policies PSTR/RTW 1, ED 10, STR 1, ED 1, STR/RTW 1, AL/RTW 18, STR 5, EN 2, EN 7, TP 1 and TP 3 – see Comment Numbers PSLP_1954, PSLP_1959, PSLP_1960, PSLP_1961, PSLP_1963, PSLP_1965, PSLP_1966, PSLP_1967, PSLP_1968, PSLP_1969 and PSLP_1970]

Question 4

Do you consider that the Local Plan:

Is legally compliant

Yes

Is sound

No

Complies with the Duty to Cooperate

Don't know

Question 4a

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

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

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

Question 5

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

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

On behalf of Standard Life Investments UK Real Estate Fund, Tetra Tech Planning **object** to Policy STR/RTW 1 (The Strategy for Royal Tunbridge Wells) which assigns preference in policy terms to, *inter alia*, new leisure floorspace development within the Key Employment Areas. See commentary submitted in respect of overarching Policy ED 1 (Key Employment Areas).

In addition, no definition of 'leisure' is provided either in the policy wording or supporting text. Based on the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020, the term 'leisure' could potentially cut across a range of use classes, theoretically comprising:

- . Class C1 (hotels)
- . Class E (b) (food & drink); (d) (indoor sport, recreation or fitness)
- . Class F2(d) (indoor or outdoor swimming pools)

- . *Sui Generis* (including theatres, amusements, hostels, nightclubs, casinos, public houses, wind bars, or drinking establishments, drinking establishments with expanded food provision, hot food takeaways, venues for live music performance, cinemas, bingo halls and dance halls)
- The vagueness in terms of not defining the scope of 'leisure' uses permitted and the potential for resultant significant adverse impacts on designated town centres within the Borough by not defining a quantum / threshold for leisure use is a fundamental flaw. As such, it is not considered the policy as it currently stands is 'positively prepared', 'justified', 'effective' nor 'consistent with national policy', and therefore is 'unsound' based on the requirements of the NPPF.

Question 6

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Proposed Modifications

The proposed modification is to:

- . **Re-word the Policy STR/RTW 1** as follows:
"The strategy for the unparished area at Royal Tunbridge Wells, as defined on the Policies Map (Inset Map 1), is to: ...5. Promote the retention, expansion, and intensification where relevant of existing employment premises and support leisure uses within the Key Employment Areas"

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

Agent	Catherine Stephens [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Frankham Projects
Address	- - -
Consultee	Mr Colin Lissenden [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Town & Country Housing Group
Address	[REDACTED] [REDACTED] ROYAL TUNBRIDGE WELLS [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Town & Country Housing Group [REDACTED] [REDACTED]
Comment ID	PSLP_1742
Response Date	04/06/21 09:42
Consultation Point	Policy STR/RTW 1 The Strategy for Royal Tunbridge Wells (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	Town & Country Housing Group
Question 2	
Agent's Name and Organisation (if applicable)	Frankham Projects
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/RTW 1 The Strategy for Royal Tunbridge Wells

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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RE: Tunbridge Wells Borough Council Local Plan Pre-Submission (Regulation 19 Version)

We write on behalf of Town and Country Housing (TCH) in respect of the Pre-Submission (Regulation 19 Version) of the Tunbridge Wells Local Plan. TCH is a major land owner on the estate.

CH support the inclusion of the Showfields Estate within draft policy AL/RTW 15 (Land at Showfields Road and Rowan Tree Road). TCH note that the extent of the policy allocation has changed since the previous version of the local plan and this is welcomed.

The condition of some of the flats and houses on the Showfields Estate is a concern for TCH and the useable life of some of the buildings is limited without significant intervention and investment.

The Showfields Estate is in a highly sustainable location with excellent public transport links and opportunities for walking and cycling. It is well placed for residents to access local shops and services including those in Tunbridge Wells town centre. TCH is excited about the future regeneration of the Showfields Estate and the potential to create long lasting change for existing and future residents.

Whilst TCH support the allocation, it is considered that there are a number of issues which should be recognised by policy AL/RTW 15 including:

- **Fragmented Ownership** – the estate is in multiple ownership and whilst TCH support comprehensive regeneration, any future development will be constrained by land ownership issues which are outside of the control of TCH. Specifically, it is considered important that the policy recognises that the community uses are in separate ownership with a range of different interests. It is noted that within the draft policy AL/RTW 15, point 1 states that ‘*development on the site shall accord with a number of requirements including 1) a comprehensive redevelopment of the site to include the re-provision and enhancement of the existing residential dwellings alongside enhanced and improved community facilities to include a new medical centre. The community and health facilities to be provided in accordance with an agreed timetable, relative to the phasing of the residential element of the development*’.

TCH request that this part of the draft policy is amended to account for the fact that the delivery of the enhanced community facilities will be subject to phasing, land ownership and operator requirements.

- **Phasing** – given the scale of the existing estate, which is currently in full occupation, the policy should recognise that any future redevelopment will need to be phased appropriately to allow decanting to take place.
- **Housing** – regeneration of the Showfields Estate offers the potential to provide better quality private and affordable homes including family housing with a mix of unit types and tenures to meet demand. The draft policy currently refers to providing approximately 155 additional dwellings. It is considered that the reference to 155 dwellings is removed and that the policy provides an indicative range of a suitable number of new dwellings to allow maximum flexibility, recognising that the number of new units will be subject to a range of design issues and constraints including building heights and car parking requirements.
- **Community Uses** – TCH fully acknowledge the importance of the community uses on the estate and are committed to working in partnership with the relevant stakeholders to deliver improved community use provision. TCH would welcome a reference to retail, food and drink (café) and leisure uses within policy AL/RTW 15 to reflect the diverse range of uses which serve the community both now and in the future. TCH also support the desire within the policy to maintain the designated Village Green.
- **Design and Layout** – the design of any future regeneration scheme will need to address a number of significant shortcomings in terms of the existing design of the estate. The policy should recognise the potential to reconfigure the design and layout of the estate to improve natural surveillance, public realm, landscaping and environmental credentials.
- **Low Traffic Neighbourhood** – Point 2 of draft policy AL/RTW 15 notes that the design and layout of future development is to take the form of a Low Traffic Neighbourhood. Given that the design and layout of any redevelopment proposals will need to address a range of different aspects, including those noted in the bullet points above, it is considered that the reference to a Low Traffic Neighbourhood is deleted from the policy. Instead, the wording of the policy should focus on the requirement to provide safe and convenient access to modes of transport other than the private car, to encourage walking and cycling and promote active travel within a safe environment for existing and future residents. Furthermore, the Showfields Estate is primarily a residential area with very limited through traffic. Any future regeneration proposals are unlikely to change this and the requirement to introduce a Low Traffic Neighbourhood to reduce the impact of through-vehicular traffic on local streets is not considered necessary for the Showfields Estate.
- **Contributions to mitigate impact of development** – Point 5 of the draft policy AL/RTW 15 states that ‘contributions are to be provided to mitigate the impact of the development in accordance with Policy STR/RTW 1’. Whilst TCH recognise the need for the Council to ensure that the impacts of development are mitigated, it is considered that Point 5 should acknowledge that any redevelopment at Showfields is likely to provide significant benefits for the estate and such benefits should be recognised and taken into account when considering developer contributions. The level of contributions sought should also take into account the requirement of the draft policy AL/RTW 15 to provide a level of affordable housing in accordance with draft policy H4 (Estate Regeneration).

TCH also make the following comments in respect of other policies in the draft plan:

- Point 14 of draft policy STR/RTW 1 (The Strategy for Royal Tunbridge Wells) notes the strategic requirement to allocate land at Showfields and Rowan Tree Road for a new medical centre. The requirement for a new medical centre is also referenced in draft policy AL/RTW 15. TCH is concerned that the reference to provide a new medical centre as part of the regeneration proposals for Showfields is aspirational and that the specific requirements of potential operators has not been sought and there may not be an end user willing to operate a new medical practice in this location, which would impact on its delivery. This is of concern to TCH and TCH would urge the Council to consider this requirement in more detail.

Question 7

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

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

For office use only

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

Supporting Information File Ref No: SI_35

Comment

Consultee	Dr P Whitbourn [REDACTED]
Address	[REDACTED] [REDACTED] ROYAL TUNBRIDGE WELLS [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Dr P Whitbourn [REDACTED]
Comment ID	PSLP_540
Response Date	27/05/21 10:24
Consultation Point	Policy STR/RTW 1 The Strategy for Royal Tunbridge Wells (View)
Status	Processed
Submission Type	Other
Version	0.4
Files	PSLP_534, 535, 540, 543, 546, 549, 551_Dr P Whitbourn_SI-1_Evidence supporting representation.pdf
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Dr Philip Whitbourn
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/RTW 1 The Strategy for Royal Tunbridge Wells
Question 4	
Do you consider that the Local Plan:	

Is sound

No

Question 4a

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

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

- . It is not 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.

The need for a more enlightened strategy for the historic town and regional centre of Royal Tunbridge Wells

This Strategy is unsound in conservation terms, in that it places too much emphasis on “redevelopment and Intensification”, both of which can prove harmful to the character and appearance of the Conservation area.

[TWBC: For evidence supporting this representation, please see the supporting document]

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.

Item 2 should be re-worded to read: Provide additional housing, which may be delivered through the development of allocated sites, and the sympathetic refurbishment of vacant properties in the Town Centre.

Item 3 should be amended to omit the words “by the intensification of uses/sites”.

Item 5 should read: Promote the retention and, where appropriate, the expansion of existing employment and leisure premises.

Item 6 should read: Develop a strategy for the Town Centre to provide a framework for a conservation based Town Centre Area Plan, to ensure the long term vitality and viability of the centre, and to secure the future of Royal Tunbridge Wells as a nationally important historic town that is a tourist and cultural destination.

Item 7 should be omitted

Item 9 should have the added words: including proper parking arrangements for school buses.

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:

To assist the inspector concerning my evidence and representations, as necessary

If you would like to attach a file in support of your comments, please upload it here. [PSLP_534, 535, 540, 543, 546, 549, 551_Dr P Whitbourn SI-1 Evidence supporting representation.pdf](#)

Future Notifications

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

Supporting Information File Ref No: SI_35

Comment

Consultee	Dr P Whitbourn [REDACTED]
Address	[REDACTED] [REDACTED] ROYAL TUNBRIDGE WELLS [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Dr P Whitbourn [REDACTED]
Comment ID	PSLP_535
Response Date	27/05/21 10:17
Consultation Point	Policy STR/RTW 1 The Strategy for Royal Tunbridge Wells (View)
Status	Processed
Submission Type	Other
Version	0.5
Files	PSLP_534, 535, 540, 543, 546, 549, 551_Dr P Whitbourn SI-1 Evidence supporting representation.pdf
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Dr Philip Whitbourn
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.	
	Paragraph number 5.14
Question 4	
Do you consider that the Local Plan:	

Is sound

No

Question 4a

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

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

- . It is not positively prepared
- . It is not effective
- . It is not justified

Question 5

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The need to avoid repetition of the appalling planning mistakes, in visual and conservation terms, of the Dandara and Cinema site schemes

The charm of the historic town of Royal Tunbridge Wells resides in its heritage of older buildings, and not in new developments which, like the Dandara scheme at The Pantiles, usually detract from the local scene, with their alien nature, scale and international modern style. Repeating the mistakes of the Dandara and Cinema Site schemes could soon seriously spoil the town, and new development therefore needs to be approached with a degree of caution. Paragraph 5.14 could be seen as an open invitation to property developers to move in with more such unsuitable schemes, and the paragraph should be omitted, apart from the pertinent last two lines.

[TWBC: For evidence supporting this representation, please see pages 8 and 17 of the supporting document]

Question 6

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Omit paragraph 5.14, except for the last lines concerning the local highway network, which might be added on to the previous paragraph 5.13.

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:

To assist the inspector concerning my evidence and representations, as necessary

If you would like to attach a file in support of your comments, please upload it here. [PSLP 534, 535, 540, 543, 546, 549, 551 Dr P Whitbourn SI-1 Evidence supporting representation.pdf](#)

Future Notifications

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

Comment

Consultee	Ben Williams [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] Tunbridge Wells [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Ben Williams [REDACTED]
Comment ID	PSLP_31
Response Date	09/04/21 11:39
Consultation Point	Policy STR/RTW 1 The Strategy for Royal Tunbridge Wells (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	KJ
Question 1	
Respondent's Name and/or Organisation	Mr Ben Williams
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/RTW 1: The Strategy for Royal Tunbridge Wells	
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 justified

Question 5

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To take away 6% of the greenbelt in the borough is plain wrong. Green belt should be protected for future generations not turned into more housing.

The amount of construction (5 sites I believe) and increased traffic in the Broadwater Down area of Tunbridge Wells is far too high and to take away the AONB fields at Spratsbrook Farm next to Ramslye is an awful decision. Those fields and ancient woodlands need to be protected not have a housing estate rammed into the fields.

Question 6

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You need to reduce the destruction of the green belt afforded by the plan. It needs to be protected and not destroyed.

Question 7

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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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Local Plan Regulation 19 representations in document order

**Comments on Section 5: Place
Shaping Policies: Royal Tunbridge
Wells: Policy STR/RTW 2 The Strategy
for Royal Tunbridge Wells Town
Centre**

Comment

Agent	Miss Joanna Chambers [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Changing Cities
Address	[REDACTED] LONDON [REDACTED]
Consultee	42 Leisure PLC [REDACTED]
Company / Organisation	42 Leisure PLC
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	42 Leisure PLC [REDACTED]
Comment ID	PSLP_1722
Response Date	04/06/21 12:06
Consultation Point	Policy STR/RTW 2 Royal Tunbridge Wells Town Centre (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	42 Leisure Ltd
Question 2	
Agent's Name and Organisation (if applicable)	Changing Cities
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.

Paragraphs 5.28 and 5.70

Policy STR/RTW 2 Royal Tunbridge Wells Town Centre

Policy AL/RTW 10 Montacute Gardens

inset Maps 1 & 2

[TWBC: this representation has been input against Policies STR/RTW2 and AL/RTW10 – see Comment Numbers PSLP_1722 and PSLP_1723]

Question 4

Do you consider that the Local Plan:

Is legally compliant Yes

Is sound No

Complies with the Duty to Cooperate Yes

Question 4a

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

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

Question 5

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

42 Leisure welcomes the reinstatement of land at Montacute Gardens as a site allocation under Policy AL/RTW10. Montacute Gardens is allocated in the adopted Local Plan for mixed use development as part of a comprehensive strategy to regenerate and revitalise the southern part of the Town Centre. Following the redevelopment of Union House, the site is critical to achieving the objectives for regeneration of this part of the town centre and cannot be viewed in isolation. However, whilst welcoming this change, 42 Leisure is concerned that the site has been excluded from the Town Centre Boundary and is no longer viewed in the context of the wider regeneration of this part of the town centre (previously referred to as the Eridge Road Area of Change).

42 Leisure Ltd has a long-standing commitment to helping Tunbridge Wells fulfil its great potential. The Company was established with the purpose of delivering high quality development and area regeneration which will ensure the town centre remains prosperous and vibrant whilst protecting and enhancing its unique character and heritage- making it the destination of choice with a stronger visitor economy and cultural offer. 42 Leisure previously prepared a comprehensive vision for the area incorporating Montacute Gardens, Union House and the surface car park (formerly referred to by the Council as the Eridge Road Area of Change) and remains committed to working with the Council and other landowners in delivering this.

In conjunction with other neighbouring sites, the land at Montacute Gardens has an important contribution to make in achieving the strategic objectives for the regeneration of this part of the town centre. 42 Leisure Ltd is concerned that as currently worded, Policy AL/RTW10 will not be effective and will lead to continued piecemeal development which will undermine these objectives. It is therefore requested that full consideration is given to the proposed amendments to enable all stakeholders to work together to realise their shared ambitions for the town.

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.

42 Leisure considers further changes are required to the Draft Local Plan to make the policies effective and to reflect the importance of AL/RTW10 and the regeneration of this part of the town centre in achieving the overall vision for Royal Tunbridge Wells.

The following amendments are proposed:

1. Include reference in Paragraph 5.28 and Policy STR/RTW2 to regeneration of the southern part of the town centre- formerly the Eridge Road Area of Change. This area (including Montacute Gardens and Site AL/RTW2 Land at Auction House, Linden Park Road) should be included in the list of sites/areas identified for change within the town centre which are integral to the vision for the town and offer scope for redevelopment and enhancement to uses and the public realm as part of a comprehensive vision for the town centre. It is underutilised and poorly integrated with the Pantiles and wider town centre. Development within this area will act as a catalyst for the rejuvenation of the Pantiles and the wider town centre and help to ensure the future prosperity and vitality of the town. The redevelopment of the Union House site has started this process but on its own, will not deliver the full potential for revitalisation and enhancement of this part of the town centre. Development and enhancement of the existing properties and land at Montacute Gardens and the surface public car park are essential to realising the benefits for Tunbridge Wells. This should be acknowledged in the vision for the town centre which should promote high quality development well integrated with the wider area which delivers a rich mix of uses, high quality design and attractive streets and public spaces and respects the character and heritage of Royal Tunbridge Wells. This will require collaborative working between the Council, landowners and other stakeholders.

2. Paragraph 5.70 makes reference to the site allocation being on the edge of the town centre. The Town Centre Boundary (Inset Map 2) should be extended to include Land at Montacute Gardens (AL/RTW10).

3. Extend boundary of AL/RTW 10 to include the surface public car park fronting Eridge Road (A26).

4. Amend Paragraph 5.70 to reflect the importance of the site to the regeneration of the southern part of the town centre and the need for an overall vision and integration with the wider area.

5. Amend Policy AL/RTW 10 as follows:• Add to introductory paragraph: 'The site forms a gateway to the town centre and proposals should contribute to the strategic objectives for the regeneration of this part of the town centre. An overall vision will be required to avoid piecemeal development. The site, as defined on the Royal Tunbridge Wells Policies Map and the Town Centre Inset Map, is allocated for a residential led mixed use development which may include other appropriate town centre uses'.• Add to requirements: 'Proposals should be considered within the context of an overall masterplan and vision for the site'.• Add to requirement 2: 'Proposals should enhance the conservation area and the adjacent Tunbridge Wells Common and the setting of The Pantiles'.• Add to requirements: 'Development

of the surface car park will be permitted as part of a comprehensive development subject to satisfying the criteria set out in Policy TP4'.

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:

42 Leisure Ltd may wish to participate in the hearing sessions to highlight the importance of the site and the regeneration of the southern part of the town centre to achieving the strategic vision and objectives for Royal Tunbridge Wells.

Future Notifications

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

Comment

Consultee	Julie Davies [REDACTED]
Email Address	[REDACTED]
Company / Organisation	CPRE Kent
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	CPRE Kent [REDACTED]
Comment ID	PSLP_516
Response Date	27/05/21 15:27
Consultation Point	Policy STR/RTW 2 Royal Tunbridge Wells Town Centre (View)
Status	Processed
Submission Type	Web
Version	0.1
Question 1	
Respondent's Name and/or Organisation	CPRE Kent
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
STR/RTW2	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes
Is sound	No

Complies with the Duty to Cooperate

Don't know

Question 4a

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

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

- . It is not effective
- . 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.

STR/RTW2 sound policies

CPRE Kent supports most of policy STR/RTW 2, so far as it applies to Royal Tunbridge Wells town centre, the development of a Town Centre Area Plan and the proposed allocations made within the LBD.

Taking note of policy STR/RTW1 point 2 to "Provide additional housing which may be delivered through the redevelopment and intensification of allocated sites and other windfall development inside the defined Limits to Built Development" we strongly advocate that the proposed densities on allocated sites should be reviewed with a view to further intensification when planning applications come forward for those sites.

The suggestion that scope for at least 150-200 additional housing units may be identified under the TCAP seems far too conservative, especially in view of the ownership by the Council of a number of town centre sites which will be up for review.

STR/RTW2 unsound policies

CPRE Kent is opposed to removal of land from the green belt or building in the AONB or the green belt unless there are exceptional circumstances, which we do not believe to be the case. We consider the plan is unsound because the proposed allocations under policies AL/RTW5 and AL/RTW16 are unjustified, ineffective and contrary to national policy as set out in paragraphs 123 and 137 of the NPPF.

Paragraph 137 of the NPPF states that "Before concluding that exceptional circumstances exist to justify changes to Green Belt boundaries, the strategic policy-making authority should be able to demonstrate that it has examined fully all other reasonable options for meeting its identified need for development." This will be assessed through the examination of its strategic policies, and whether the strategy makes as much use as possible of suitable Brownfield sites and underutilised land and optimises the density of development.

It is our contention that this has not been demonstrated.

Paragraph 123 of the NPPF states that "Where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site."

It is our contention that this has not been demonstrated.

The proposed allocations at AL/RTW5 and AL/RTW16 are ineffective and contrary to national policy. Both sites are in the green belt and there is insufficient evidence to that there are exceptional circumstances that would justify their removal from the green belt and allocation for housing.

In fact, the evidence within the Regulation 19 draft Local Plan tends to point the other way. There is to be a major review starting in 2021 of land within the designated town centre of Royal Tunbridge Wells in order to produce a Town Centre Area Plan. There would need to be 220 dwellings (additional to those currently estimated to become available in the town centre), to replace those which would be lost by cancelling the allocations at Caenwood and Spratsbrook.

The proposed allocation at AL/RTW3 at Lifestyle Ford Mt Ephraim appears to be a fairly high density development, in a sustainable location which is appropriate for a town centre site. Given:

- . the opportunity for intensification of some other proposed allocations;
- . the opportunities for a concerted campaign to bring upstairs floors of retail units back into residential use;
- . the likelihood of a major readjustment of retail demand and redundancy of many units in a town centre which was already excessively spread out before the pandemic;
- . the likelihood that major redevelopment at the Royal Victoria Place will include substantial residential development;
- . the possibility that the TCAP may allocate residential development of part of the redundant Council land holdings in the town centre;
- . the likelihood of major redevelopment of the Morrisons and Torrington sites and other development opportunities in that part of the town centre;
- . the possibility of substantial redevelopment of land off Grosvenor Road and the Meadow Road Car Park;
- . the opportunities for redevelopment of other poorly used sites outside the defined town centre, for example off High Brooms Road; and
- . demographic change which seems likely to lead to a reduction in OAN.

it is inconceivable that at least one hectare, in total, of additional development land beyond that currently estimated and capable of supporting similar densities will not be found within Royal Tunbridge Wells in the next five years.

Consequently, CPRE Kent would like to see the allocations at Caenwood and Spratsbrook deleted. Should our reasonable assessment of the likelihood of land becoming available not prove accurate, there will be the opportunity to review the situation under the five-year review process. But if the land at Caenwood and Spratsbrook is allocated now, it will be lost to the green belt for ever.

Policy AL/RTW5 is unsound

The land identified as SHELAA site 100 and a corner of site 30, now designated as AL/RTW5, unusually serves, and is recognised to serve, all five purposes for which the Green Belt is established:

- . it prevents unrestricted sprawl of the large built up areas of Tunbridge Wells and Southborough on the perimeters of each town;
- . it prevents the towns of Tunbridge Wells and Southborough from merging into one another on the only perimeter where that is still possible;
- . it assists in safeguarding the countryside from encroachment and is close to buffer to adjoining High Weald AONB to the west;
- . it contributes to preserving the unique setting and special character of the towns; and
- . its existence acts as an incentive to urban regeneration in the town centre where substantial opportunities exist for increased residential development beyond present allocations.

The stage 2 Green Belt Review considered that, taken in isolation, release of the parcel SO1A (now proposed as AL/RTW5) would cause moderate harm but it sits adjacent to a wider parcel SO1B (which adjoins the AONB and a historic park and garden at Salomons), the release of which would cause very high harm. The negative consequences of the proposed allocation in terms of substantial light and noise pollution, disruption to wildlife in the two nearby Local Wildlife Sites and Biodiversity Opportunity Area would add to the harm which would accrue from development at this site.

The Stage 3 Green Belt Review, based on the same parcel and the same facts modified the perceived harm from release from moderate to low/moderate. This seems to have been a very late and perhaps addition to the Stage 3 Green Belt Review as the parcel was not given an allocation number in the review. Under the preceding Regulation 18 draft Local Plan and on the strength of a comprehensive evidence base, this site was not included for allocation. Procedurally there has therefore been no

opportunity for respondents to that public consultation to voice objections which might be taken into account by the Council before submitting the draft plan for Examination.

The exceptional circumstances for this allocation have not been demonstrated. Its removal from the green belt for allocation is therefore considered unjustified.

Policy AL/RTW16 is unsound

The land identified as AL/RTW16, serves, and is recognised to serve the following purposes, for which the Green Belt is established:

- . it prevents unrestricted sprawl of the large built up area of Tunbridge Wells;
- . it assists in safeguarding the countryside from encroachment and adjoins AONB to the south and north west;
- . it contributes to preserving the unique setting and special character of the towns; and
- . its existence acts as an incentive to urban regeneration in the town centre where substantial opportunities exist for increased residential development beyond present allocations.

The negative consequences of the proposed allocation in terms of substantial light and noise pollution, disruption to wildlife in the nearby Local Wildlife Site and Biodiversity Opportunity Area would add to the harm which would accrue from development at this site.

The Stage 2 Green Belt Review considered the site as parcel TW10 and found that harm from its removal from the green belt would be high. The Stage 3 Green Belt Review, based on retention of the north western two thirds of the parcel within the Green Belt, modified the perceived harm from release from moderate to low/moderate. The negative consequences of the proposed allocation in terms of substantial light and noise pollution, disruption to wildlife in the nearby Local Wildlife Site and Biodiversity Opportunity Area would add to the harm which would accrue from development at this site.

The proposed allocation has not been shown to be subject to exceptional circumstances which override its purpose in remaining part of the Green Belt and the harm which would be caused by its removal. Its removal from the Green Belt for allocation is therefore considered unjustified.

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.

CPRE Kent believes the plan could be made sound by deletion of allocations AL/RTW5 and AL/RTW 16 at Caenwood and Spratsbrook Farms for the reasons set out above.

However, if the Inspector is not minded to recommend that this allocation be deleted, CPRE Kent would like to see the following:

- 1 There being in our opinion insufficient evidenced to justify for the current allocations at Caenwood and Spratsbrook, our first preference would be to invite the Inspector to be mindful of paragraph 139 of the NPPF and recommend that areas of safeguarded land be identified between the urban area and the green belt equivalent to the parts identified as developable in sites AL/RTW5 and AL/RTW16, in order to meet potential longer-term development needs stretching well beyond the plan period and once maximum intensification has been achieved within the existing LBD. The Inspector should make clear that the safeguarded land is not allocated for development at the present time and that planning permission for the permanent development of the safeguarded land should only be granted following an update to the local plan which proposes the development.

- 1 Should the Inspector nonetheless be minded not to safeguard rather than allocate land at sites RTW5 and RTW16, our second preference would be for the Inspector to recommend that the proposed densities on the allocations be modified in accordance with paragraphs 123 and 137 of the NPPF which we consider to have been disregarded in the draft plan.

The projected densities of approximately 20 dwellings per hectare on both sites are far too low for sites which are immediately adjacent to Limits to Built Development. CPRE Kent would therefore like to see a much higher density. Besides bringing the allocations into conformity with national policy, significantly higher density would also be far more compatible with meeting the actually identified housing need in the borough for social and affordable housing than is likely to be the case under the current proposed densities.

- 1 As these densities would produce a number of dwellings significantly greater than said to be required during the plan period, this might alternatively allow the Inspector to recommend the reduction in loss of green belt by reducing the allocated area on both sites and maintaining the remainder as green belt.
- 1 Higher density housing does not need to be ugly. Some of the most desirable properties in Royal Tunbridge Wells 'village area' are terraces and other clustered dwellings – the now valued high density housing of the past. Even in modern developments, a village atmosphere can be successfully created with terraces, maisonettes and other three to four storey developments forming an attractive part of the development.
- 1 If the Inspector should confirm removal of land from the green belt, paragraph 138 of the NPPF states that a Plan should set out "ways in which the impact of removing land from the Green Belt can be offset through compensatory improvements to the environmental quality and accessibility of remaining Green Belt land". Paragraph 141 of the NPPF states: "Once Green Belts have been defined, local planning authorities should plan positively to enhance their beneficial use, such as looking for opportunities to provide access; to provide opportunities for outdoor sport and recreation; to retain and enhance landscapes, visual amenity and biodiversity; or to improve damaged and derelict land."

The Regulation 19 Pre-submission Plan reads as though the land at both Caenwood and Spratsbrook has *already* been removed from the green belt prior to its allocation. That being its approach, CPRE Kent would expect to see specific detailed mapped proposals in both the allocations as to how the provisions of paragraphs 138 and 141 of the NPPF will be given effect.

Mitigation and enhancement seems to be limited to land within the sites to be allocated although it is understood that the prospective developers own adjacent additional land. In the case of Spratsbrook Farm, an area of the allocation nearly twice the developable area is to remain open with public access. In the case of Caenwood Farm, only about a third is to remain open although the projected housing numbers are similar (120 and 100 respectively).

In neither case are there sufficiently specific details as to how the provisions of paragraphs 138 and 141 of the NPPF are to be given effect. CPRE Kent strongly urges the Inspector to remedy this by recommending that the Council identify within the plan the specific mitigation and enhancement within the remaining green belt which will be provided as compensation for the loss of the parts removed from it. Without concrete provisions within the plan, it is highly likely that the significant obligations placed by the NPPF will not be honoured in practice.

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:

CPRE Kent would wish to participate at the examination hearings to explore the reasons for the allocation of land at AL/RTW5 and AL/RTW16, which are a key part of the green belt in the immediate environs of Royal Tunbridge Wells, and because so many issues arise concerning compliance with the NPPF in relation to their allocation, as we have set out above.

Question 8

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

We have set out in our response to policy STR/RTW1 our strong support for the decision of the Council based on the 2021 version of the SHELAA and in the Sustainability Appraisal not to entertain development on the sites we listed.

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 M Booker [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Culverden Residents' Association
Address	[REDACTED] Tunbridge Wells [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Culverden Residents' Association [REDACTED] [REDACTED]
Comment ID	PSLP_713
Response Date	01/06/21 08:20
Consultation Point	Policy STR/RTW 2 Royal Tunbridge Wells Town Centre (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	Culverden Residents' Association
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/RTW 2 Royal Tunbridge Wells Town Centre	
Question 4	
Do you consider that the Local Plan:	

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

Question 4a

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

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

The Culverden Residents' Association strongly **supports** the development of a Town Centre Area Plan and hopes it will find sufficient additional scope for residential development to make it unnecessary to remove any land from the Green Belt for residential purposes.

We are opposed to building in the AONB or the Green Belt unless exceptional circumstances have been made out. We consider the plan is **unsound** in relation to the proposed allocation under policy **AL/RTW5** because we dispute that exceptional circumstances exist for the reasons we give in detail in our separate part B response to proposed allocation AL/RTW5 [TWBC: see PSLP_711]

Question 7

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

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

Question 7a

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

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

We would wish to be heard in relation to proposed allocation AL/RTW5 which is the subject of a separate part B form

Question 8

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

We repeat our support (expressed in detail in our response to policy STR/RTW1) for the decision by TWBC, on the basis of the 2021 SHELAA and Sustainability Appraisal, not to allocate certain sites for development. [TWBC: see PSLP_711].

Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Royal Tunbridge Wells Town Forum
Address	- - - -
Event Name	Pre-Submission Local Plan
Comment by	Royal Tunbridge Wells Town Forum [REDACTED]
Comment ID	PSLP_843
Response Date	01/06/21 08:15
Consultation Point	Policy STR/RTW 2 Royal Tunbridge Wells Town Centre (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	Royal Tunbridge Wells Town Forum
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/RTW 2 Royal Tunbridge Wells Town Centre

Question 4

Do you consider that the Local Plan:

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

Question 4a

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

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

- . It is not effective
- . 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.

STR/RTW2 Sound Policies

The Royal Tunbridge Wells Town Forum **supports most of policy STR/RTW 2** about Royal Tunbridge Wells town centre, including the proposed allocations made **within** the Limits to Built Development of the town and the development of a **Town Centre Area Plan**, which we strongly support.

We note that Policy STR/RTW1 paragraph 2 seeks to “Provide additional housing which may be delivered through the redevelopment and intensification of allocated sites and other windfall development inside the defined Limits to Built Development”. We strongly advocate that the proposed densities on allocated sites should be reviewed with a view to greater densification when planning applications come forward for those sites. The proposal in the Draft that at least 150-200 additional dwellings may be found under the TCAP seems far too low, especially as TWBC owns a number of town centre sites which will be up for review under the TCAP

STR/RTW 2 Unsound Policies

The Town Forum is opposed to building in the AONB or the Green Belt unless exceptional circumstances have been made out. We consider the plan is **unsound** in relation to the proposed allocations under policy **AL/RTW5** and **AL/RTW16** because the allocations are **unjustified, ineffective** and **contrary to national policy** for the reasons we set out below:

Paragraph 123 of the NPPF states that “Where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site.” This situation clearly applies in RTW and we believe scope exists for some additional intensification in relation to sites within the LBD before looking outside the LBD. It is a rather overlooked fifth purpose of the Green Belt “to assist in urban regeneration by encouraging the recycling of derelict and other urban land”. We do not believe that sufficient attention has been given to this as a factor which would justify the maintenance of the land at sites AL/RTW5 and AL/RTW16 within the Green Belt.

Paragraph 137 of the NPPF states that “Before concluding that exceptional circumstances exist to justify changes to Green Belt boundaries, the strategic policy-making authority should be able to demonstrate that it has examined fully all other reasonable options for meeting its identified need for development” including whether the strategy makes as much use as possible of suitable Brownfield

and other underutilised sites at an optimal density. Taking Royal Tunbridge Wells as a whole, we are not convinced that this has been done.

The above sites are in the Green Belt and we are not convinced that there are exceptional circumstances to justify their removal from the Green Belt for housing. The evidence tends to the contrary because there is to be a major review starting in 2021 of land in the town centre in order to produce a Town Centre Area Plan. Other land within the LBD outside the immediate town centre might also be considered. It would only be necessary to identify space for a further 220 dwellings during the Plan period, (additional to those currently estimated to become available in the town centre), to replace those which would be lost by cancelling the allocations at Caenwood and Spratsbrook. Furthermore, in sustainability terms, such substitute dwellings would be far more effective and justified in the long term interest of the town and in mitigating the climate emergency than extending its area into the countryside.

Furthermore, in the case of proposed allocation AL/RTW5, the land in question was ruled out for development under the earlier SHELAA and Sustainability assessments and has therefore not been the subject of the Regulation 18 Public Consultation, which would have given residents the opportunity to adduce evidence to be taken into account in drawing up the Regulation 19 Draft Plan. This in itself may be regarded as **unsound** procedurally.

In conclusion, the Town Forum considers that the allocations at Caenwood and Spratsbrook should be cancelled as **unsound**. If our assessment of the likelihood of suitable land becoming available did not prove accurate, there would always be the opportunity to review the situation under the 5 year review process. But if the land at Caenwood and Spratsbrook is allocated now, it will be lost to the Green Belt for ever. As there is likely to be an oversupply of housing during the first 5 years of the plan, we would argue that the risk taken by not now allocating either site would be small and worth taking to protect our green open spaces.

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 Town Forum believes Policy STR/RTW2 could be made sound by deletion of allocations **AL/RTW5** and **AL/RTW 16** at Caenwood and Spratsbrook Farms for the reasons we have set out above. However, if the Inspector is not fully convinced by our arguments we would advocate the following course of action:

1. Our **first preference** would be for the Inspector to take advantage of paragraph 139 of the NPPF **to identify areas of safeguarded land between the urban area and the Green Belt equivalent to the parts identified as developable in sites AL/RTW5 and AL/RTW16**. This could hypothetically be needed to meet longer-term development needs stretching well beyond the plan period if and when maximum intensification has been achieved within the existing LBD.
2. Our **second preference**, if the Inspector is not able to safeguard rather than allocate land at sites RTW5 and RTW16, would be to **increase very significantly the proposed densities** on both allocations in line with NPPF paragraphs 123 and 137 which we consider to have been insufficiently applied in the Regulation 19 Draft Plan.

The projected densities of approximately 20 dwellings per Hectare on both sites are far too low for sites immediately adjacent to LBD. We therefore advocate that a minimum density of 60-80 dwellings per Hectare should be required in these extensions of the urban area to avoid suburbanisation and to

encourage active travel and efficient provision of services. As well as bringing the allocations into conformity with national policy, this density would also be far more compatible with meeting the actually identified housing need in the Borough for social and affordable housing than is likely to be the case under the current proposed densities.

3. As these densities would produce a number of dwellings significantly greater than apparently required during the plan period, this might **alternatively** allow the Inspector to **reduce the loss of Green Belt by reducing the allocated area on both sites** and maintaining the remainder as Green Belt.

4. Higher density housing does not need to be ugly. Some of the most desirable properties in Royal Tunbridge Wells' "village area" are terraces and other clustered dwellings. These are the now-valued high density housing of the past. Even in modern developments, a village atmosphere can be successfully created with terraces, maisonettes and other three to four storey developments forming an attractive part of the development.

5. If the Inspector nevertheless decides to confirm removal of land from the Green Belt, **paragraph 138 of the NPPF** states that a Plan should set out "*ways in which the impact of removing land from the Green Belt can be offset through compensatory improvements to the environmental quality and accessibility of remaining Green Belt land*". **Paragraph 141 of the NPPF** states: "*Once Green Belts have been defined, local planning authorities should plan positively to enhance their beneficial use, such as looking for opportunities to provide access; to provide opportunities for outdoor sport and recreation; to retain and enhance landscapes, visual amenity and biodiversity; or to improve damaged and derelict land.*"

We would therefore expect to see much more specific proposals in both the allocations as to how the provisions of paragraphs 138 and 141 would be given effect. Mitigation and enhancement seems to be limited to land within the sites to be allocated, even though the prospective developers are thought to own additional adjacent Green Belt or AONB land.

In the case of **Spratsbrook Farm**, an area of the allocation nearly twice the size of the developable area would remain open within the AONB with public access. We believe this should be dedicated more explicitly as a permanent **Local Green Space** by way of a Sec 106 agreement, as was done with land on the Knights' Wood development, with continuation of agricultural use if compatible.

We would welcome the proposed pedestrian links and improved connection to the existing Public Rights of Way network, with formal designation of the informal footways as Public Rights of Way to increase and improve accessibility and informal recreation within and around this area. This should be more clearly identified on the allocation map. We would also welcome any new development being a Low Traffic Neighbourhood from the outset.

We would welcome the protection of existing mature trees and hedgerows as proposed, but the developer should be required to do so wherever reasonably practicable rather than merely to "have regard" to this aspect. Similarly, the developer should be required to take full account of topography, ancient woodland and buffers, and impact on the setting of the High Weald Area of Outstanding Natural Beauty and not merely to have regard to these aspects.

At **Caenwood Farm**, only about a third of the allocation is to remain open although the projected housing numbers are similar (120 at RTW16 and 100 at RTW5). There is a strong case for requiring other land in further mitigation.

There seems to be a potential incompatibility within the proposed policy. The SHELAA site assessment sheets and Sustainability Appraisal of AL/RTW5 land found that the site was "*well screened from surrounding roads and houses*" and this is repeated in paragraph 5.51 of the Draft. This occurs mainly through a continuous mature and very high hedgerow which runs along the south side of Speldhurst Road which is covered by a Tree Preservation Order. It is an important factor in concluding that the site might be suitable for development. However, paragraph 2 of the policy states that Speldhurst Road might be widened as part of the development. Any widening of Speldhurst Road could only take place through the destruction of the very tree screen that is said partly to justify the allocation in the first place. Its loss would end the status of the land as being "*well screened from surrounding roads and houses*". If maintained as an allocation by the Inspector, the allocation should stipulate that the existing tree cover will be maintained.

While paragraph 3 makes the suggestion that the "possibility" of **alterations to Reynolds Lane** should be explored, this is a wholly inadequate response to what is already a serious road safety and environmental problem. If any kind of development should take place on the land at AL/RTW5, it would

be indispensable that Reynolds Lane should be severed as an integral part of the scheme to prevent any through traffic between Speldhurst Road and Southborough and the residential district of Culverden on the west side of the A26 which already suffers a grossly excessive amount of rat-running traffic, and also to maintain the rural character of Reynolds Lane as an ancient routeway and Rural Lane.

We would welcome enhanced footpath links to be provided from the existing route to the west of the site to connect to other footpaths and the surrounding area but this has not been shown on the policy map. It needs to be more explicitly dealt with in the policy as should the required Improved access to the wider area as public open space and ecological mitigation to be secured by any development.

We would welcome the protection of existing mature trees and hedgerows as proposed, but the developer should be required to do so wherever reasonably practicable rather than merely to "have regard" to this aspect. We would welcome any new development taking the form of a Low Traffic Neighbourhood.

In conclusion of our point 5 on mitigation, there are insufficient specific details as to how the provisions of paragraphs 138 and 141 of the NPPF would be given effect in the case of AL/RTW5 or AL/RTW16. Without more substantial and concrete provisions inserted into the Plan, we fear that the significant obligations placed on prospective developers by the NPPF would not be sufficiently enforced in practice.

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:

Sites AL/RTW5 and AL/RTW16 are a key part of the Green Belt surrounding Royal Tunbridge Wells, and the Town Forum has serious reservations about the land being developed as proposed or at all at this time. We would wish to participate at the Public Examination to be able to develop our arguments further on reasonable alternatives and to expand on what kind of mitigation should be required if the allocations are likely to be maintained.

Question 8

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

In responding to companion Policy STR/RTW1 the Royal Tunbridge Wells Town Forum strongly supported the decision of TWBC not to allocate for development certain sites in the unparished area in the Green Belt and AONB identified in the 2021 version of the SHELAA and in the Sustainability Appraisal, together with several other sites adjacent to the unparished area which are part of the setting to Royal Tunbridge Wells.

Comment

Consultee	Mr Brian Lippard [REDACTED]
Email Address	[REDACTED]
Company / Organisation	RTW Civic Society
Address	[REDACTED] ROYAL TUNBRIDGE WELLS [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	RTW Civic Society [REDACTED]
Comment ID	PSLP_1542
Response Date	03/06/21 11:58
Consultation Point	Policy STR/RTW 2 Royal Tunbridge Wells Town Centre (View)
Status	Processed
Submission Type	Email
Version	0.4
Data inputter to enter their initials here	KJ
Question 1	
Respondent's Name and/or Organisation	Brian Lippard, Vice Chairman, RTW Civic Society
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/RTW 2 Royal Tunbridge Wells Town Centre

[TWBC: this response also duplicated under Policy AL/RTW 1 Former Cinema Site, Mount Pleasant Road) - see PSLP_1541]

Question 4

Do you consider that the Local Plan:

Is sound

No

Question 4a

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

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

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.

Town Centre (para 5.28 and AL/RTW 1 and 2) Cinema Site

This Policy is ineffective. The Plan fails to reflect the urgency of the need for comprehensive planning for the town centre, in particular for the civic buildings and the adjoining cinema site. Planning for these two sites will largely determine the ability of the town centre to respond positively to the rapidly changing world. The summary in 5.28 reflects the 2018 planning consent for an unsuitable scheme led by luxury retirement flats; this project having failed there is no reason to require future development to take the same form.

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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Re-word 5.28 as:

The former cinema site, Mount Pleasant Road: A derelict central site which has been vacant for many years. This site is the subject of Policy AL/RTW 1, which reflects the planning permission for development for a mixed-use scheme comprising mixed Commercial Class E uses, as well as a cinema and residential. **Future development will be expected to make full use of the commercial potential of the site in the context of the town centre as a whole, with high quality development compatible with adjacent listed buildings and townscape.**

Reason: The failure to develop this site over more than twenty years reflects the high land value demanded by successive owners. Elsewhere policies in the Local Plan require developers to take account of all Plan obligations in forming their proposals, to ensure that land values reflect the acceptable use. The same logic should be applied to this site. (Strengthening the wording of 5.28 would make it more consistent with the Policy and leave less room for doubt).

Question 7

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

Question 7a

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

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

What happens to the site of the town hall is so important that we think it deserves much greater attention in the Local Plan than to be simply deferred for consideration in a town centre plan which is scheduled for 2025. This is one of the few sites which, being currently owned by the council, can be developed to maximise community use.

We seek a commitment from the council that the site will be retained by them and used for the benefit of the community.

We are particularly mindful of the cinema site which has been in the hands of developers since 2001 and still shows no sign of being developed. It would be a tragedy for the town if the council were to be allowed to sell the town hall site, thus running the risk of another derelict central site.

Future Notifications

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

Comment

Consultee	Bjorn Simpole [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Tunbridge Wells Constituency Labour Party
Address	Len Fagg Hall 71 St John's Road Tunbridge Wells TN4 9TT
Event Name	Pre-Submission Local Plan
Comment by	Tunbridge Wells Constituency Labour Party [REDACTED] [REDACTED]
Comment ID	PSLP_1517
Response Date	04/06/21 15:52
Consultation Point	Policy STR/RTW 2 Royal Tunbridge Wells Town Centre (View)
Status	Processed
Submission Type	Email
Version	0.3
Data inputter to enter their initials here	KH
Question 1	
Respondent's Name and/or Organisation	TW Labour Party
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/RTW 2 Royal Tunbridge Wells Town Centre
Question 4	
Do you consider that the Local Plan:	

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

Question 4a

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

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

- . It is not positively prepared
- . It is not effective

Question 5

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

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

This policy omits reference to providing genuinely affordable housing in the town centre and the valuable contribution more residential development of mixed tenures could have to help revitalise our town centre.

It also takes insufficient account of the changing work patterns arising from COVID-19 and the need for flexible and affordable workspace for a wide range of individuals and organisations.

Question 6

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

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Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The provision of genuinely affordable housing and workspace is a policy priority in the revitalisation of Tunbridge Wells Town centre.

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

Supporting Information File Ref No: SI_35

Comment

Consultee	Dr P Whitbourn [REDACTED]
Address	[REDACTED] [REDACTED] ROYAL TUNBRIDGE WELLS [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Dr P Whitbourn [REDACTED]
Comment ID	PSLP_546
Response Date	27/05/21 10:43
Consultation Point	Policy STR/RTW 2 Royal Tunbridge Wells Town Centre (View)
Status	Processed
Submission Type	Other
Version	0.4
Files	PSLP_534, 535, 540, 543, 546, 549, 551_Dr P Whitbourn_SI-1_Evidence supporting representation.pdf

Data inputter to enter their initials here HB

Question 1

Respondent's Name and/or Organisation Dr Philip Whitbourn

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.

Paragraph number 5.28

Question 4

Do you consider that the Local Plan:

Is sound

No

Question 4a

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

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

- . It is not 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.

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.

"Redevelopment" of the landmark, listed Civic Complex, and Great Hall car park unsound in conservation area terms

Paragraph 5.28 is seen as unsound in conservation terms, particularly with regard to the listed Civic Complex, and the Great Hall Car Park, and is in need of serious amendment.

[TWBC: For evidence supporting this representation, please see pages 10, 11, and 16 of the supporting document]

Question 6

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

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

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The paragraph should be amended to accord with the proposed revised wording at the end of Policy STR/RTW 2, and omit the words "redevelopment and" from the 2nd line of Paragraph 5.30.

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 assist the inspector concerning my evidence and representations, as necessary

If you would like to attach a file in support of your comments, please upload it here. [PSLP 534, 535, 540, 543, 546, 549, 551 Dr P Whitbourn SI-1 Evidence supporting representation.pdf](#)

Future Notifications

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

Supporting Information File Ref No: SI_35

Comment

Consultee	Dr P Whitbourn [REDACTED]
Address	[REDACTED] [REDACTED] ROYAL TUNBRIDGE WELLS [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Dr P Whitbourn [REDACTED]
Comment ID	PSLP_543
Response Date	27/05/21 10:36
Consultation Point	Policy STR/RTW 2 Royal Tunbridge Wells Town Centre (View)
Status	Processed
Submission Type	Other
Version	0.5
Files	PSLP_534, 535, 540, 543, 546, 549, 551 Dr P Whitbourn SI-1 Evidence supporting representation.pdf
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Dr Philip Whitbourn
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.	
	Paragraph number 5.25
Question 4	
Do you consider that the Local Plan:	

Is sound

No

Question 4a

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

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

- . It is not 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.

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 considering the provision of additional housing in the town centre, the Plan should focus on the contribution that the sympathetic refurbishment of vacant properties can make, and not just on new build

Paragraph 5.25 speaks of the contribution “new residential development” could make to the vitality of the Town Centre. However, “new” residential development, such as the Dandara scheme, may be undesirable for other reasons, while the residential refurbishment of existing vacant properties may be highly desirable. The emphasis should, therefore not be just upon “new”.

[TWBC: For evidence supporting this representation, please see pages 8 and 9 of the supporting document]

Question 6

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

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On the 6th line of paragraph 5.25, replace the words “new residential development” with “additional residential use”.

Question 7

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

Question 7a

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

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

To assist the inspector concerning my evidence and representations, as necessary

If you would like to attach a file in support of your comments, please upload it here. [PSLP 534, 535, 540, 543, 546, 549, 551 Dr P Whitbourn SI-1 Evidence supporting representation.pdf](#)

Future Notifications

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

Supporting Information File Ref No: SI_35

Comment

Consultee	Dr P Whitbourn [REDACTED]
Address	[REDACTED] [REDACTED] ROYAL TUNBRIDGE WELLS [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Dr P Whitbourn [REDACTED]
Comment ID	PSLP_549
Response Date	27/05/21 10:49
Consultation Point	Policy STR/RTW 2 Royal Tunbridge Wells Town Centre (View)
Status	Processed
Submission Type	Other
Version	0.4
Files	PSLP_534, 535, 540, 543, 546, 549, 551_Dr_P_Whitbourn_SI-1_Evidence_supporting_representation.pdf
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Dr Philip Whitbourn
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.	
	Paragraph number 5.30
Question 4	
Do you consider that the Local Plan:	

Is sound

No

Question 4a

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

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

- . It is not positively prepared
- . It is not effective
- . It is not justified

Question 5

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The word “redevelopment” should be omitted. And “public art” needs to be suitable, not a public eyesore, as at the Dandara scheme

In the 2nd line of paragraph 5.30 the word “redevelopment” is normally understood to mean demolishing the existing building and constructing a new one, which should certainly not come about in the case of the listed Civic Complex. The term “enhancement”, on the other hand, can be broad enough to embrace refurbishment, or perhaps some forms of reconstruction in particular circumstances, and would be better standing on its own, without the addition of the word redevelopment.

In the 2nd line of the paragraph, the “public art” could have the opposite effect to that intended, as with the Dandara scheme at The Pantiles. “Suitable” public art might well be desirable, but “elements of” public art might well not.

[TWBC: For evidence supporting this representation, please see page 15 of the supporting document]

Question 6

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Omit the words “redevelopment and” from the 2nd line of paragraph 5.30.

In the 2nd line up of paragraph 5.30, for “elements of public art” read “suitable public art”.

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 assist the inspector concerning my evidence and representations, as necessary

If you would like to attach a file in support of your comments, please upload it here. [PSLP_534, 535, 540, 543, 546, 549, 551_Dr P Whitbourn SI-1 Evidence supporting representation.pdf](#)

Future Notifications

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

Supporting Information File Ref No: SI_35

Comment

Consultee Dr P Whitbourn [REDACTED]

Address [REDACTED]
[REDACTED]
ROYAL TUNBRIDGE WELLS
[REDACTED]

Event Name Pre-Submission Local Plan

Comment by Dr P Whitbourn [REDACTED]

Comment ID PSLP_551

Response Date 27/05/21 10:59

Consultation Point Policy STR/RTW 2 Royal Tunbridge Wells Town Centre ([View](#))

Status Processed

Submission Type Other

Version 0.4

Files [PSLP_534, 535, 540, 543, 546, 549, 551 Dr P Whitbourn SI-1 Evidence supporting representation.pdf](#)

Data inputter to enter their initials here HB

Question 1

Respondent's Name and/or Organisation Dr Philip Whitbourn

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/RTW 2 Royal Tunbridge Wells Town Centre

Question 4

Do you consider that the Local Plan:

Is sound

No

Question 4a

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

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

- . It is not positively prepared
- . It is not effective
- . It is not justified

Question 5

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

Vision for Town Centre, public realm, and Plan's unsound framework for the all-important Town Centre Area Plan

Items 1 and 3 of Policy STR/RTW 2 are seen as unsound in Conservation Area terms, as are the bullet points at the top of page 82, and are in need of amendment.

[TWBC: For evidence supporting this representation, please see pages 1-3, 4-15, and 18-20 of the supporting document]

Question 6

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

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

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Paragraph 1 of STR/RTW/2 (page 81) should be amended to read:

The overall vision for the Town Centre must be firmly based upon Royal Tunbridge Wells' recognised status as a historic town of national importance, and set out a conservation approach to ensure its preservation and enhancement as the culture centre of the Kent and Sussex Weald.

Paragraph 3 should be amended to read:

The sympathetic enhancement of the public realm, where this would improve the appearance of the historic centre, designed to minimise disruption, and subject to full consultation with traders and the wider public.

The bottom passage after paragraph 8 on page 81 should be amended to read:

The above will be delivered through a conservation based Town Centre Area Plan, and support for schemes and proposals that accord with that plan.

Three major properties are considered key to the realisation of the strategy, namely:

- The existing CIVIC COMPLEX, including the statutorily listed Town Hall, Amelia Centre, Assembly Hall, Police Station and Calverley Terrace, which are in urgent need of a sympathetic conservation scheme to form a vibrant Cultural, Community, and Civic Centre, remaining public buildings and open to the public.
- The ROYAL VICTORIA PLACE SHOPPING COMPLEX, which is in serious need of early rejuvenation, following a period of unfortunate actions by a previous owner, compounded by the recent national lock-down measures.
- THE PANTILES, which could benefit from a carefully prepared Conservation Area Plan, in close cooperation with property owners,, traders, and other interested parties.

In the longer term, the future of the Torrington and Vale Avenue area needs to be addressed, and better linked to the to the main centre.

The Cinema Site is the subject of Policy AL/RTW/1, where “high quality design” should reflect the existing architecture on the eastern side of the Mount Pleasant tree-lined boulevard.

There should be no redevelopment of Great Hall Car Park all reference to Great Hall should be deleted.

The words “and/or redevelopment” at the bottom of page 81 should be deleted.

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 assist the inspector concerning my evidence and representations, as necessary

If you would like to attach a file in support of your comments, please upload it here. [PSLP_534, 535, 540, 543, 546, 549, 551_Dr P Whitbourn SI-1 Evidence supporting representation.pdf](#)

Future Notifications

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

Local Plan Regulation 19 representations in document order

**Comments on Section 5: Place
Shaping Policies: Royal Tunbridge
Wells: Policy AL/RTW 1: Former
Cinema Site, Mount Pleasant Road**

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_2180
Response Date	04/06/21 16:56
Consultation Point	Policy AL/RTW 1 Former Cinema Site, Mount Pleasant Road (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 AL/RTW 1 Former Cinema Site, Mount Pleasant Road

[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 direct reference to Public Footpaths WBX17 and WBX18.

Question 6

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

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Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question

5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

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

Comment

Consultee	Mr Brian Lippard [REDACTED]
Email Address	[REDACTED]
Company / Organisation	RTW Civic Society
Address	[REDACTED] ROYAL TUNBRIDGE WELLS [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	RTW Civic Society [REDACTED]
Comment ID	PSLP_1541
Response Date	03/06/21 11:58
Consultation Point	Policy AL/RTW 1 Former Cinema Site, Mount Pleasant Road (View)
Status	Processed
Submission Type	Email
Version	0.5
Data inputter to enter their initials here	KJ
Question 1	
Respondent's Name and/or Organisation	Brian Lippard, Vice Chairman, RTW Civic Society
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

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

Policy AL/RTW 1 Former Cinema Site, Mount Pleasant Road

[TWBC: this response also duplicated under Policy STR/RTW 2 (Royal Tunbridge Wells Town Centre)
- see PSLP_1542]

Question 4

Do you consider that the Local Plan:

Is sound

No

Question 4a

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

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

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.

Town Centre (para 5.28 and AL/RTW 1 and 2) Cinema Site

This Policy is ineffective. The Plan fails to reflect the urgency of the need for comprehensive planning for the town centre, in particular for the civic buildings and the adjoining cinema site. Planning for these two sites will largely determine the ability of the town centre to respond positively to the rapidly changing world. The summary in 5.28 reflects the 2018 planning consent for an unsuitable scheme led by luxury retirement flats; this project having failed there is no reason to require future development to take the same form.

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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Re-word 5.28 as:

The former cinema site, Mount Pleasant Road: A derelict central site which has been vacant for many years. This site is the subject of Policy AL/RTW 1, which reflects the planning permission for development for a mixed-use scheme comprising mixed Commercial Class E uses, as well as a cinema and residential. **Future development will be expected to make full use of the commercial potential of the site in the context of the town centre as a whole, with high quality development compatible with adjacent listed buildings and townscape.**

Reason: The failure to develop this site over more than twenty years reflects the high land value demanded by successive owners. Elsewhere policies in the Local Plan require developers to take account of all Plan obligations in forming their proposals, to ensure that land values reflect the acceptable use. The same logic should be applied to this site. (Strengthening the wording of 5.28 would make it more consistent with the Policy and leave less room for doubt).

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:

What happens to the site of the town hall is so important that we think it deserves much greater attention in the Local Plan than to be simply deferred for consideration in a town centre plan which is scheduled for 2025. This is one of the few sites which, being currently owned by the council, can be developed to maximise community use.

We seek a commitment from the council that the site will be retained by them and used for the benefit of the community.

We are particularly mindful of the cinema site which has been in the hands of developers since 2001 and still shows no sign of being developed. It would be a tragedy for the town if the council were to be allowed to sell the town hall site, thus running the risk of another derelict central site.

Future Notifications

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

Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Southern Water Services Plc
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Southern Water Services Plc [REDACTED]
Comment ID	PSLP_1195
Response Date	03/06/21 15:31
Consultation Point	Policy AL/RTW 1 Former Cinema Site, Mount Pleasant Road (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	Southern Water
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy AL/RTW 1 Former Cinema Site, Mount Pleasant Road	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes

Is sound	Yes
Complies with the Duty to Cooperate	Yes

Question 4a

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

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

Question 5

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

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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.

Southern Water is the statutory wastewater undertaker for Tunbridge Wells. Our assessment has revealed that Southern Water's underground infrastructure crosses this site. This needs to be taken into account when designing the site layout. Easements would be required, which may affect the site layout or require diversion. Easements should be clear of all proposed buildings and substantial tree planting.

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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In consideration of the above, we recommend the following criterion for Policy AL/RTW 1

Layout is planned to ensure future access to existing wastewater infrastructure for maintenance and upsizing purposes.

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: Royal Tunbridge
Wells: Policy AL/RTW 2: Land at the
Auction House, Linden Park Road**

Comment

Consultee	Andrew Fairfax Scrutton [REDACTED]
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	Andrew Fairfax Scrutton [REDACTED]
Comment ID	PSLP_380
Response Date	25/05/21 12:25
Consultation Point	Policy AL/RTW 2 Land at the Auction House, Linden Park Road (View)
Status	Processed
Submission Type	Web
Version	0.2
Question 1	
Respondent's Name and/or Organisation	Andrew Fairfax Scrutton
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
AL/RTW2	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Don't know
Is sound	Don't know
Complies with the Duty to Cooperate	Don't know
Question 4a	

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

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

Question 5

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

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- 1 Having had a retail business on The Pantiles for 25 years, I am aware of how the lack of car parking has negatively impacted businesses in the area. I have no objection for flats to be built but would urge that all 52 car parking spaces are retained on The Pantiles. This is essential due to the reduction of parking spaces after the Union Square development (even when reopened) and the loss of on-street parking.
- 2 I welcome the improvement of pedestrian access to and within the Pantiles. In particular between the Upper and Lower Walks of The Pantiles. This could be done using improved signage to counter the effect of increased street furniture and parasols

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: Royal Tunbridge
Wells: Policy AL/RTW 3: Land at
Lifestyle Ford, Mount
Ephraim/Culverden Street/Rock Villa
Road**

Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Southern Water Services Plc
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Southern Water Services Plc [REDACTED]
Comment ID	PSLP_1194
Response Date	03/06/21 15:31
Consultation Point	Policy AL/RTW 3 Land at Lifestyle Ford, Mount Ephraim/Culverden Street/Rock Villa Road (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	Southern Water
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy AL/RTW 3 Land at Lifestyle Ford, Mount Ephraim/Culverden Street/Rock Villa Road	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes

Is sound	Yes
Complies with the Duty to Cooperate	Yes

Question 4a

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

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

Question 5

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

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

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Southern Water is the statutory wastewater undertaker for Tunbridge Wells. Our assessment has revealed that Southern Water's underground infrastructure crosses this site. This needs to be taken into account when designing the site layout. Easements would be required, which may affect the site layout or require diversion. Easements should be clear of all proposed buildings and substantial tree planting.

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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In consideration of the above, we recommend the following criterion for Policy AL/RTW 3

Layout is planned to ensure future access to existing wastewater infrastructure for maintenance and upsizing purposes.

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)

Local Plan Regulation 19 representations in document order

**Comments on Section 5: Place
Shaping Policies: Royal Tunbridge
Wells: Policy AL/RTW 4: Land at 36-46
St John's Road**

Comment

Consultee	Mr David Bushell [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Friends of Woodbury Park Cemetery
Address	[REDACTED] Tunbridge Wells [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Friends of Woodbury Park Cemetery [REDACTED] [REDACTED]
Comment ID	PSLP_1567
Response Date	04/06/21 11:20
Consultation Point	Policy AL/RTW 4 Land at 36-46 St John's Road (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	Friends of Woodbury Park Cemetery
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

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

Policy AL/RTW 4 Land at 36-46 St John's Road

[TWBC: see also whole response on the whole Plan (PSLP_1549) and separated comments on the following: Policies STR5 (PSLP_1557), STR8 (PSLP_1558), EN4 (PSLP_1560), EN9 (PSLP_1561), EN10 (PSLP_1562), EN12 (PSLP_1563), EN26 (PSLP_1564), H11 (PSLP_1565), Section 7 (PSLP_1566) and Policy AL/RTW 4 (PSLP_1567)]

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.

14 AL/RTW4 Redevelopment proposal for 36-46 St John's Road

This major redevelopment offering accommodation for 80 elderly people is in a logical place for that purpose in relation to shops and facilities. However because of its close proximity to WPC its design must avoid adversely affecting that in any way. Coming at this time, conditions attached to it will be a test case of whether and how far the many welcome statements in the draft Local Plan, concerning protection of heritage assets and their settings, green infrastructure and biodiversity enhancement by developers can yet be reflected in the deployment of planning powers such as planning conditions and developers contributions **The developer should also if possible include action to bring positive benefit to the Cemetery which will be such an important contributor to their quality of life.**

- . The new structure will inevitably be much bulkier and much taller than the former bus garage. **The Friends would strongly oppose any visible intrusion on the traditional skyline when viewed from the cemetery, or any overlooking of it.**
- . Access from the site to WPC. While the bus garage was standing, the regular access to WPC from its premises by stressed bus drivers for a relaxed sandwich break was always via the vehicle exit onto Woodbury Park then the two minute walk via the cul de sac to the WPC gate. The building layout needs to cater for this. **FWPC would be 100 % opposed to any breach of the Listed cemetery wall to create a new access.**
- . The cemetery as a beautiful and peaceful place to sit or stroll will be a valuable amenity for the residents of the new block. However the current condition of some of the paths is poor due to increasingly heavy usage and intermittent flooding of stretches causing erosion, harmful wear and tear on exposed tree roots, plus trip hazards, and damage to adjoining graves by walkers take avoiding action in muddy sections. The additional surge in usage from this large new residential block while welcome in spreading further the benefits that the cemetery has to offer the community will undoubtedly aggravate this in a situation where we are still seeking affordable ways and resources for tackling both the drainage and resurfacing problems. **We suggest the developer should be asked to help find an agreed solution and design for this, especially while his ground workers will be close by preparing the St Johns Road site.**
- . Alternatively, in keeping with the Local Plan proposal that developers should make a net increase to local biodiversity, and given how vital it is for WPC as whole that it remains united with its adjoining landlocked "triangle" in order to retain its canopy of trees and habitat of tangled marshy undergrowth, **we believe that a developer contribution would be desirable to help safeguard in perpetuity this linked area and its access onto Upper Grosvenor Road, perhaps to be a children's nature study area named in honour of a person of their choice.** This would be a major contribution to fostering biodiversity, help to reduce climate change, strengthen the town's green network and benefit generations of local children.

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

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Southern Water Services Plc
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Southern Water Services Plc [REDACTED]
Comment ID	PSLP_1196
Response Date	03/06/21 15:31
Consultation Point	Policy AL/RTW 4 Land at 36-46 St John's Road (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	Southern Water
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy AL/RTW 4 Land at 36-46 St John's Road	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes

Is sound	Yes
Complies with the Duty to Cooperate	Yes

Question 4a

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

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

Question 5

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

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

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

Southern Water is the statutory wastewater undertaker for Tunbridge Wells. Our assessment has revealed that Southern Water's underground infrastructure crosses this site. This needs to be taken into account when designing the site layout. Easements would be required, which may affect the site layout or require diversion. Easements should be clear of all proposed buildings and substantial tree planting.

Question 6

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

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Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

In consideration of the above, we recommend the following criterion for Policy AL/RTW 4

Layout is planned to ensure future access to existing wastewater infrastructure for maintenance and upsizing purposes.

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: Royal Tunbridge
Wells: Policy AL/RTW 5: Land to the
south of Speldhurst Road and west of
Reynolds Lane at Caenwood Farm,
Speldhurst Road**

Supporting Information File Ref No: SI_8

Comment

Consultee	Christine Lyle [REDACTED]
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	Christine Lyle [REDACTED]
Comment ID	PSLP_145
Response Date	16/05/21 09:51
Consultation Point	Map 5 Site Layout Plan (View)
Status	Processed
Submission Type	Web
Version	0.2
Files	PSLP_142 and 145_license plates_Redacted.pdf 9521082C-18CC-4C34-8309-EE5ED35509F2.jpeg

Question 1

Respondent's Name and/or Organisation	Alan Lyle
---------------------------------------	-----------

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)?

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:

Living on Speldhurst road and seeing the daily chaotic traffic issues , I fail to see how an entrance to the development from the road will make any enhances to the existing fragile infrastructure.

If you would like to attach a file in support of your comments, please upload it here. [PSLP 142 and 145 license plates Redacted.pdf](#)

Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box: No, I do not wish to be notified of future stages of the Local Plan

Comment

Consultee	Christine Lyle [REDACTED]
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	Christine Lyle [REDACTED]
Comment ID	PSLP_142
Response Date	16/05/21 09:33
Consultation Point	Map 5 Site Layout Plan (View)
Status	Processed
Submission Type	Web
Version	0.2
Files	PSLP_142 and 145 license plates Redacted.pdf D2AD9F4F-4D05-4906-96E4-456132DAFCD1.jpeg

Question 1

Respondent's Name and/or Organisation Christine Lyle

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)?

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:

Traffic is already congested along Speldhurst road , with school rounds and large jugganults often using the road due to sat nav issues - sever disruption is expected with additional housing, air quality.

Question 8

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

See photos , a normal school day from my window.

If you would like to attach a file in support of your comments, please upload it here. D2AD9F4F-4D05-4906-96E4-456132DAFCD1.jpeg

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	Peter Avgherinos [REDACTED]
Email Address	[REDACTED]
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Peter Avgherinos [REDACTED]
Comment ID	PSLP_963
Response Date	04/06/21 08:56
Consultation Point	Policy AL/RTW 5 Land to the south of Speldhurst Road and west of Reynolds Lane at Caenwood Farm, Speldhurst Road (View)
Status	Processed
Submission Type	Web
Version	0.3
Question 1	
Respondent's Name and/or Organisation	Peter Avgherinos
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy AL/RTW5	
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
- . 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.

I am a member of the Speldhurst Road Community Action Group (SRCAG).

I am familiar with the Group's representation against Policy AL/RTW5 of the PSLP, submitted by Mathew Rook.

I support Mr Rook and SRCAG's opinion that the policy is unsound and is not compliant with the NPPF. I believe that the policy would cause economic, health and environmental harm to the local area and its residents through pollution, congestion, and loss of biodiversity.

Further, by removing protection from the key land parcel at the apex of the Green Belt, the remainder of the Green Belt would be exposed to continued demand for exploitation by developers.

I agree Policy AL/RTW5, along with associated site AL/RTW5, should be removed from the PSLP.

With that qualification, I am a supporter of the PSLP.

I believe the overall guiding principle that the borough's population needs to be less unevenly distributed is correct. Creating more viable settlements in the east that encourage growth of local commerce, hospitality and entertainment venues, sports clubs and societies, employment and so on, will immensely benefit that region. The population density will remain low and, although reduced, vast tracts of open space will remain. The west of the Borough, meanwhile, will remain heavily congested; limited for open space, and with pollution and traffic difficulties.

The concentration of new housing development over the last half century in Royal Tunbridge Wells and its environs is no longer sustainable. I support the re-adjustment to the allocation of new housing growth made in the PSLP. The new housing growth is directed by the Government not the plan.

Withdrawal of Policy AL/RTW5 from the plan would leave the future of the lands between Royal Tunbridge Wells and Southborough unresolved. The two towns lie either side of a small valley. The area is substantially included in the Green Belt to maintain rural separation of the towns. Full ownership is unclear, but certainly much of the northern side of the valley is the property of Caenwood Estates.

I am not opposed to appropriate development of this area. In fact, I believe the valley could, and should, add more to the amenity of its surroundings. I am not opposed to such development including some new housing. Ideas have been muted to improve the area through enhanced public access, such as extensions of the footpath network, and even the establishment of a Country Park.

The Country Park concept, which could include carefully located housing land releases to provide the finance, would be of immense health and environmental benefit to the area. At the same time, it would guarantee the separation of the towns. The Park could include pathways and new cycle ways, and other health enhancing facilities. Flood alleviation measures in the valley bottom to improve lands downstream might provide a water feature. Some works might be eligible for grants.

Release of housing land to attract developers to buy into the concept of a park would be needed. However, by guaranteeing the separation of the towns, the Park would allow the current allocation of protected status to lands outside its bounds to be re-assessed. Maintenance of biodiversity and the protection of trees and woodlands would require that protected status be retained by some lands. However, it is expected that sufficient releases to make the concept viable could be found. Something along the lines of an American golf course would be a possible model.

Whatever is done, it needs to be examined holistically to meet the local objective, along the lines outlined in paras 4.74 and 4.75 of the PSLP. Extensive consultations would be needed, and other parties involved.

I would see this as a longer- term aspiration, not part of the PSLP.

Peter Avgherinos

Question 6

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Policy AL/RTW5, and associated site AL/RTW5, should be removed from the PSLP.

The proposed Policy AL/RTW5 is non-compliant with the NPPF, the requirements to protect the Green Belt, and the PSLP's own over-arching policies; all as noted in my answer to Question5..

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	Ms Margaret Borland [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] Southborough [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Ms Margaret Borland [REDACTED]
Comment ID	PSLP_1283
Response Date	04/06/21 14:07
Consultation Point	Policy AL/RTW 5 Land to the south of Speldhurst Road and west of Reynolds Lane at Caenwood Farm, Speldhurst Road (View)
Status	Processed
Submission Type	Web
Version	0.1
Question 1	
Respondent's Name and/or Organisation	M Borland
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
AL/RTW 5	
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

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 strongly object to the allocation for housing development at this site, as no justification other than housing need is given for release of this land from the Green Belt. Additionally a development of 100 houses in 7.40 hectares is not efficient use of land.

This is a very sustainable location, being close to the Southborough town centre and bus routes on the on the A26 London Road. However, it is greenfield, agricultural land within the Green Belt, bounded by mature trees and hedges, and areas of Ancient Woodland and as such should be protected. Greenfield development such as this should be the last option and brownfield sites should be developed first. The Brownfield and Urban Land Topic Paper (Jan 2021) indicates that the density used in the SHELAA for potential yield is 30dph and potential yield of a small number of urban brownfield sites have been re-calculated at 45dph. The draft National Model Design Code suggests that even suburban areas should aim for net housing densities of 40-60dph, with more compact forms of development - a mix of short terraces short terraces and semi-detached units. The draft NMDC also proposes that urban neighbourhoods should have net densities of 60-120dph and a mix of uses. What density is proposed here? Can the density of development on urban or brownfield sites be increase to prevent this development? Low-suburban density development here will not only not only waste precious greenfield land now but will also mean more green fields will be lost in the future to meet additional needs. The wider Caenwood site was put forward in the Call for Sites (site 30). Is there a risk that the Council's support for this allocation encourages developers to pursue development opportunities for other parts of the wider site?

The proposed development will also create environmental harm, demolishing mature trees to create a vehicular entrance to the site and possibly more extensively to widen Speldhurst Road to cope with the additional traffic. At a time when we are being encouraged by the government to plant trees to absorb carbon, this proposal will cause them to be cut down. The proposed development would also change the Public Right of Way leading from Speldhurst Road from a much valued family walk that provides a haven of tranquility away from the traffic noise and air pollution on London road to nothing more than a track beside a housing estate.

It is not clear from the IDP whether the impact of the proposed development on Southborough Primary School and the Medical Centre at the Southborough Hub has been assessed nor if the transport assessments have considered the impact on the Speldhurst Road/London Road junction and the A26 AQMA in Southborough and RTW.

If the Council can find no other option but to proceed with this allocation, then much more efficient use should be made of valuable green space at this location. If the density of the development were increased, land-take would be reduced. More compact forms of development would recognise the urban context of the location and meeting local need for truly affordable housing. Only limited parking should be provided for residents, recognising the sustainability of the location with shops, schools, community facilities, sport and recreation, and public transport only a short distance away; the proposed

Low Traffic Neighbourhood would be ably supported by this approach. If the allocation and the Green Belt Release only covered a much-reduced area required for housing, the required compensatory improvements to the environmental quality and accessibility of remaining Green Belt could be applied to the area of pasture and woodland currently proposed to allocated as part of the site.

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)?

Comment

Consultee	Michael Bourne [REDACTED]
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	Michael Bourne [REDACTED]
Comment ID	PSLP_116
Response Date	11/05/21 19:55
Consultation Point	Policy AL/RTW 5 Land to the south of Speldhurst Road and west of Reynolds Lane at Caenwood Farm, Speldhurst Road (View)
Status	Processed
Submission Type	Web
Version	0.1
Question 1	
Respondent's Name and/or Organisation	Michael Bourne
Question 2	
Agent's Name and Organisation (if applicable)	NA
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
AL/RTW 5 - Entire Policy	
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

Question 5

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Having looked at TWBC own policy on Green Field policy, its states:

Once Green Belt is established that its boundaries should only be altered in exceptional circumstances. This is to protect the urban sprawl (which this part of the policy clearly does nothing but extend the sprawl) and to keep the character of the Green Belt.

It states that if a change in Green Belt is required due to exceptional circumstances that it will be fully reasoned and evidenced.

I would therefore ask TWBC to make public the evidence that proves that this breaking of their own policy is required and that the reasons are proven as exceptional, also outlining what exceptional means in this case.

Surely 100 houses is not an exceptional need and could be housed in other parts of the Borough, that are not Green Belt and therefore as such surely can not be an exceptional case?

Also this proposal clearly alters what is currently an attractive view and open space, which will not exist from the surrounding areas once this proposal is granted. Can the council answer how this policy sustains the character of the view and land? This clearly is a fundamental change to the character of the Green Belt and will enclose the view that currently exists. Again this goes against TWBC own policy. Can the council make public how they have come to the decision that the character of the Green belt will not be lost in this case? Indeed can the council evidence that a council representative has even been to the site to consider this and whether any consideration was given to the local residents views about this?

Finally, the policy alludes to the fact that this build is suitable as all houses neighbouring to the site are protected from major change due to trees and hedges on the site. It states that the site is well screened from neighbouring houses and roads.

This is factually and fundamentally incorrect. there are several houses that are directly impacted from an open boarder on to the current site on Reynolds Lane and whose gardens open out on to the direct site area currently. There are also two houses at the far end of the site on Speldurst Road that are directly effected as they are on the same side of the road as the site and i believe the map shows a house that is privately owned further down Reynolds Lane that is currently within the site map.

Could the council confirm why these properties have not been considered within the plans policy as it appears one of the reasons for pushing ahead is that there are no members of the public majorly effected, which clearly is fundamentally wrong.

Again all of the above speaks of a rushed process and lack of detail, which counsellors were asked to vote on at short notice and had they had full information that had been collected accurately, they may have given a different recommendation for this site.

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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To full withdraw this policy from the plan.

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)

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:

NA

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	Michael Bourne [REDACTED]
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	Michael Bourne [REDACTED]
Comment ID	PSLP_101
Response Date	10/05/21 14:18
Consultation Point	Policy AL/RTW 5 Land to the south of Speldhurst Road and west of Reynolds Lane at Caenwood Farm, Speldhurst Road (View)
Status	Processed
Submission Type	Web
Version	0.1
Question 1	
Respondent's Name and/or Organisation	Michael Bourne
Question 2	
Agent's Name and Organisation (if applicable)	NA
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy AL/RTW 5 in completion.	
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

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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I do not believe that the proposal to use land as outlined in Policy AL/RTW 5 (Caenwood farm) is in the interest of the community locally in Southborough and Tunbridge Wells based on the following reasons:

Green Belt:

This area of land is the final remaining piece of green belt between Tunbridge Wells and Southborough. Having grown up locally to this area of land, I am aware of its significance in protecting the country side link to the local area and for which both TW and Southborough are known. To allow this proposed piece of land to be built upon will reduce this area of Tunbridge Wells to a flat housing estate which will merge into surrounding housing estates and gradually reduce the beautiful aspects that currently are enjoyed.

As a resident of Tunbridge Wells, I am also disappointed that the change of use of this Green Belt has gone through with minimal public consultation and that councillors were not given full time to consider this proposal fully before the vote. This unfortunately suggests that TWBC were keen to use a large amount of Green Belt land in the local area, whilst not considering the regeneration of other Brown Field sites and not considering the environmental impact fully. In other words, this feels like a land grab, from a council and its members who should be working to protect the people and families who have lived and worked in this borough all their lives. There are other sites where this proposal would be more appropriately housed.

Environmental impact:

As the planning team will be aware. This area of Green Belt is surrounded by ancient woodland. Not only does this proposal impact on the long-term safety of these trees and bushes, in that houses will be built close to the outline of this woodland which will encourage natural damage and pollution, but it will also require the taking out of hedges on the site plus trees on Speldhurst Road that are of significant environmental and historical value to the local area. This land is set out currently in an ancient farming pattern.

This woodland is home to a variety of animals including deer, badgers, birds, rabbits and is also used as the last grazing land near Southborough of local cattle. This proposal will have a detrimental effect on the wildlife in this area.

It will also encourage an increase in noise and general pollution in an area that already suffers from over use of roads by the local schools (which often causes immovable traffic jams in the Reynolds lane) and a continuous line of traffic that queues from the traffic lights at the top of Speldurst Road leading often beyond Prospect Road.

Finally, currently looking over this land from Southborough this is clearly an area of outstanding natural beauty, with the view leading over to the fields of Rusthall and beyond. This proposal will ruin what should be an area that is kept in its original ancient state and should be celebrated not transformed into a housing estate.

Traffic and Parking

It is clear from a simple walking along Speldhurst Road on most times of the day on any day of the week and especially after from early morning and after late afternoon, that there is already a lack of appropriate parking space for the the houses of Speldhurst Road and its neighboring streets, such as Charles Street and Prospect Road. Cars routinely park on both sides of Speldhurst Road causing congestion. This proposal will not practically deal with this issue. if anything, it will increase the problem in that approximately 150 to 200 cars will be added into the direct local area.

As the council will know, Speldhurst Road is having to continually be repaired due to its already heavy use.

Again, as the Council will be aware the queues that collect in Speldhurst Road will only become more problematic given this development and will only increase pollution from stationary motor vehicles in an already compact residential area. Being that there are several schools nearby, I cannot believe that this is a sensible objective.

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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I believe that based on the above reasons that the proposal for this site should be reconsidered and an alternative and more appropriate site be found.

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:

NA

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_134

Comment

Agent	Jack Harley ()
Email Address	
Company / Organisation	DHA Planning Ltd
Address	- Maidstone -
Consultee	Caenwood Estates ()
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Caenwood Estates ()
Comment ID	PSLP_2003
Response Date	04/06/21 11:29
Consultation Point	Policy AL/RTW 5 Land to the south of Speldhurst Road and west of Reynolds Lane at Caenwood Farm, Speldhurst Road (View)
Status	Processed
Submission Type	Email
Version	0.7
Files	DHA Planning for Caenwood Estates Ltd - full representation and supporting documents.pdf
Data inputter to enter their initials here	KJ
Question 1	
Respondent's Name and/or Organisation	Caenwood Estates Ltd
Question 2	
Agent's Name and Organisation (if applicable)	DHA 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 AL/RTW 5 Land to the south of Speldhurst Road and west of Reynolds Lane at Caenwood Farm, Speldhurst Road

[TWBC: the full representation attached has been divided into the following - Policy AL/RTW5 (PSLP_2003), Vision and Objectives (PSLP_2005), Policies STR1 (PSLP_2006), STR4 (PSLP_2008), STR9 (PSLP_2015) and Section 6 Development Management Policies (PSLP_2016)

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.

1.1 Introduction

1.1.1 These representations have been prepared by DHA Planning on behalf of Caenwood Estates Ltd in respect of the Tunbridge Wells Borough Council Regulation 19 Local Plan consultation.

1.1.2 These representations relate to land at Tunbridge Wells, which Caenwood Estates is promoting for residential redevelopment as part of the wider development plan review.

1.1.3 Based on the current national and local planning context, we consider this land to be suitable for development.

1.2 The site

1.2.1 Caenwood Estates are promoting land at Caenwood Farm and Whitegates Farm on the western edge of Royal Tunbridge Wells, close to Southborough town centre, for a comprehensive, residential-led mix of uses. The site was promoted via the original call for sites process in 2016 (site reference 30) and in the 2017 Regulation 18 consultation.

Natural extension to the urban area

1.2.2 The wider 60.7ha (150-acre) Caenwood Farm site (shown in Figure 1 overleaf) has been promoted as a natural extension of Tunbridge Wells for almost two decades. The 2009 SHLAA recognised that a substantial part of the site was suitable for development, with the remainder being excluded from further consideration only by virtue of the criteria applied at that time.

1.2.3 Unlike much other land locally the site is not in the Area of Outstanding Natural Beauty (AONB). Parts of the site are contiguous with the established settlement boundary of Tunbridge Wells and it is within easy walking distance of a wide range of services and amenities including places of work, shops, recreational facilities, High Brooms station, the existing and proposed expanded employment facilities

at North Farm and an extensive range of community and education facilities including the main concentration of secondary school provision in the town, where St Gregory's, Tunbridge Wells Boys' and Girls' Grammars, Skinners' and Bennett Memorial secondary schools are all located nearby. The site currently comprises low quality (Grade 3 and 4) agricultural land, but also includes some existing residential and agricultural buildings and structures.

[TWBC: for Figure 1: Site location see full representation attached].

Proposals by Caenwood Estates

1.2.4 The whole of the above site was originally put forward for development in the Call for Sites, but it is understood that the Council has concerns about its development in its entirety, especially in the western part of the site.

1.2.5 As an alternative, Caenwood Estates has previously put forward proposals which go further than those currently envisaged in the draft Local Plan and could deliver around 280 units in total. The layout for that scheme would retain various areas of woodland within the site, some of which are protected as ancient woodland, with a minimum 20m buffer provided.

1.2.6 As well as providing a greater number of units than currently proposed in the Local Plan, a 21.4 ha public park was proposed as part of this expanded scheme, which would cover an area of land running through the centre of the Caenwood Farm site. This would provide a significant amenity for existing as well as new residents, as well as those working at Salomons. The park would provide a buffer both to the adjacent AONB and also to the heritage assets on the Salomons Estate, as well as providing further leisure and play facilities for existing and new residents.

1.2.7 The site is in a highly sustainable location, adjacent to the existing built up area, and with good access both to Tunbridge Wells and Southborough town centres, and the existing and proposed expanded industrial area at North Farm. There could also be potential to provide new allotments to replace those lost nearby at Speldhurst Road.

1.2.8 We will set out below our concerns on the timing and delivery of certain aspects of the current Local Plan proposals, and why we believe Royal Tunbridge Wells should take a greater share of development. An expanded Caenwood Farm development along the lines described above could form an important part of a greater level of development in Tunbridge Wells.

1.2.9 However, it should be noted that Caenwood Estates fully supports the current proposed allocation RTW/AL5 and confirms that it would be deliverable within a short timescale.

1.3 Background

1.3.1 Tunbridge Wells Borough Council (TWBC) has produced a new Local Plan to guide future development within the borough. As the Council is now satisfied that it has a sound plan it proposes to submit the plan for Independent Examination following completion of this final round of consultation.

1.3.2 Once submitted, the Local Plan will be examined by an Inspector whose role is to assess whether the plan has been prepared in accordance with the Duty to Cooperate, legal and procedural requirements, and whether it is 'sound'. In this regard, the Government published a revised NPPF in February 2019, which provides that to be "sound" a local plan must be:

- Positively prepared – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
- Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- Effective – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in this Framework.

1.3.3 This submission comment on the plan having regard to these tests of soundness.

1.4 Legal Compliance

1.4.1 In terms of legal compliance, the main requirements for the early stages of Local Plan consultation are in relation to:

- planning for community engagement;
- the sustainability appraisal (including consultation with the statutory environment consultation bodies);
- identifying significant cross boundary and inter-authority

issues; and• ensuring that the plan rests on a credible evidence base, including meeting the Act's requirement for keeping matters affecting the development of the area under review.

1.4.2 The Council has undertaken public consultation at various stages. Furthermore, it has liaised with the development industry via Agents Forums and as such we raise no objection to this aspect of legal compliance.

1.4.3 From a wider perspective, we are concerned about the degree to which the Council has complied with the statutory framework for preparing a new plan, albeit we will reserve our position on this matter until all final consultation documentation and statements of common ground have been published.

1.5 Assessment of Soundness

1.5.1 The TWBC Draft Local Plan (herein referred to as 'the plan') sets out the spatial vision, strategic objectives, and overarching development strategy for the borough. It details overarching place shaping policies for each parish and settlement, as well as site specific allocations to deliver the strategy and detailed policies to be applied to all new development.

1.5.2 The plan will set the agenda for development across the borough to 2038 and replace the current Development Plan, which comprises the Local Plan 2006 (saved policies), the Core Strategy 2010, and the Site Allocations Local Plan 2016.

1.5.3 This representation comments on the following elements of the plan:

• Vision and Strategic Objectives;• Development Strategy and Strategic Policies;• Place Shaping Policies; and• Development Management Policies.

Place Shaping Policies

1.5.79 The place shaping policies establish the spatial priorities for different areas in the borough, organised according to non-parish and parish areas. For each area, there is an overarching policy that development should adhere to and details are provided for individual allocated sites that will deliver the quantum of development proposed. The site-specific allocations provide both strategic and development management guidance.

Policy AL/RTW5

1.5.80 Caenwood Estates Ltd are promoting land at Caenwood Farm which is proposed to be allocated under Policy AL/RTW5. Caenwood Estates fully SUPPORTS this allocation.

1.5.81 We can confirm that detailed transport assessment work will be undertaken in support of any future application as required by the draft policy.

1.5.82 Whilst we have no objection to the aims and objectives of criterion 6, we object to the current wording, which lacks clarity and precision. The criterion, as worded, requires:

"6. Improved access to the wider area, which should be secured as public open space"

1.5.83 The phrase "the wider area" is vague and open to a number of different interpretations. We suggest the alternative wording below, which would address our objection on this issue:

6. Improved access to the area shaded green on Map 5, which should be secured as public open space and as a landscape buffer

1.5.84 We would comment further at this point that there would be potential for a wider area of public open space on adjacent land, as part of an expanded development, if additional land was to be allocated for development at Caenwood Farm.

1.6 Summary and Conclusions

1.6.1 In summary, this representation has been prepared on behalf of Caenwood Estates in response to the Tunbridge Wells Borough Council Pre-submission Local Plan Consultation. The purpose being to provide comment on the Council's proposed development strategy ahead of Examination.

1.6.2 We support the aspiration to meet housing need in full and consider that a dispersed growth strategy represents the optimum means to achieve this. Nonetheless, we consider that the Local Plan strategy as a whole relies heavily on the delivery of strategic sites that would require the provision of supporting infrastructure. Moreover, the Council have applied overly optimistic projections to the delivery of housing for the extension of Paddock Wood and the Tudeley Garden Village.

1.6.3 We fully support the proposed allocation of land at Caenwood Farm for residential development. However, in light of the above, there is a strong case for Royal Tunbridge Wells in general taking a greater share of development, with some of the wider landholdings at Caenwood Farm being particularly suitable.

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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1.5.84 We would comment further at this point that there would be potential for a wider area of public open space on adjacent land, as part of an expanded development, if additional land was to be allocated for development at Caenwood Farm.

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)?

Supporting Information File Ref No: SI_23

Comment

Consultee	Michael Challis [REDACTED]
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	Michael Challis [REDACTED]
Comment ID	PSLP_420
Response Date	26/05/21 11:18
Consultation Point	Policy AL/RTW 5 Land to the south of Speldhurst Road and west of Reynolds Lane at Caenwood Farm, Speldhurst Road (View)
Status	Processed
Submission Type	Web
Version	0.2
Files	Damage to car on Speldhurst Road.jpg Traffic on Spelhurst Rd & Prospect Road.jpg Deer on Speldhurst Road.jpg
Question 1	
Respondent's Name and/or Organisation	Michael Challis
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 AL/RTW 5
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 justified

Question 5

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

Firstly, the representation process is extremely confusing for a member of the public with no prior knowledge of the process. I am completing this form to the best of my ability in the hope that my comments will be taken in to account regardless of whether I have completed the form correctly. I currently live on Prospect Road at the end adjoining Speldhurst Road. I recently moved from Speldhurst Road. I completed on my purchase in February 2021 and was extremely shocked to learn of the inclusion of this site in the local plan. It was omitted from our local searches because a formal planning application has not been submitted. This feels like a flawed system to me and i feel misled in our purchase. Google shows mention of this development back in 2019 so i find it hard to compute why this isn't made clear on local searches.

In my opinion, the proposed development of the Caenwood Farm site is not justified for the following reasons:

- Impact on Wildlife

I have witnessed badgers and deer in the proposed site. Please see attached photograph of the Deer. I have proof of Badgers too but cannot upload more than 3 photos. I cannot see how building on the green belt site will not decimate the habitat of countless species.

- Traffic

Please see attached photographsshowing the gridlocked traffic already present on Speldhurst Road, backed up to the junction of Prospect Road. I have multiple examples of this but cannot upload more than 3 photos. I also attach a photograph of my car that was written off on Speldhurst Road. I know of other incidents of cars being damaged on this road caused by the already overcrowded locality.

The introduction of a further 100 houses all with cars accessing the site via Speldhurst Road will impact the air quality and flow of traffic significantly. There are many schools in the vicinity and it is surely only a matter of time before a child is hit by a car. You can see in one of the photos taken from my house in Prospect Road the car exiting the junction on the wrong side of the road with a pedestrian in front of them. I can only assume that the entrance to the proposed site will be opposite the junction of Prospect Road. There are metal gates present and it is the only gap in the protected trees along Speldhurst Road. This entrance would be incredibly damaging to our way of life.

Question 6

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I consider the site at Caenwood Farm to be completely unsuitable for development and believe it should be removed from the local plan entirely.

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)

Question 8

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

I would like to mirror my comments on wildlife and traffic.

If you would like to attach a file in support of your comments, please upload it here. [Deer on Speldhurst Road.jpg](#)

If you would like to attach a file in support of your comments, please upload it here. [Traffic on Spelhurst Rd & Prospect Road.jpg](#)

If you would like to attach a file in support of your comments, please upload it here. [Damage to car on Speldhurst Road.jpg](#)

Future Notifications

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Comment

Consultee	Julie Davies [REDACTED]
Email Address	[REDACTED]
Company / Organisation	CPRE Kent
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	CPRE Kent [REDACTED]
Comment ID	PSLP_518
Response Date	27/05/21 15:41
Consultation Point	Policy AL/RTW 5 Land to the south of Speldhurst Road and west of Reynolds Lane at Caenwood Farm, Speldhurst Road (View)
Status	Processed
Submission Type	Web
Version	0.1
Question 1	
Respondent's Name and/or Organisation	CPRE Kent
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
AL/RTW5	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes
Is sound	No

Complies with the Duty to Cooperate

Don't know

Question 4a

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

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

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

Question 5

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The land identified as SHELAA site 100 and a corner of site 30, now designated as AL/RTW5, unusually serves, and is recognised to serve, all five purposes for which the Green Belt is established:

- . it prevents unrestricted sprawl of the large built up areas of Tunbridge Wells and Southborough on the perimeters of each town;
- . it prevents the towns of Tunbridge Wells and Southborough from merging into one another on the only perimeter where that is still possible;
- . it assists in safeguarding the countryside from encroachment and is close to buffer to adjoining High Weald AONB to the west;
- . it contributes to preserving the unique setting and special character of the towns; and
- . its existence acts as an incentive to urban regeneration in the town centre where substantial opportunities exist for increased residential development beyond present allocations.

The stage 2 Green Belt Review considered that, taken in isolation, release of the parcel SO1A (now proposed as AL/RTW5) would cause moderate harm but it sits adjacent to a wider parcel SO1B (which adjoins the AONB and a historic park and garden at Salomons), the release of which would cause very high harm. The negative consequences of the proposed allocation in terms of substantial light and noise pollution, disruption to wildlife in the two nearby Local Wildlife Sites and Biodiversity Opportunity Area would add to the harm which would accrue from development at this site.

The Stage 3 Green Belt Review, based on the same parcel and the same facts modified the perceived harm from release from moderate to low/moderate. This seems to have been a very late and perhaps addition to the Stage 3 Green Belt Review as the parcel was not given an allocation number in the review. Under the preceding Regulation 18 draft Local Plan and on the strength of a comprehensive evidence base, this site was not included for allocation. Procedurally there has therefore been no opportunity for respondents to that public consultation to voice objections which might be taken into account by the Council before submitting the draft plan for Examination.

The exceptional circumstances for this allocation have not been demonstrated. Its removal from the green belt for allocation is therefore considered unjustified.

Question 6

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CPRE Kent believes the plan could be made sound by deletion of allocation AL/RTW5 at Caenwood for the reasons set out above.

However, if the Inspector is not minded to recommend that this allocation be deleted, CPRE Kent would like to see the following:

- 1 There being in our opinion insufficient evidenced to justify for the current allocation at Caenwood, our first preference would be to invite the Inspector to be mindful of paragraph 139 of the NPPF and recommend that areas of safeguarded land be identified between the urban area and the green belt equivalent to the parts identified as developable in site AL/RTW5, in order to meet potential longer-term development needs stretching well beyond the plan period and once maximum intensification has been achieved within the existing LBD. The Inspector should make clear that the safeguarded land is not allocated for development at the present time and that planning permission for the permanent development of the safeguarded land should only be granted following an update to the local plan which proposes the development.
- 2 Should the Inspector nonetheless be minded not to safeguard rather than allocate land at RTW5, our second preference would be for the Inspector to recommend that the proposed densities on the allocations be modified in accordance with paragraphs 123 and 137 of the NPPF which we consider to have been disregarded in the draft plan.

The projected densities of approximately 20 dwellings per hectare on both sites are far too low for sites which are immediately adjacent to Limits to Built Development. CPRE Kent would therefore like to see a much higher density. Besides bringing the allocations into conformity with national policy, significantly higher density would also be far more compatible with meeting the actually identified housing need in the borough for social and affordable housing than is likely to be the case under the current proposed densities.

- 1 As these densities would produce a number of dwellings significantly greater than said to be required during the plan period, this might alternatively allow the Inspector to recommend the reduction in loss of green belt by reducing the allocated area on both sites and maintaining the remainder as green belt.
- 2 Higher density housing does not need to be ugly. Some of the most desirable properties in Royal Tunbridge Wells 'village area' are terraces and other clustered dwellings – the now valued high density housing of the past. Even in modern developments, a village atmosphere can be successfully created with terraces, maisonettes and other three to four storey developments forming an attractive part of the development.
- 3 If the Inspector should confirm removal of land from the green belt, paragraph 138 of the NPPF states that a Plan should set out "ways in which the impact of removing land from the Green Belt can be offset through compensatory improvements to the environmental quality and accessibility of remaining Green Belt land". Paragraph 141 of the NPPF states: "Once Green Belts have been defined, local planning authorities should plan positively to enhance their beneficial use, such as looking for opportunities to provide access; to provide opportunities for outdoor sport and recreation; to retain and enhance landscapes, visual amenity and biodiversity; or to improve damaged and derelict land."

The Regulation 19 Pre-submission Plan reads as though the land at Caenwood has *already* been removed from the green belt prior to its allocation. That being its approach, CPRE Kent would expect to see specific detailed mapped proposals in both the allocations as to how the provisions of paragraphs 138 and 141 of the NPPF will be given effect.

Mitigation and enhancement seems to be limited to land within the sites to be allocated although it is understood that the prospective developers own adjacent additional land.

There are insufficiently specific details as to how the provisions of paragraphs 138 and 141 of the NPPF are to be given effect. CPRE Kent strongly urges the Inspector to remedy this by recommending that the Council identify within the plan the specific mitigation and enhancement within the remaining green belt which will be provided as compensation for the loss of the parts removed from it. Without

concrete provisions within the plan, it is highly likely that the significant obligations placed by the NPPF will not be honoured in practice.

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:

CPRE Kent would wish to participate at the examination hearings to explore the reasons for the allocation of land at AL/RTW5, which is a key part of the green belt in the immediate environs of Royal Tunbridge Wells, and because so many issues arise concerning compliance with the NPPF in relation to this allocation, as set out above.

Comment

Consultee	Mr M Booker [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Culverden Residents' Association
Address	[REDACTED] Tunbridge Wells [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Culverden Residents' Association [REDACTED] [REDACTED]
Comment ID	PSLP_715
Response Date	01/06/21 08:20
Consultation Point	Policy AL/RTW 5 Land to the south of Speldhurst Road and west of Reynolds Lane at Caenwood Farm, Speldhurst Road (View)
Status	Processed
Submission Type	Email
Version	0.4
Data inputter to enter their initials here	KJ
Question 1	
Respondent's Name and/or Organisation	Culverden Residents' Association
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

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

Policy AL/RTW 5 Land to the south of Speldhurst Road and west of Reynolds Lane at Caenwood Farm, Speldhurst Road

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 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.

Policy Number: AL/RTW5 Caenwood Farm

The Culverden Residents' Association believes this draft allocation is **unsound** for the following reasons:

The site continues to serve all 5 purposes of the Green Belt

This site, which at the present time is still in the Green Belt, is unusual as it continues to serve **all five purposes** for which the Green Belt is established under the National Planning Policy Framework:

- . It continues to prevent unrestricted sprawl of the large built up areas of both Tunbridge Wells and Southborough;
- . It prevents the towns of Tunbridge Wells and Southborough from merging into one another on their western edge;
- . It assists in safeguarding the countryside from encroachment and is adjacent to buffer to the adjoining High Weald AONB to the west and to the Historic Park and Garden at Salomons';
- . It contributes to preserving the unique setting and special character of the towns;
- . Its continued existence acts as an incentive to urban regeneration in the town centre where it is acknowledged in Policy STR/RTW 1& 2 that substantial opportunities exist for increased residential development in Royal Tunbridge Wells town centre beyond present proposed allocations.

In addition to serving the statutory purposes of the Green Belt, this site is currently part of a much larger area of Green Belt land to the west of Reynolds Lane which has "**a resolutely rural sense of place**" (per appeal decision APP/M2270/A/14/2213159), contains two important landscape ridges, is part of a Biodiversity Opportunity Area and is adjacent to a Local Wildlife Site. This area contains early medieval assart fields, a large medieval farmstead and a network of ancient routeways, including Reynolds Lane. The "den" designation in "Culverden" betokens an early animal husbandry use by Man stretching back at least to Saxon times.

The whole of this area (sites 30, 100, 199, 205) was subject to promotional responses by landowners to the Call for Sites under the present Local Plan review process and each of the individual sites was ruled out for further consideration under the first iterations of the SHELAA and Sustainability Appraisal, including the part now put forward as AL/RTW5. The Inspector is referred to those documents for further information as to why development was considered unsuitable.

On the basis of the above facts about the utility of this Green Belt land, the **site now proposed to be allocated as AL/RTW5 was not an area proposed for removal from the Green Belt to meet Plan objectives at the conclusion of the Regulation 18 Draft Local Plan process**, following public consultation (to which this Association submitted evidence) and following detailed and exhaustive consideration of all the responses by TWBC.

The allocation appears not to be legally compliant

This allocation appears **not to be legally compliant** because the site was found **not to be a suitable or reasonable alternative** under the iterations of the SHELAA and Sustainability Appraisal which informed the Regulation 18 Draft Local Plan and which took account of extensive public consultation. This site was only added to the Draft Plan very late as may be verified if the Inspector will look at the **Green Belt Review stage 3**, where unlike all the other proposed allocations in the Green Belt, this site was not even given an allocation number but merely referred to as draft allocation AL/RTWXX. Consequently, there has been no opportunity for public consultation of which TWBC could take account prior to submitting the Regulation 19 Draft Plan to the government. This appears to make allocation AL/RTW5 **unsound**.

Exceptional circumstances do not justify its removal from the Green Belt

Paragraph 136 of the NPPF states that “*Once established, Green Belt boundaries should only be altered where **exceptional circumstances are fully evidenced and justified***”. It is our view that exceptional circumstances have not been demonstrated that would justify removal of site AL/RTW5 from the Green Belt.

(a) Calculation of housing numbers against constraints

As recently as 25th May 2021, the **Ministry of Housing, Communities and Local Government** issued the following statement about calculation of housing numbers for a Local Authority area:

“The numbers mentioned are a starting point for local councils to help them understand how much housing is needed in their area and are not legally binding. Put simply, it is a measure of an area’s housing need, against which councils must then consider their local circumstances and supply pipeline. Councils draw up a local housing target, taking into account factors including land availability and environmental constraints such as Green Belt.

*Protecting the Green Belt is a priority and our national planning policy reinforces regenerating previously developed land, known as brownfield sites, and prioritising urban areas. **Green Belt decisions will remain with councils and communities**, ensuring they have influence over development, location and design.*

*The Local Housing Need is simply a measure of need **and we recognise that not everywhere will be able to meet their housing need in full – for example, where available land is constrained due to the Green Belt and an area therefore has to plan for fewer new homes.***”

The circumstances in the Borough of Tunbridge Wells are such that the overwhelming majority of undeveloped land is either in the AONB or Green Belt and, according to this MHCLG confirmation of existing planning policy, priority should be given to protecting the Green Belt in shaping a Local Plan. The consequence of this should be that the calculated housing numbers against a nationally applicable formula could be reduced in the Borough of Tunbridge Wells, yet this has not been done.

We acknowledge that there is also a statutory obligation for the Plan to demonstrate it has satisfied a duty to cooperate with other Local Authorities who may have problems seeking to meet their housing need. However, in the light of the ministerial statement on how housing numbers may be calculated, **it seems inconceivable that the proposed specific provision of 100 dwellings at Site AL/RTW5 is justified on the grounds of exceptional circumstances**, either in relation to the Borough’s own housing situation or that of neighbouring authorities which have similar statutory constraints on development.

(b) Reasonable alternatives to allocation at Site AL/RTW5 exist within the urban fabric at Royal Tunbridge Wells

Even if the Plan as a whole were found to be sound as to calculation of required housing numbers for the Borough, after taking into account all relevant considerations, the Culverden Residents’ Association believes that the Plan is not sound in relation to the circumstances applying in Royal Tunbridge Wells itself.

Paragraph 137 of the NPPF states that “*Before concluding that exceptional circumstances exist to justify changes to Green Belt boundaries, the strategic policy-making authority should be able to demonstrate that it has examined fully all other reasonable options for meeting its identified need for development*” including whether the strategy makes as much use as possible of suitable Brownfield and other underutilised sites at an optimal density.

The Culverden Residents' Association contends that TWBC has not demonstrated that it has examined fully all other reasonable options for meeting its identified need for development to justify the removal of site AL/RTW5 from the Green Belt for housing on grounds of exceptional circumstances. Prior to the holding of the Public Examination, there is already to be initiated a major review of land in Royal Tunbridge Wells town centre in order to produce a Town Centre Area Plan which will become part of the Local Plan. The Draft Plan identifies a minimum of some 150-20 extra dwellings to be sought in the town centre even before the TCAP task force has begun its work. It would only be necessary to identify places for a further 100 dwellings during the Plan period to replace those which would be lost by cancelling the allocation at Caenwood Farm. Additional dwellings in the town centre would be far more effective and justified in the long term sustainable interest of the town and in mitigating the climate emergency than extending its area into the countryside.

Paragraph 123 of the NPPF states that “*Where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site.*” This is the case in Royal Tunbridge Wells and we believe that there should be denser development within the town centre before contemplating the use of Green Belt land. The 5th purpose of the Green Belt is “*to assist in urban regeneration by encouraging the recycling of derelict and other urban land*”. If proper attention were paid to this purpose, we contend that it would presently justify the maintenance of the land at site AL/RTW5 in the Green Belt.

If sufficient Brownfield land did not become available in the next 5 years, the situation could be reviewed under the 5 year review process. But if the land at Caenwood Farm is allocated now, it will be lost to the Green Belt for ever. Figures shown in the Plan suggest there will be an oversupply of housing during the first 5 years. We therefore argue that the risk taken by not immediately allocating this site should be small and worth taking to protect our Green Belt and to seek a more sustainable outline for the town in the longer term.

In conclusion of this section of our argument, we do not believe that exceptional circumstances have been shown to justify removal of site AL/RTW5 from the Green Belt.

The proposed allocation would exacerbate existing traffic problems in our neighbourhood

The allocation would exacerbate an already chronic problem of rat-running in our neighbourhood, which is host to schools numbering several thousand school pupils at primary and secondary level (Rose Hill, Bishops Down Primary, Bennett Memorial School, Tunbridge Wells Girls Grammar School and Skinners School). Traffic diverts from the A264 at Mt Ephraim and the A26 on St John's road to use a network of unsuitable streets in Culverden to access Reynolds Lane, itself a totally unsuitable narrow, winding and precipitous Rural Lane, to reach Southborough and vice versa. This causes considerable noise and air pollution for residents and significant danger for around 1000 school children who regularly walk up or down Culverden Down, crossing the junction with Reynolds Lane to and from the schools mentioned above. The situation is too dangerous to allow these schools to be accessed by bicycle in spite of their being an enthusiasm for it and there have been increasing incidences of gridlock and road rage in the Culverden area.

Culverden Residents' Association is therefore resolutely opposed to any housing development in the area which would worsen the current situation and it has become imperative that Reynolds Lane should be permanently severed to end its use as a through route. In present circumstances, development at site AL/RTW5 is **unjustified** by reason of the additional traffic pressures it would impose on our neighbourhood.

The proposed allocation would have a negative impact on remaining Green Belt and a Rural Lane

Reynolds lane is a Rural Lane of ancient origin characteristically running north to south between two ridges in the High Weald. It connects to a network of other ancient routeways which remain footpaths linking Rusthall (via the Woodland Trust's Hurst Wood) Speldhurst and Southborough. In a 2014 planning appeal judgement against a development on the rural section of the lane, the Inspector found

that the area had **“a resolutely rural sense of place”**. The lane leads down to an ancient routeway past Smockham Farm, with its early medieval assart fields, Grade 2 listed farmhouse, 18thc tanyard and industrial heritage such as the mid-19thc pumping house which pumped water to supply the former Kelsey brewery on St John's Road. On Reynolds Lane itself is the Grade 2 listed Caenwood Farmhouse, inhabited in the 18thC by the eponymous Reynolds family and which is depicted in a painting by the renowned 19thC artist Tattershall Dodd who also painted the major sandstone outcrop and the sharp bend at the bottom of Reynolds Lane which are still clearly recognizable today.

This is an important area for recreation in an area which lacks RTW's major public parks and common land. It has come into its own during the pandemic with many new families discovering this important open space on their doorstep and continuing to use it since the lockdowns were eased. This area adjoins the Local Wildlife Site at St John's Meadows and is part of a Biodiversity Opportunity Area.

The intrusion of a development of 100 dwellings at the top end of Reynolds Lane at site AL/RTW5 would inevitably bring noise and light pollution closer to this rural survival which is so close to the urban fabric, with adverse consequences for its environment and wildlife. **We do not consider this justified** in the present circumstances.

In **overall conclusion**, the Culverden Residents' Association considers that the proposed allocation AL/RTW5 at Caenwood Farm is **unsound and unjustified**.

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 would be sounder through deletion of the allocation AL/RTW5 Caenwood Farm

The Culverden Residents' Association urges the Inspector to **cancel the allocation** at site **AL/RTW5** for the reasons we have outlined in the previous section. However, if the Inspector is minded not to accept the argument for total cancellation, we would advocate the following action:

Safeguard the site

Paragraph 139 of the NPPF states that, when defining Green Belt boundaries, plans should:

“c) where necessary, identify areas of safeguarded land between the urban area and the Green Belt, in order to meet longer-term development needs stretching well beyond the plan period;

d) make clear that the safeguarded land is not allocated for development at the present time. Planning permission for the permanent development of safeguarded land should only be granted following an update to a plan which proposes the development;”

This would allow the Inspector to identify areas of developable land at AL/RTW5 to be safeguarded between the urban area and the remaining Green Belt. It could become available to meet longer-term development needs stretching well beyond the plan period if and when maximum intensification has been achieved within the existing Limits to Built Development and if there is remaining unsatisfied housing need in future decades.

Reduce the area of the allocation

If not convinced of the case for safeguarding, we urge the Inspector to **reduce the loss of Green Belt** by **reducing the allocated** area for development and maintaining the remainder as Green Belt. The proposed density on this site of approximately 20 dwellings per Hectare is far too low for a site so close

to the existing settlement at Southborough and is clearly **not consistent with national policy** as set out in paragraph 123 of the NPPF.

Paragraph 123 of the NPPF states that *“Where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site.”*

To give the Inspector an idea of just how easy it would be to provide the projected 100 dwellings on a much smaller site, we would refer the Inspector to a development of 37 spacious apartments of principally market housing at Warberry Park Gardens TN4 and social extra care housing for 43 elderly tenants of Town and Country Housing Association at Ardenhurst, Culverden Park Road TN4. Both met recent housing needs of local people. A similar mix of social and market housing based on apartments and terraced housing would readily yield 100 dwellings on around a quarter of the proposed developable allocation at AL/RTW5.

Some of the most desirable properties in Royal Tunbridge Wells’ “village area” are terraces and other clustered dwellings of more than two storeys and it should be possible to design a successful new neighbourhood on those principles. This would encourage active travel and efficient provision of services. As well as bringing any allocation into conformity with national policy, this density would also be far more compatible with meeting the actually identified housing need in the Borough than is likely to be the case under the current proposed density.

Mitigation measures

If the Inspector nevertheless decides to confirm removal of some or all the proposed allocation from the Green Belt, **paragraph 138 of the NPPF** states that a Plan should set out *“ways in which the impact of removing land from the Green Belt can be offset through compensatory improvements to the environmental quality and accessibility of remaining Green Belt land”*.

Paragraph 141 of the NPPF states: *“Once Green Belts have been defined, local planning authorities should plan positively to enhance their beneficial use, such as looking for opportunities to provide access; to provide opportunities for outdoor sport and recreation; to retain and enhance landscapes, visual amenity and biodiversity; or to improve damaged and derelict land.”*

The Culverden Residents’ Association would therefore expect to see much more specific detailed, mapped proposals in the AL/RTW5 allocation as to how the provisions of paragraphs 138 and 141 would be given effect. Vague mitigation and enhancement seems to be limited to land within the site to be allocated, even though the prospective developer owns additional adjacent Green Belt land which could be improved.

- 1 The SHELAA site assessment sheets and Sustainability Appraisal of AL/RTW5 land found that the site was *“well screened from surrounding roads and houses”* and this is repeated in paragraph 5.51 of the Regulation 19 Draft. This occurs mainly through a continuous mature and very high hedgerow which runs along the south side of Speldhurst Road which is covered by a Tree Preservation Order. The draft policy also mentions the possibility of widening Speldhurst Road. This would not be compatible with maintaining the effective screening of any development. **Any allocation should stipulate that the existing tree cover on Speldhurst Road will be maintained** except at the point of any new road access.
- 1 While paragraph 3 of the policy mentions the “possibility” that **alterations to Reynolds Lane** should be explored, this is a wholly inadequate response to what is already a serious road safety and environmental problem. **If any kind of development should take place on the land at AL/RTW5, it would be indispensable that Reynolds Lane should be severed** as an integral part of the scheme to prevent any through traffic between Speldhurst Road/ Southborough and the residential district of Culverden, which already suffers a grossly excessive amount of rat-running traffic, and also to maintain the rural character of Reynolds Lane as an ancient routeway and Rural Lane which should have a continuing role for active travel and access to the countryside for recreation.
- 1 There is no mention of any mitigation for **householders on the western side of Reynolds Lane** who would lose their amenity views of the countryside and also a large degree of privacy. It would be fundamentally important to introduce a **sufficient green buffer** hedgerow or similar of procured mature trees to screen those properties from any new development prior to construction.
- 1 We would advocate enhanced footpath links to be provided from the existing route to the west of the site to connect to other footpaths and the surrounding area but this has not been shown

on the policy map of the wider area. It needs to be more explicitly dealt with in the policy, as should the required Improved access to the wider area as public open space and ecological mitigation to be secured by any development. In particular a new PROW should be provided from opposite the entrance to Salomons, linking into the existing footpath running westward on the edge of the allocation. Another PROW should be established running northwards from the end of Smockham lane PROW, parallel with Broomhill Road giving safe access to the existing PROW at Mill Farm and thence to the Tunbridge Wells Circular Walk, and further up Broomhill Road to the Salomons estate and its leisure and hospitality facilities.

- 1 While we would strongly support the protection of existing mature trees and hedgerows as proposed, any developer should be required to do so wherever reasonably practicable rather than merely to "have regard" to this aspect.
- 1 We would support any new development taking the form of a Low Traffic Neighbourhood with maximum facilities and encouragement for active travel.

In conclusion of our consideration of potential mitigation, there are insufficient specific details as to how the provisions of paragraphs 138 and 141 of the NPPF would be given effect. Without more substantial and concrete provisions inserted into the Plan, we fear that satisfactorily substantial mitigation for the loss of Green Belt might be negotiated away in later discussions with developers.

Question 7

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

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

Question 7a

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

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

We should wish to participate in the hearing session to provide the Inspector with further details on the issues we have touched on above.

Supporting Information File Ref No: SI_91a-d

Comment

Agent	Andy Pearce [REDACTED]
Email Address	[REDACTED]
Company / Organisation	CBRE Limited
Address	[REDACTED] [REDACTED] London [REDACTED]
Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Dandara Ltd
Address	[REDACTED] [REDACTED] Hemel Hempstead [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Dandara Ltd [REDACTED]
Comment ID	PSLP_1703
Response Date	04/06/21 16:55
Consultation Point	Policy AL/RTW 5 Land to the south of Speldhurst Road and west of Reynolds Lane at Caenwood Farm, Speldhurst Road (View)
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Files	PSLP_1685-1711(not inclusive)_CBRE(Dandara)_Letter_SI_.pdf PSLP_1685-1711(not inclusive)_CBRE(Dandara)_Representation_SI_.pdf PSLP_1685-1711(not inclusive)_CBRE(Dandara)_S'borough Concept_SI.pdf PSLP_1685-1711(not inclusive)_CBRE(Dandara)_LandscapeConcept_SI.pdf
Data inputter to enter their initials here	AT
Question 1	

Respondent's Name and/or Organisation Dandara

Question 2

Agent's Name and Organisation (if applicable) CBRE 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 AL/RTW 5 Land to the south of Speldhurst Road and west of Reynolds Lane at Caenwood Farm, Speldhurst Road

Paragraph Numbers: 5.47 - 5.51

[TWBC: Covering letter, Full Written Representation, Landscape Concept and Southborough Vision Document attached as Supporting Information. This representation has been input against Section 3 - Vision & Objectives, Section 4 - The Development Strategy, Policies STR/SS 1, STR/HA 1, AL/RTW 5 and STR/CRS 1 – see Comment Numbers PSLP_1685, PSLP_1688, PSLP_1689, PSLP_1697, PSLP_1703 and PSLP_1711]

Question 4

Do you consider that the Local Plan:

Is legally compliant Yes

Is sound No

Complies with the Duty to Cooperate Yes

Question 4a

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

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

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

Question 5

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

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

[TWBC: Covering letter/email as follows - copy also attached as Supporting Information]

CBRE is appointed by Dandara Ltd. to submit representations relating to the Regulation 19 Pre-Submission Draft version of the Tunbridge Wells Borough Local Plan.

Dandara hold specific land interests in respect of the following sites as set out in our representations:

- . STR/PW1 / STR/SS1 – Badsell Farm, Paddock Wood ('Paddock Wood');
- . STR/HA1 / AL/HA4 – Land off Copthall Avenue and Highgate Hill, Hawkhurst ('Hawkhurst');
- . STR/RTW1 / AL/RTW5 – Land at Speldhurst Road, Southborough ('Southborough');
- . AL/RTW 16 – Land to the west edge of Eridge Road at Spratsbrook Farm ('Spratsbrook Farm');
- and
- . Omission Site – Land east of Camden Lodge, adjacent to Mill Lane and Sissinghurst Road ('Sissinghurst');

The above sites are located within the administrative area of Tunbridge Wells Borough Council ('TWBC'). The Paddock Wood, Hawkhurst, Southborough and Spratsbrook Farm sites are all allocated in the Pre-Submission Draft Local Plan.

Separate written representations have been submitted by Barton Willmore LLP in respect to Dandara's land interests at AL/RTW 16 – Land to the west edge of Eridge Road at Spratsbrook Farm ('Spratsbrook Farm'). CBRE's written representations have been fully coordinated with Barton Willmore LLP's representations for Spratsbrook Farm.

Accordingly, please find the following enclosed representations which will be sent via email and secure electronic file transfer:

- . This cover letter;
- . Completed Local Plan Response Forms; and
- . Written Representations Report dated June 2021.

Dandara will continue to engage with TWBC as well as key stakeholders, to feed into and inform later stages of the plan-making process including the Examination hearings in due course.

Dandara will also continue to monitor the progress of the emerging Local Plan and will also look to make written representations on the next stage, Examination hearings in due course.

[TWBC: End of covering letter/email]

5.156 Pre-Submission Local Plan Policy STR/RTW1: 'The Strategy for Royal Tunbridge Wells' sets out the development strategy for Royal Tunbridge Wells including the provision of between 1,416-1,536 new dwellings, including affordable housing on 18 sites including the Southborough site (site allocation Policy AL/RTW5). Dandara support Policy STR/SO1 and consider growth at Southborough to form a logical and sustainable small urban extension to Tunbridge Wells, consistent with the assessed spatial strategy

5.157 The site is allocated in the Pre-Submission Local Plan by Policy AL/RTW 5: 'Land to the south of Speldhurst Road and west of Reynolds Lane at Caenwood Farm, Speldhurst Road' as part of a wider site allocation comprising adjacent land to the west and south at Caenwood Farm for a total 100 new dwellings, including 40% affordable housing and 5% serviced self-build and custom housebuilding plots (see Figure 13 below). Dandara support site allocation Policy AL/RTW5 but a set out a series of detailed comments below.

Green Belt Release5.158 The site was included in the Council's Green Belt Study Stage Three (November 2020) as part of the wider site allocation AL/RTWXX: 'Land to the north of Caenwood Farm, Speldhurst Road'. This assessment concluded that wider parcel AL/RTWXX makes a "Relatively Strong" contribution to preventing neighbouring towns merging, and a "Moderate" contribution to checking the sprawl of the large built up area and the prevention of encroachment on the countryside as shown in Figure 14 below. The impact of its release on the adjacent Green Belt is deemed "Negligible" and overall, the harm resulting from the release of AL/RTWXX is "Low-Moderate".

5.159 The redrawing of the Green Belt boundary in this location will follow strong, defensible boundaries that are permanent and can endure beyond the plan period.

5.160 The Council's Green Belt Study Stage Three concludes that while release of land within AL/RTW 5 will breach the Green Belt boundary formed by Speldhurst Road, it will be replaced by an equally strong boundary formed by existing woodland blocks to the south and by proposed supplementary mitigation planting.

5.161 Dandara support the above findings from the Council's Green Belt Study Stage Three and fundamentally agree with the nature and extent of harm to this Green Belt as identified by TWBC. The redrawing of the Green Belt boundary in this location will follow strong, defensible boundaries that are permanent and can endure beyond the plan period in accordance with Paragraphs 136-139 and 141 of the NPPF. 5.162 Dandara agree with the findings and conclusions of the SHELAA in respect to Site ref. 100 and the Council's Green Belt Study Stage Three and consider the Council's Local Exceptional Circumstances case for the release of this to be robust and sound.

Landscape Sensitivity 5.163 The site was not included in the Council's LVIA (November 2020) as it does not fall within or immediately close to the High Weald AONB.

5.164 The Tunbridge Wells Landscape Assessment (2017) classifies the site as lying within the Speldhurst Wooded Farmland Landscape Character Area (LCA). This area is characterised by: "A topographically distinct landscape of high ridges intersected by a complex network of valleys and steep sided ghylls extending west from Royal Tunbridge wells. The landscape is distinguished by weathered outcrops of sandstone, lush deep ravine woodlands, sunken lanes running between high banks of sandstone, beech and holly hedgerows, Commons which permeate into the centre of RTW and an important swathe of remnant unimproved pasture".

5.165 As set out in Define's commentary in the Southborough Vision Document (June 2021), whilst the site is considered to share some of the above identified landscape characteristics, it is highly constrained by vegetation blocks, with limited intervisibility to the wider LCA. There is equally some separation from settlement immediately to the north due to a thick belt of trees along Speldhurst Road, but its proximity to this urban fringe, and significant exposure to the rear of properties along Reynolds Lane along the western boundary, does result in the majority of the site having a strong relationship with the existing settlement.

5.166 Define also note that due to the screening provided by existing built form and dense vegetation, there are few views into the site, other than glimpsed views from along the western boundary (Public Right of Way WB1 (see Figure 5 of the Southborough Vision Document)). However, views from this public footpath area already influenced by settlement through a small row of properties and their rear gardens to the west.

5.167 Due to the complex intervening landform and vegetation pattern no views further afield are considered likely, but it is acknowledged this will need to be tested through appropriate LVIA to accompany any future detailed planning application(s).

Emerging Concept Masterplan – Dandara 5.168 The enclosed Southborough Vision Document (June 2021) prepared by Define on behalf of Dandara provides an overview of how Land to the south of Speldhurst Road at Caenwood Farm, site allocation policy AL/RTW could be developed in a way that responds positively to its context, and the opportunities and constraints of the site, in order to deliver residential development alongside substantial green and blue infrastructure. The Vision Document includes a conceptual (indicative) masterplan for Dandara's land interest including the wider AL/RTW5 site allocation as shown in Figure 15 below as part of delivering comprehensive development and the entire site allocation.

5.169 The conceptual masterplan identifies a potential small residential urban extension to Southborough that blends into this sensitive landscape/settlement edge and which adds positively to the recreation and amenity value of the local settlement through the provision of significant and accessible green/blue infrastructure that flows through the site, providing connections to focal points of natural open space on the southern and western boundaries.

5.170 This approach will facilitate the positive enhancement of the beneficial use of the wider Green Belt with retained woodland, a key landscape feature, improved public access and potential opportunities for new habitat creation as well as new outdoor sport and recreation in accordance with Paragraph 141 of the NPPF.

5.171 The conceptual masterplan identifies a total development area of circa 2.80 Ha which comprises circa 1.05Ha within Dandara's land ownership to the north-east of the wider Caenwood Farm site.

5.172 The indicative and high-level development layout is informed by the site's constraints set out above and in particular its landscape context, in which the conceptual masterplan seeks to retain all existing vegetation (with the exception of access points only), and keep development away from the southern and western edges.

5.173 In accordance with the Council's Stage Three Green Belt Study (November 2020) the conceptual masterplan seeks to retain woodland to the south and reinforce this with additional tree planting to create a robust new Green Belt boundary.

5.174 In terms of initial design and layout considerations for the entire site allocation, the conceptual masterplan demonstrates it is possible and appropriate to achieve higher density residential development of circa 3-5 storeys along the main access street from Speldhurst Road with a more formal character framing the street and long-views to St Johns Church of England; more medium density development in the central spine of the site with residential dwellings of circa 2-2.5 storeys; and remainder of the site, particularly closer to the green buffer and woodland to the south (more sensitive landscape areas) residential dwellings of circa 2 storeys, with further scope for higher density, circa 1.5-2 storey mixed dwellings in the heart of two larger residential parcels in the northern-eastern area of the site.

5.175 Dandara agree with the findings and conclusions of the SHELAA in respect to Site ref. 100 and the Council's Green Belt Study Stage Three and consider the Council's Local Exceptional Circumstances case for the release of this to be robust and sound. Suitability of Residential Use / Quantum

5.176 The entirety of the site was included as part of the Council's SHELAA (January 2021) referred to as Land to the south of Speldhurst Road, adjacent to Whitegate Close, Tunbridge Wells (SHELAA site ref. 100). A Site Location Plan extract is included in Figure 16 below. The adjacent land at Caenwood Farm is also included in the SHELAA (Site ref. 30) and is also a proposed housing allocation (Policy AL/RTW5) in the Pre-Submission Local Plan.

5.177 The SHELAA assessment confirms that the existing site is a greenfield site in agricultural use with a series of TPO trees along Speldhurst Road. The site was deemed suitable for residential development on the basis it is adjacent to the LBD of Royal Tunbridge Wells and is well situated in respect to existing services at Royal Tunbridge Wells and Southborough. Moreover, the release of the site from the Green Belt would result in "Low to Moderate" harm.

5.178 The SHELAA concludes that Site ref. 100 is a suitable site falling adjacent to the existing LBD of Royal Tunbridge Wells. It is considered that it is a sustainable site as confirmed through the SA. The SHELAA did however confirm it is unsuitable to release adjacent Site ref. 30 from the Green Belt due to the harm it would cause.

5.179 Site allocation Policy AL/RTW 5 seeks the provision of a total 100 homes on the site, including 40% affordable housing. Dandara support site allocation Policy AL/RTW5 and the allocation of the site for housing. However, Dandara suggest the quantum of housing should be uplifted to 110 no. homes.

5.180 Technical evidence and initial feasibility work undertaken by Dandara confirms that Dandara's land parcel which is allocated for residential use is suitable for residential development and has sufficient capacity and is able to deliver circa 30-40 new dwellings at a density of circa 30-40 dpa which is considered appropriate for the site, factoring in its location, wider context and site constraints and ensuring appropriate provision for encompassing suitable and accessible "green" and "blue" infrastructure as part of a comprehensive and sensitive design approach that respects the site's sensitive landscape/settlement edge location. Accordingly, this will ensure that the allocation secures the efficient and effective use of the Land to the south of Speldhurst Road, adjacent to Whitegate Close in line with Paragraph 122 of the NPPF.

Self Build and Custom Housing

5.181 Site allocation Policy AL/RTW5 seeks to secure 5% of the development proposals for self/custom build provision. Dandara does not support this element of the Policy AL/RTW5.

5.182 Paragraph 6.381 of the Local Plan notes that since 1 April 2016, there has been an average of 1.96 registrations for a self/custom build property per month. Utilising this data, TWBC has therefore projected a need for 518 self/custom build dwellings over the Plan period (up to 2038). This is considered to be too simplistic a forecast and does not reflect actual demand.

5.183 Paragraph 6.381 goes on to (correctly) note that self/custom build predominantly comes forward via windfall schemes, mainly as single dwelling schemes. Accordingly, TWBC considers that 77% of provision (401 dwellings) will come forward via windfall, leaving 115 – 120 dwellings to be identified in the Plan.

5.184 Draft Policy H8 ('Self and Custom Build Housing') seeks to secure the residual self/custom build provision at 3 no. allocated sites – Caenwood Farm (AL/RTW5), Spratsbrook Farm (AL/RTW16), and

Tudeley Village (STR/SS3). However, the Draft Local Plan (including Sustainability Appraisal) does not set out the rationale as to why these sites were identified for self-building housing over other sites in the Local Plan and there is no supporting evidence to support a need for self build housing in these locations.

5.185 Ultimately, the selection of self/custom build sites will depend on consumer choice on where individual households seek to build their own home. As above, this predominantly occurs on single dwelling/windfall schemes and can also be locationally dependent including village and countryside settings. The sites identified above all have policy constraints that need to be addressed as part of any application and would make self/custom homes challenging to deliver on site factoring in the necessary highway / landscape mitigation amongst other social infrastructure requirements that would be required to accommodate new residential development.

5.186 Dandara therefore consider the threshold applied and the inclusion of self-build housing at the Southborough site is not appropriate when factoring in the site's location and specific constraints. The site allocation as proposed already includes a requirement for the provision of 'extensive green infrastructure' which would be in excess of that required to support the delivery of approximately 100 homes. Factoring in the above outlined site constraints and factoring the size of the site, it is not suitable for self-build housing as this could threaten the viability and deliverability of this site for housing.

5.187 Dandara suggest flexibility in the policy provision below to cater for the demand at the time the scheme is at the planning application stage. Dandara suggest it would be prudent to insert a policy caveat for an early review mechanism into Draft Policy AL/RTW5 to assess whether this local demand self/custom build housing in this locality and whether this need has already been met elsewhere in the Borough in-line with the proposed housing trajectory. Meeting the demand will largely be based on consumer choice at the time as well as the locational options for those on the Council's self/custom build register. Any such review should regard to other viability considerations for the scheme.

5.188 Dandara also recommend that the provisions/sites in Policy H8 are deleted in that self/custom build can come forward as based on the demand for suitable locations at build out.

5.189 Accordingly, in light of the above comments, Dandara suggest Policy AL/RTW16 is amended as follows: This site, as defined on the Royal Tunbridge Wells Policies Map, is allocated for circa 110 residential dwellings, of which 40 percent shall be affordable housing, and if required (subject to TWBC evidence base confirming need), a minimum of five percent to be available as serviced self-build and custom housebuilding plots.

Highways / Access 5.190 Site allocation Policy AL/RTW5 (part 1) rightly requires the new vehicular access to be provided from Speldhurst Road, with the exact location to be determined by detailed transport assessment work. There is a further requirement to consider appropriate widening of the section of Speldhurst Road that runs adjacent to the site and the provision of an appropriate level of parking on-site. Dandara support this requirement and the policy approach to requiring a detailed transport assessment.

5.191 Dandara also support the requirement under site allocation Policy AL/RTW5 for the creation of a new access subject to detailed transport assessment work.

5.192 Policy AL/RTW5 (part 3) further requires the possibility of alterations to Reynolds Lane with restricted access for non-residents as appropriate or necessary. This land falls outside Dandara's land ownership but they would welcome discussions on the access option with the Promoters of the wider allocation at Caenwood Farm.

5.193 PJA Highways have undertaken initial highway technical work on behalf of Dandara including technical review of the Site, its constraints and the key highway considerations, including the requirement for a new access from Speldhurst Road as part of a 100 unit residential scheme (including 30-40 dwellings on Dandara's land interest).

5.194 This technical assessment work confirms that the site is well located to local amenities, and has good access to public transport services and is considered to constitute a sustainable location.

5.195 An initial highway safety review using Personal Injury Collision (PIC) data confirms that overall, the number of PICs in the vicinity of the site is low, with no fatal collisions or collisions resulting in serious injury recorded. Therefore, there is no evidence to suggest that the proposed development would exacerbate any existing highway safety concerns.

5.196 The technical assessment work to date has sought to prepare a preliminary access strategy which recommends the creation of a new bell-mouth junction from Speldhurst Road within the site, located between Edward Street and Taylor Road. Initial vehicle tracking confirms this access would provide safe and efficient access and egress to the site and would be fully compliant with the requirements of the Kent Design Guide .

5.197 It is acknowledged that further transport assessment work including traffic volume counts and detailed highway modelling will be required at application stage. It is also accepted that early detailed discussions with KCC Highways will be required to agree the location and type of access from Speldhurst Road.

5.198 In respect to car parking, it is noted that an appropriate level of parking will need to be achieved on-site, factoring in the site's constraints and need for a safe and efficient site layout and internal access. Dandara further support the requirement of a Low Traffic Neighbourhood as required by Part 5 of Policy AL/RTW5.

5.199 At the appropriate stage, Dandara will engage in pre-application discussions with the Council and KCC Highways to agree the site access strategy and necessary highway mitigation measures to be delivered as part of the proposed residential development. Dandara also note that any such application will be informed by a detailed transport assessment.

5.200 Policy AL/RTW5 (part 4) which seeks enhanced footpath links to be provided from the existing route to the west of the site to connect to other footpaths and the surrounding area. Dandara support the policy approach but recognise the extension of footpaths will require the necessary permission and will require agreement with adjacent landowner.

Trees 5.201 Policy AL/RTW5 (part 9) requires future development to secure the long-term management of the pasture and woodland retained for landscape and ecological mitigation. Dandara support this policy requirement and despite the proposed retained woodland and pasture falling on the wider site allocation (not Dandara's land interest) it is recognised the retention of these green features is key to the design and landscape quality and overall placemaking of the future housing schemes on both development parcels.

5.202 Policy AL/RTW5 (part 10) requires regard for the existing hedgerows and mature trees on-site, with the layout and design of the development and to be informed by an arboricultural survey and landscape and visual impact assessment. Dandara broadly supports this requirement, however there is likely to be a need for an element of tree clearance to occur along Speldhurst Road to accommodate the access provision, with mitigation provided for loss of any trees elsewhere on the site. Accordingly, it is recommended that the text "Where feasible" is introduced at the beginning of the second sentence.

5.203 Lloyd Bore on behalf of Dandara have undertaken an Arboricultural Report (April 2021) which comprises a detailed tree survey. This confirms the absence of Category A Trees with the majority of trees either categorised as either 'C' or 'U'.

5.204 The emerging concept masterplan for Southborough has been informed by the access strategy and findings of the Arboricultural Report. The proposed access from Speldhurst Road is sought between Edward Street and Taylor Road and would result in some loss of primarily low (Grade C) trees. The higher quality, Grade B trees will be retained where possible and a tree-lined frontage and green buffer to Speldhurst Road will be retained to ensure the site remains well-screened to the existing residential properties on the north (opposite) side of Speldhurst Road in accordance with the Council's SHELAA.

5.205 As set out above, it is acknowledged that the proposed access strategy and precise location of the site access will be informed by highway modelling and technical conversations with KCC Highways and will also be informed by discussions with the Council's Tree Officer to agree necessary tree removal and any necessary mitigation / additional tree planting. It is apparent that the proposed site access is proposed further down Speldhurst Road, beyond Prospect Road, there is a likely requirement for further tree removal to create larger visibility splays.

5.206 The emerging concept masterplan for the site and wider allocation seeks to retain the existing woodland to the south, reinforce this boundary and green buffer with additional tree and hedgerow planting to help screen views out.

5.207 Therefore, given these trees of limited amenity value, a degree of tree loss is considered to be acceptable in principle subject to all other relevant policy considerations.

5.208 It is acknowledged that the soft landscape scheme as part of any future application should introduce new tree and boundary planting on-site as part of mitigating any tree loss, ensuring the development is appropriately screened from the existing residential properties along Speldhurst Road as well as enhancing biodiversity and in the interests of achieving a high quality development. It is also acknowledged that an arboricultural assessment will be required in support of any future application.

Open Space / Play Space / Green Infrastructure 5.209 Policy AL/RTW5 (part 8) requires extensive green infrastructure to be provided, shown in both the green areas shown indicatively on the site layout plan (see Figure 14 above) and through the non-green areas where relevant. Policy AL/RTW5 (part 6) seeks improved access to existing and new open green space areas.

5.210 Whilst Dandara support the policy approach to securing new open space and improving public access to it, it is however noted, as set out above, that the provision of 'extensive green infrastructure' would be in excess of that required to support the delivery of approximately 100 homes. Despite this, Dandara support the unique nature of the site, the relationship to the existing adjacent ancient woodland and the value of green infrastructure for this site.

5.211 Dandara support Part 9 of Policy AL/RTW5 which seeks to secure the long-term management of the pasture and woodland retained for landscape and ecological mitigation to be secured by the development. Dandara would expect a Site-wide Landscape Management Plan to be prepared under a condition on any future planning permission and this could be linked to any legal agreement requiring the landowners / management companies to ensure the long term management of the site.

5.212 In a similar vein, Dandara support Part 11 of Policy AL/RTW5 which requires a suitable legal mechanism to secure the provision of open space as part of the entire site allocation.

5.213 Dandara further support Part 12 of Policy AL/RTW5 which requires the provision of on-site amenity/natural green space and children's and youth play space. Dandara are committed to delivering a high quality residential scheme including the provision of appropriate play space and natural greenspace in the interests of good placemaking in accordance with the PPG.

Housing Delivery 5.214 The Council's Housing Supply and Trajectory Topic Paper for Pre-Submission Local Plan (February 2021) confirms that site allocation AL/RTW5 is included in the Council's trajectory for the long term delivery of 100 new homes in two tranches: 70 homes in 2031/32 and 30 homes in 2032/33.

5.215 Dandara support the planned growth for the site, however we consider that quantum of development at the site should be uplifted 110 no. homes for the reasons set out above and to account for the delivery of 30-40 dwellings on Dandara's land interest and the remaining 70 dwellings on the wider site allocation (not Dandara's land interest). The proposed annual delivery rates (average 50dpa) are broadly supported, and in this context, Dandara is able to achieve 30-40 dpa in a single phase.

5.216 Dandara has undertaken an array of technical/background work for the site including that appended to these representations. Matters to have been addressed include landscape, heritage, ecology, highways, access, drainage and infrastructure. Furthermore, TWBC's Infrastructure Delivery Plan (March 2021) does not identify wider infrastructure schemes as a prerequisite to development at the site.

5.217 The above information confirmed that there are no site constraints to development and accordingly the development could commence from 2023/24.

5.218 The Site is therefore available now, is suitable for residential development and deliverable now in the short term i.e. first 5 years of the new Plan Period (2020/21 – 2024/25). The Council's trajectory should be amended accordingly.

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.

Quantum:Dandara suggest the quantum of housing should be uplifted to 110 no. homes.

5% self/custom build provision:Dandara suggest Policy AL/RTW16 is amended as follows:This site, as defined on the Royal Tunbridge Wells Policies Map, is allocated for circa 110 residential dwellings, of which 40 percent shall be affordable housing, and if required (subject to TWBC evidence base confirming need), a minimum of five percent to be available as serviced self-build and custom housebuilding plots.

Policy AL/RTW5 (part 10)5.202 Policy AL/RTW5 (part 10) requires regard for the existing hedgerows and mature trees on-site, with the layout and design of the development and to be informed by an arboricultural survey and landscape and visual impact assessment. Dandara broadly supports this requirement, however there is likely to be a need for an element of tree clearance to occur along Speldhurst Road to accommodate the access provision, with mitigation provided for loss of any trees elsewhere on the site. Accordingly, it is recommended that the text "Where feasible" is introduced at the beginning of the second sentence.

Housing Trajectory5.215 Dandara support the planned growth for the site, however we consider that quantum of development at the site should be uplifted 110 no. homes for the reasons set out above and to account for the delivery of 30-40 dwellings on Dandara's land interest and the remaining 70 dwellings on the wider site allocation (not Dandara's land interest). The proposed annual delivery rates (average 50dpa) are broadly supported, and in this context, Dandara is able to achieve 30-40 dpa in a single phase.

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:

Dandara wish to participate in the hearing session to discuss their representations and to provide further evidence to assist the Inspector where necessary in the interests of ensuring the emerging Local Plan, its strategic allocation policies and all other strategic and development management policies can be found to be sound and meet all the specific soundness tests set out at Paragraph 35 of the NPPF.

Question 8

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

4.9 The Council's supporting Sustainability Appraisal (SA) sets out the preferred growth strategy of securing a planned strategic extension at Paddock Wood based on garden village principles, supplemented by the creation of a new garden village at Tudeley Village and promotion of new growth at existing settlements.

4.10 The production of the SA is a key evidenced based document in understanding whether or not the approach to the spatial strategy is sound. The NPPF (2019) introduced a subtle but important change to the definition of 'justified' with the requirement now for 'an appropriate strategy' rather than 'the most appropriate strategy'.

4.11 The SA (February 2021) includes the assessment of 8 alternative options for the spatial strategy. In presenting a robust approach the SA (February 2021) correctly considers the implications for the spatial strategy in including Paddock Wood in some options and excluding it from others.

4.12 Paragraph 6.2.13 of the SA (February 2021) succinctly summarises the consequences for sustainable development if an alternative spatial strategy was pursued which sought to focus growth exclusively in the main town and main town and villages. In the assessment it is noted that the exclusion of Paddock Wood (and in turn the additional pressure that this would place on other areas to accommodate growth) would have a detrimental impact upon 8 of the SA objectives including: objectives of business growth, climate change, deprivation, employment, health, services, travel and water. The assessment work undertaken provides a sound basis to inform the proposed spatial strategy with the approach representing an appropriate strategy (as required by the NPPF).

4.13 At the more detailed policy level, the SA provides a rigorous and robust testing of the 11 Local Plan strategic objectives against the 19 SA objectives and confirms there are no sustainability objectives that are more incompatible than compatible with the Local Plan objectives.

4.14 The SA explains the Council's assessment of their growth strategy options as set out in the Issues and Options stage SA (2017).

4.15 The Council's site assessment review includes assessment of potential development sites and reasonable alternative sites. Dandara support the scoring for Land to the north of Badsell Road, Five Oak Green, Paddock Wood (Site ref. 142) as part of strategic allocation STR/SS1 and TN12 Land off Copthall Avenue and Highgate Hill, Hawkhurst (Site ref. 78); and Land at Speldhurst Road, Southborough (Site ref. 100). Dandara consider the review of these development sites to be accurate, robust and informed by proportional evidence in accordance with Paragraph 35(b) of the NPPF.

4.16 However, Dandara disagree with the findings of the reasonable alternatives site assessment, land east of Camden Lodge, adjacent to Mill Lane and Sissinghurst Road (Site ref. 120). This is discussed further on in this submission, however, this site was a largely neutral scoring site and comprises a small greenfield site within the settlement boundary and not located in the AONB and is proposed for medium scale residential redevelopment.

4.17 Dandara support the Council's SA subject to the above comments on the Council's strategic objectives, consider it to be robust and satisfies the relevant legal requirements including SEA in accordance with Paragraph 32 of the NPPF.

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	Tom Ireson [REDACTED]
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	Tom Ireson [REDACTED]
Comment ID	PSLP_707
Response Date	01/06/21 15:26
Consultation Point	Policy AL/RTW 5 Land to the south of Speldhurst Road and west of Reynolds Lane at Caenwood Farm, Speldhurst Road (View)
Status	Processed
Submission Type	Web
Version	0.3
Question 1	
Respondent's Name and/or Organisation	Tom Ireson
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 No. AL/RTW5	
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 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 object to new Policy AL/RTW5 that was introduced into the PSLP at stage 19 of the Local Plan delivery process. Namely the removal of land, at former Caenwood farm to the south of Speldhurst road and west of Reynolds lane, from the Green Belt.

The proposed development will impact on air quality and traffic safety at the site and in the surrounding area. It threatens the separation of Southborough from Royal Tunbridge Wells. I also contend that the loss of the open land would be followed by relentless pressure to release more green belt land for development.

Moreover the ancient woodland adjacent to the site would be severely diminished by exposure to the development; the protected evergreen treeline and hedgerow that separate the Speldhurst road to the field could also be irrevocably damaged by the development and the extensive flora and fauna of the woodlands and meadows would be lost.

In normal circumstances local residents such as myself would have been able to make our representations at the stage 18 public examination, but the planning process did not allow that.

The site was not in the previous draft plan The assessment that informed the omission of the Caenwood and Dandara lands south of Speldhurst Road from the DLP was published in 2019.

The site comprises the three meadows at the north-east corner of the Green Belt between Southborough and Royal Tunbridge Wells. At this time, this site was rated unsuitable for inclusion in the DLP. There was particular concern for harm to the remainder of the Green Belt should the top corner of this protected area be lost to development.

The DLP was then subjected to the stage 18 public examination. Public interest at the examination was generally concentrated on the allocated sites as included in the published Plan. The rejected sites received little public focus.

Caenwood Estates and Dandara engaged DHA to submit a strong joint representation against the omission of their lands from the DLP later that year in November 2019.

The TWBC in February 2021 approved the removal of 5.6 hectares of green belt to accommodate provision of approximately 100 residential units

I submit that due to the late allocation, it did not allow for full public consultation as would have been possible under Reg.18 Consultation and, therefore, deprived the public of adequate presentation or scrutiny. This is exacerbated by Reg. 19 Consultation being conducted under Covid-19 isolation or partial isolation conditions.

I do not accept this judgment as sound in that the evidence base from GBS2 before Nov 2019 had described the whole of the Caenwood Farm parcel as being too sensitive to release and we believe that GBS 3 was provided to support the change of use and cannot be justified to support the Local Plan on a strategic basis. Therefore, the removal of AL/RTW5 from the GB cannot be justified and therefore, the Plan is unsound

HIGHWAY SAFETY OR HARM TO THE HIGHWAY

Requirements 1 to 5 of Policy AL/RTW5.

We refer to para 109 of the NPPF and Policies TP1 to 4 in paras 6.539 to 6.568 of the PSLP. These documents require that “no development must compromise the safe and free flow of traffic or the safe use of the road by others”.

The location of this proposed allocation would create a severe impact on Speldhurst Road which is narrow at the proposed access site. There is no footway on the adjacent road which is bordered by trees, hedges and only one gate into the field. That leads to a public footpath that runs south across Caenwood Farm and then turns east towards Reynolds Lane.

Therefore, any traffic emerging from the Caenwood development site would be impeded by traffic using Speldhurst Road and contribute to that heavy traffic flow. Traffic comes to a virtual standstill during peak commuting times now without the addition of potentially hundreds of vehicles wishing to join in order to get to the A26 junction where there are now two sets of traffic lights with very complicated sequencing for pedestrian and vehicle crossing. The A26 coming from the south (the Town Centre of RTW) is a two lane carriageway enabling left turns into Speldhurst Road at the junction but continues as a single carriageway into Southborough London Road after the second set of lights. This causes heavy congestion during peak travelling hours.

Furthermore, traffic continuing north on the A26 is then joined by a second junction with Yew Tree Road on the right (and a third set of traffic lights) carrying heavy traffic from the Industrial Estate.

We submit that requirements 1 to 5 of Policy AL/RTW5 do not prevent unacceptable impact from the proposed site on the surrounding road network. The already critical parking situation in Southborough will be worsened by loss of roadside parking along Speldhurst Road, necessary to create a viable access to the site.

Suggested provision of parking within the site for outside residents cannot be expected to function effectively. Overall, the development will fail to ensure “a high-quality built environment” that enhances the character of the area and avoids adverse impact on the amenity of the neighbouring settlement of Southborough.

THE GREEN BELT AND OTHER ENVIRONMENTAL POLICIES.

Requirement 13 of Policy AL/RTW5

This requirement requires mitigation of the impact of the development in accordance with Policy STR/RTW 1. Section 7 of that policy allows reductions to the Green Belt only “where exceptional circumstances warrant this, and where an effective long-term Green Belt is maintained”.

We submit that the land at this site is clearly more connected to the countryside and the adjoining open fields and its loss will have a much greater impact than “negligible”.

The policy objective of Green Belt designation is to keep the land permanently open. A visual assessment of the land on this site will see that it is open and as such must therefore make a strong contribution to the purposes of Green Belt.

The garden boundaries along Reynolds Lane were not considered weak and inappropriate in 2008 and should not be classed as such now. The three meadows of site AL/RTW5 play an important role in protecting the Green Belt on the slopes below. Moreover, they give some isolation to the Ancient Woodlands, even considering the existing footpath that runs through them. If a major housing project and amenity area were established alongside there is no question that the special nature of the woodlands would be damaged, with a consequent negative impact on the wildlife.

Site AL/RTW5 is presently very definitely rural and with a rural feel. It is not some semi urban scrub land, It is renowned for the breeding of cattle. Should it be developed, this would all change.

The area would become urban, with urban sprawl stretching down the hill from Speldhurst Road to the buffer zone. The pressure to release more greenbelt once this happens will be huge

BIO-DIVERSITY

A summary of the bio-diversity of the site is as follows:

Animal wildlife – Polecats, foxes, roe deer, rats, mice, voles, shrews, frogs, toads and grass snakes.

Birds – Pheasants, wood pigeons, magpies, crows, jackdaws, blackbirds, starlings, sparrows, bluetits, bullfinches, dunnocks, wrens, goldfinches and green woodpeckers. Tawny owls inhabit the neighbouring woods, and the occasional heron is spotted.

Insects – The wide variety of insects to be found includes Emperor dragonflies, and Meadow Brown and Red Admiral butterflies.

Flowers – These are concentrated around the periphery of the wooded areas. Varieties present include: bindweed, meadow buttercup, marsh marigold, cow parsley, yarrow, bird's foot trefoil, ox-eye daisy, creeping thistle, spear thistle, wild rose, stitchwort, bluebells, daisy celandine, dandelion, bugle, violet, bittersweet, common vetch, milkmaid, herb Robert, plantain, ragwort, sorrel, cuckoo-pint, clovers, nettles and many more.

Berries – Wild strawberries, elderberry, blackberry, haws from hawthorn, rose hips, woody nightshade, holly, and white bryony.

Trees – Policies EN1 and EN13 will not allow development if it would damage or destroy one or more trees protected by a TPO. Furthermore, Para 170 NPPF states that planning decisions and policies should contribute to and enhance the natural and local environment. I see a tension between the developer's vague commitment to improve the traffic situation by widening the Speldhurst road and the protection by TPO of evergreen trees and hedgerow separating the road from the proposed area for development. These are absolutely essential to the character and appearance of the fields as a whole,

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.

We consider that removal of Policy AL/RTW5 from the PSLP is necessary for the plan to be compliant with the NPPF.

Question 7

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

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

Question 7a

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

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

I wish to exercise my right to an oral representation

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_2181
Response Date	04/06/21 16:56
Consultation Point	Policy AL/RTW 5 Land to the south of Speldhurst Road and west of Reynolds Lane at Caenwood Farm, Speldhurst Road (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 AL/RTW 5 Land to the south of Speldhurst Road and west of Reynolds Lane at Caenwood Farm, Speldhurst Road

[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 direct reference to Public Footpath WB1 that can provide active travel opportunities.

Question 6

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

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Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

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

Comment

Consultee	Anthony Kieran [REDACTED]
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	Anthony Kieran [REDACTED]
Comment ID	PSLP_879
Response Date	02/06/21 11:21
Consultation Point	Policy AL/RTW 5 Land to the south of Speldhurst Road and west of Reynolds Lane at Caenwood Farm, Speldhurst Road (View)
Status	Processed
Submission Type	Web
Version	0.1
Question 1	
Respondent's Name and/or Organisation	Anthony Kieran
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy AL/RTW 5 Land to the south of Speldhurst Road and west of Reynolds Lane at Caenwood Farm, Speldhurst Road	
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 . It is not justified because:

Question 5

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

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

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

As a resident on Reynolds Lane adjacent to the proposed site for development, my representation on AL/RTW 5 is based on my family's experience today - specifically how current problems will be exacerbated and how the proposed development will introduce negative impacts on the quality of life for our family and other residents.

Traffic, pollution and road safety

The introduction of more traffic from those resident on the new development is, quite frankly, distressing. I would assume an estimate of 150-200 would not be an unreasonable expected total of additional vehicles that the development would bring. This is a significant contribution to the flow of traffic on the Speldhurst Road-St Johns Road junction - a major problem for vehicle and pedestrian traffic.

On a daily basis, during school term, our morning and afternoon drive to our children's school that is located 2.5 miles from our home on Reynolds Lane takes 20-25 mins. This should be a 10 minute drive in free-flowing traffic. In fact, on a very regular basis that journey takes significantly longer due to roadworks, parked delivery trucks and sheer weight of traffic. It has become a rather sad on-going joke when slow/heavy traffic on St Johns Road is not mentioned on the KMFM radio traffic updates for Kent - as you might expect, it is frustratingly not often enough!

It is a major bane to our lives in lost time and late arrival to school/ work. The pollution in the area is also a real concern and could only deteriorate - as cars clog up that junction back down Speldhurst Road and all along St Johns Road.

We also have real concerns on pedestrian safety - particularly as parents of young children. Worryingly, we have witnessed for ourselves on multiple occasions when motorists - presumably impatient from sitting in traffic - have jumped lights, accelerated hard to move into space, dangerously at speed u-turn at the Speldhurst Rd-Reynolds Lane junction as they are not willing to wait any further as the junction is jammed because of a block on St Johns Road. This is a concern of course whilst we accompany our young children, but at a time in the future they will not be accompanied and like many children we see crossing that junction today - it is a major risk to their safety and accidents are inevitable.

It is, frankly, incredible that a decision would be made to exacerbate these problems. That the current residents' quality of life is already impinged and that a decision could be made to add to that problem suggests a detachment from the realities of residents today and a disregard of concerns raised many times over years to our local councillors. Truly unfathomable.

What is also a concern is the addition to demand on Doctors' surgeries, Dentists and Schools in the area. Our own recent experience would suggest that demand well out-strips supply in these areas.

Impact on the Natural Environment

For me, the removal of a recently confirmed Green Belt status is mystifying. As a citizen it truly creates a feeling of distrust and doubt over elected officials and a planning process that seems fickle and damagingly influenced by commercial interests. A truly sad transformation in my opinion.

What the impact of removing this Green Belt status means is that the semi-rural property we purchased in 2009 would be no more. That it would be swallowed up by an expanding sprawl. For us, it means that the green view we enjoy today would be permanently lost to future generations.

The parcel of land within the proposed development hosts badgers that we see cross in to our gardens, we see pipistrelle bats that inhabit the field and fly over and around house, we have seen owls and heard woodpeckers - all from the trees surrounding that field. It would be a travesty to risk that habit - and shame on us as today's custodians to not pass that on to future generations.

I can share on a personal basis that the green view and walks on the public path cutting through the area to Speldhurst Road have had a positive impact on mental health and a restorative effect for all the family during COVID lockdown. To suggest that the developers would "enhance the Ancient Woodland" is an anathema to a natural environment - natural environments are clearly put at risk when they are encroached on by development.

I hope my small representation has some effect on what is wholly questionable and perverse theft of green belt land from today's residents and future generations.

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.

My modification would be reinstatement of green belt status and a complete halt to any development in that space.

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)
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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:

N/a

Question 8

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

N/a

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	Peter Lidstone ([REDACTED])
Email Address	[REDACTED]
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Peter Lidstone ([REDACTED])
Comment ID	PSLP_1307
Response Date	04/06/21 14:44
Consultation Point	Policy AL/RTW 5 Land to the south of Speldhurst Road and west of Reynolds Lane at Caenwood Farm, Speldhurst Road (View)
Status	Processed
Submission Type	Web
Version	0.1
Question 1	
Respondent's Name and/or Organisation	Councillor Peter Lidstone
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
AL/RTW 5	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes
Is sound	No
Complies with the Duty to Cooperate	Yes

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

Question 5

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

- (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

Recent planning appeal half a mile away (Appeal Ref: APP/M2270/W/21/3268633) held that two new build detached dwellings would have a negative impact on the surrounding area, particularly highways, due to the reliance on private motor vehicles. Notwithstanding the closer location of site AL/RTW5 to amenities, it will generate a significant number of motor vehicle journeys on the heavily polluted A26 which is in an AQMA area.

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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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 allocation AL/RTW5 should be removed from the Pre-Submission Local Plan

Question 7

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

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

Question 8

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

The difference between the Sustainability Appraisal assessment of site 100 and site 30 (which comprises site 100) is hard to comprehend.

Site 30 scores very poorly for air quality, climate change and noise amongst other areas. The sustainability appraisal comments that "the substantial use of private vehicles in this location causes the noise and air objectives to score very negatively. The site also has sensitive biodiversity, heritage and landscape features, and is in a parcel of Green Belt that would constitute very high harm if released for development. This causes the land use objective to be given a very negative score."

Yet a sub-section of the wider site (site 100) is scored only slightly negative, with no mention in the comments of use of private vehicles. While the overall volumes would be lower, I fail to see how these issues affecting the wider site 30 would not also impact site 100.

Development at site 100 would conflict with the provision for Air Quality Management Areas in table 140 on pg. 278 of the Sustainability Appraisal which states: "Development in this region (and any other areas with poor air quality) must not contribute to poor air quality or put sensitive receptors at risk"

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	Christine Lyle [REDACTED]
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	Christine Lyle [REDACTED]
Comment ID	PSLP_143
Response Date	16/05/21 09:40
Consultation Point	Policy AL/RTW 5 Land to the south of Speldhurst Road and west of Reynolds Lane at Caenwood Farm, Speldhurst Road (View)
Status	Processed
Submission Type	Web
Version	0.2
Question 1	
Respondent's Name and/or Organisation	Christine Lyle
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

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

Policy AL/RTW 5 Land to the south of Speldhurst Road and west of Reynolds Lane at Caenwood Farm, Speldhurst Road

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.

Speldhurst road is a residential road that is being used as a "rat run" to get into Tunbridge Wells and beyond due to the congested A26.

Parking is often an issue and the road is forever being resurfaced (due again 17th -19th may) due to over use The new development does not give consideation to the already exhausted infrastructure.

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

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

Speldhurst road is a residential road that is being used as a "rat run" to get into Tunbridge Wells and beyond due to the congested A26.

Parking is often an issue and the road is forever being resurfaced (due again 17th -19th may) due to over use The new development does not give consideation to the already exhausted infrastructure.

Future Notifications

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

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

Comment

Consultee	Christine Lyle [REDACTED]
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	Christine Lyle [REDACTED]
Comment ID	PSLP_144
Response Date	16/05/21 09:45
Consultation Point	Policy AL/RTW 5 Land to the south of Speldhurst Road and west of Reynolds Lane at Caenwood Farm, Speldhurst Road (View)
Status	Processed
Submission Type	Web
Version	0.3
Question 1	

Respondent's Name and/or Organisation	Alan Lyle
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Question 3

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

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

Policy AL/RTW 5 Land to the south of Speldhurst Road and west of Reynolds Lane at Caenwood Farm, Speldhurst Road

Question 4a

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

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

Question 5

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

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

The fields are a breeding ground for badgers , foxes , numerous birds and the wildlife is a very important part of our ecosystem which needs to be preserved. A designated green belt area until very recently. What considerations are being given to our “dumb “ residents who have no say in having their homes destroyed .

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 fields are a breeding ground for badgers , foxes , numerous birds and the wildlife is a very important part of our ecosystem which needs to be preserved. A designated green belt area until very recently. What considerations are being given to our “dumb “ residents who have no say in having their homes destroyed .

Future Notifications

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

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

Comment

Consultee	Gregory Major ()
Email Address	
Address	
Event Name	Pre-Submission Local Plan
Comment by	Gregory Major ()
Comment ID	PSLP_1295
Response Date	04/06/21 14:15
Consultation Point	Policy AL/RTW 5 Land to the south of Speldhurst Road and west of Reynolds Lane at Caenwood Farm, Speldhurst Road (View)
Status	Processed
Submission Type	Web
Version	0.1
Question 1	
Respondent's Name and/or Organisation	Gregory and Kimberley Major
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.	
Paragraphs 5.47 to 5.5	
Policy AL/RTW 5 Land to the south of Speldhurst Road and west of Reynolds Lane at Caenwood Farm, Speldhurst Road	
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 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.

We OBJECT to the new Policy AL/RTW5 that was introduced into the PSLP at stage 19 of the Local Plan delivery process. Namely the removal of Green Belt land, at former Caenwood farm to the south of Speldhurst Road and west of Reynolds Lane.

We recently moved and will be directly adjacent to and on the same side of the road as the proposed development.

We object for the following reasons:

Loss of Green belt

We are disappointed that the change of use of this Green Belt has gone through with minimal public consultation and that counsellors were not given the correct amount of time to consider this proposal fully before the vote. This land is fundamental in terms of preventing sprawl of built-up areas and plays a key role in the separation of Tunbridge Wells and Southborough.

The lack of public consultation and the quick timescale of the proposal has resulted in poor visibility of such change. Having only moved here in December 2020, our survey did not show the downgrading of the Green Belt land. Being aware of this would have impacted our decision to move.

Loss of natural habitat

The land for which the proposed development covers hosts a variety of wildlife. Which would sadly be negatively impacted if the development were to go ahead. The land also surrounds and protects the Ancient woodland. It hosts a huge amount of wildlife including badgers, rabbits, deers, bats, foxes, buzzards, owls, field mice, great spotted woodpecker, green woodpecker, goldfinches, Jays, bullfinches, chaffinches, greenfinches, red wings, long tailed tits, blue tits, great tits, coal tits, marsh tits, willow tits, starlings, nuthatches, treecreepers, siskins, goldcrests, song thrush, dunnocks, robins, and wrens. Along with bees, butterflies and insects the proposed development would have a significantly detrimental impact on such species. We fear also that the downgrading of the Green Belt will add pressure to change the classification of the remaining land further exacerbating the loss of valuable countryside.

Traffic & pollution

The proposed development would create a severe impact on traffic on Speldhurst Road along with St. Johns Road. Cars are often at a standstill (idling) during peak hours which prevents us from getting in and out of our drive and greatly increases air pollution. The additional volume of traffic that will be added as a result of the planned dwellings will no doubt add to an already stressed transport network. We do not accept that the planned widening of the road will negate the issue. Moreover, the widening of the road seems to be in direct opposition of maintaining the trees and hedgerows that have TPOs. The infrastructure of Southborough town cannot handle such increase in vehicles.

Oversubscribed healthcare

Having recently moved here we were able to register at St. Andrews doctors. However, the ability to make an appointment is near enough impossible, we have not even been able to call the surgery – the line is always busy. We have seen and heard many complaints about local residents not being able to get an appointment.

Local dentists are also an issue, we have been unable to register with an NHS practice for our entire family including our 1 year old as a result of over subscription.

Adding another 100 houses will amplify this issue considerably and put peoples health at risk.

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 withdraw this policy from the plan.

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	Kevin Major [REDACTED]
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	Kevin Major [REDACTED]
Comment ID	PSLP_729
Response Date	01/06/21 11:06
Consultation Point	Policy AL/RTW 5 Land to the south of Speldhurst Road and west of Reynolds Lane at Caenwood Farm, Speldhurst Road (View)
Status	Processed
Submission Type	Web
Version	0.3
Question 1	
Respondent's Name and/or Organisation	Kevin Major
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
AL/RTW5	
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 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.

We strongly object to Green belt status being removed from Caenwood Farm site.

We object because this is the last Green belt land separating Tunbridge Wells and Southborough. We strongly protest against the loss of Country side protecting against urban sprawl and consequently the loss and disruption of a plethora of wild life, Badgers, Foxes, Buzzards, deer, Marsh tits, Siskin, Long tailed tits just to mention a few.

We protest against the felling of trees with Tpo's the length of Speldhurst Road. I was born, I worked and lived my life in Southborough it is always waterlogged.

We protest about the increase in traffic flow adding to the historic problems in Speldhurst Road and the A26 where the traffic is usually stationary, resulting in increased traffic that will have a negative affect on already high pollution levels and poor air quality.

We have lived in our property in Reynolds Lane for 34 years and enjoyed wonderful views across the fields overlooking Rushall, The development of Caenwood Farm will completely obliterate this view ! There for we strongly object to said proposal.

Question 7

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

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

Future Notifications

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

Supporting Information File Ref No: SI_57

Comment

Consultee	Matt Rook [REDACTED]
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	Matt Rook [REDACTED]
Comment ID	PSLP_964
Response Date	03/06/21 22:02
Consultation Point	Policy AL/RTW 5 Land to the south of Speldhurst Road and west of Reynolds Lane at Caenwood Farm, Speldhurst Road (View)
Status	Processed
Submission Type	Web
Version	0.6
Files	SRCAG PSLP submission in objection to Caenwood Farm Policy AL:RTW5.pdf (1) PSLP_256 & 964_SRCAG_photos.pdf

Question 1

Respondent's Name and/or Organisation	Matthew Rook / Speldhurst Road Community Action Group (S.R.C.A.G)
---------------------------------------	---

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 No. AL/RTW5

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
- . 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.

We object to new Policy AL/RTW5 that was introduced into the PSLP at stage 19 of the Local Plan delivery process.

Policy AL/RTW5 covers the proposed development of housing at site AL/RTW5, a site that is currently part of the Green Belt. We contend the proposed development would severely impact on air quality and transport safety at the site and in the surrounding area. Further, it would threaten the future of the Green Belt land that maintains a rural separation between the settlements of Royal Tunbridge Wells and Southborough. We believe that loss to urban sprawl of the pristine farmland meadows of site AL/RTW5, at the apex of the Green Belt wedge between the settlements, would be followed by relentless pressure to release further parcels of that Green Belt for new housing sites. Also, the Ancient Woodland adjacent to the site would be degraded by exposure to the development; and the existing flora and fauna of the woodlands and meadows would be lost.

Hence the site allocation would not represent sustainable development.

To put our objections in context we give first a brief history of the development of the policy. We do this as in normal circumstances we should already have made representations on the site to the stage 18 public examination. However, the site was not a selected site in the DLP, and so it was not examined at stage 18.

Caenwood Estates submitted a large parcel of land (BA10, later Site 30) to TWBC in response to its call for development sites for their Draft Local Plan (DLP). The suitability of the submitted lands was assessed in the Strategic Housing Land Availability Assessment (SHELAA) 2016. Land in the Caenwood parcel, south of Speldhurst Road and west of Reynolds Lane, was initially described as appropriate for limited development, particularly the north and north-eastern parts adjacent to existing housing. However, the site lay predominantly within the Green Belt and a Special Landscape Area, it contained Ancient Woodland, was impacted by special flood zone 3, and included a landfill quarry. The assessment conclusion was that the site, viewed as a whole, was **constrained** and so unsuited for housing development.

A smaller site, consisting of two meadows from the north-east corner of the Caenwood parcel and an additional meadow (Site 100) submitted by Dandara, was then considered. The three meadows together form the north-east corner of the Green Belt that separates Southborough from Royal Tunbridge Wells. Although several of the constraints that had applied to the larger parcel were no longer applicable for the new site (designated site SO1a), this site was also found to be unsuited for development and was

not included in the DLP. There was particular concern for harm to the remainder of the Green Belt should the top corner of the protected area be removed and developed.

Those negative assessments informed the omission of the Caenwood and Dandara lands south of Speldhurst Road from the DLP published in 2019.

The DLP was then subjected to the stage 18 public examination. Public interest at the examination was generally concentrated on the allocated sites included in the DLP. The rejected sites received little public focus. The reverse was true of the site developers.

In November 2019, Caenwood Estates and Dandara jointly engaged DHA to submit their representation against the omission of their lands from the DLP. They placed strong emphasis on the relative availability of their land compared to that at the DLP's main strategic sites, and elsewhere. The document contains some misinformation, for instance High Brooms station is very much more than a short walk from the SO1a site. However, the feature we highlight here is their advocacy of including in the plan a proposal for 395 houses, and eventually more, on their land within the Green Belt.

The stage 19 planning for the PSLP required updates to the SHELAA assessment report and the Green Belt Study (Stage 3). These new reports are part of the supporting documentation to the PSLP.

The site formerly known as SO1a was enlarged for its re-assessment by adding a 1.8 ha strip of land along its south-west boundary. The housing development area was unchanged. The added land was to provide an extra amenity space within the site that would form a "buffer" between the residential land and the unappropriated Green Belt at the site boundary. The reconfigured site (gross area now 7.4ha with the buffer zone) was considered suitable by the new assessment; meaning it could be added to the approved sites in the PSLP. The site was referenced as AL/RTW5 (note: this reference had been used for a different site at stage 18) and included in the PSLP under Policy AL/RTW5.

Although the revised SHELAA assessment report is dated January 2021, councillors we have spoken to were until recently not fully aware of it or its content. It had appeared amongst the flurry of new document releases being made around the time of the Council meeting on February 3rd, 2021. The meeting at which the Council approved the PSLP.

We consider that a full and timely disclosure of the PSLP's contents and that of several key supporting documents was not made to the councillors and the public ahead of PSLP approval, a requirement of the NPPF. Those omissions and delays are particularly relevant to Site AL/RTW5, which had not been through the stage 18 public examination process. The public has thus been denied the lawful right of an input to approval of the inclusion of site AL/RTW5 in the PSLP, either directly or through their local councillors.

TWBC have asserted that any procedural failings in the approval of the PSLP can be adequately corrected through the current stage 19 representations. However, the stage 19 representations do not go back before full council, and they are heavily circumscribed in their scope by constraints imposed on representations at stage 19. We consider that, at the very least, our representations given below need to be assessed free of any constraints that presume the site in question has been through a previous public examination, or that Policy AL/RTW5 had been properly presented to the public and councillors before its adoption into the PSLP.

Our specific representations on Policy AL/RTW5 are made by consideration of the 13 requirements set out in the policy for policy implementation. We question the scope and adequacy of those requirements to achieve a development that accords with Section 13 of the National Planning Policy Framework (NPPF).

HIGHWAY SAFETY OR HARM TO THE HIGHWAY

Requirements 1 to 5 of Policy AL/RTW5.

We refer to para 109 of the NPPF and Policies TP1 to 4 in paras 6.539 to 6.568 of the PSLP. These documents require that "all development proposals must therefore ensure that development will not cause an unacceptable impact on highway safety or lead to severe residual cumulative impacts on the road network; and should be prevented or refused if the impacts cannot be mitigated to an acceptable degree."

Provision of access from 100 houses on site AL/RTW5 onto Speldhurst Road would cause severe detriment to users of that road. In the wider area it would further harm air quality for all the residents of the critically polluted A26 corridor through St Johns and Southborough, an AQMA zone.

Speldhurst Road at the proposed site access location is a narrow rural highway, with no footway on the south side, where it is bordered by trees and hedges. A farm gate into the site is unused. Parking is continuous along both sides of this stretch of the road, often obstructing the single footway on the north side.

Traffic emerging from 100 houses on the site would impede, and be impeded by, the heavy traffic along Speldhurst Road during rush hours and school run times. Traffic is often tailed back at peak times even now, before the addition of several hundred more vehicle movements a day from the site to and from the A26 junction.

The junction of Speldhurst Road with the A26 has two traffic light sets, jointly controlled in a complicated sequencing of the pedestrian and vehicular movements through the junction. The road layout results from the offset (along the A26) of the A26's intersections with Speldhurst Road (leading to the west) and Yew Tree Road (leading to the east, to High Brooms and the industrial estate). The lights controlling the traffic exiting from Speldhurst Road are green for 20secs in a 2-minute cycle. Schoolchildren are particularly heavy users of the pedestrian crossings.

The flow of traffic through the junction is directly influenced by events along the A26 to the north and south. Even a minor delay on the stretch between the town centre and the A21 intersection can cause the through traffic, with its high proportion of large goods vehicles (mostly diesel), to back-up into the Speldhurst Road junction. The East/West movement is then further impeded, the North/South movement further delayed, and more pollution is pumped into the atmosphere. Extensive remodelling works at the junction have not had a lasting impact on the traffic flow. The effect of Covid-19 has been to reduce traffic levels, but these can be expected to rise again shortly.

It should be noted that the Caenwood/Dandara sites scored very poorly for impact on air quality in the stage 18 SHELAA assessments. Polluted air along the A26 corridor is a serious local health issue.

We submit that requirements 1 to 5 of Policy AL/RTW5 do not prevent unacceptable impact from the proposed site on the surrounding road network. The already critical parking situation in Southborough will be worsened by loss of roadside parking along Speldhurst Road, necessary to create a viable access to the site. Suggested provision of parking within the site for outside residents cannot be expected to function effectively. Overall, the development will fail to ensure "a high-quality built environment" that enhances the character of the area and avoids adverse impact on the amenity of the neighbouring settlement of Southborough.

Residential use of this site would not promote sustainable transport and therefore not be consistent with national planning policy.

IMPROVED PUBLIC ACCESS TO OPEN SPACE

Requirement 6 of Policy AL/RTW5.

This requirement of Policy AL/RTW5 is supported, but in a general sense. It is not consequent on the development of site AL/RTW5 for housing.

THE GREEN BELT AND OTHER ENVIRONMENTAL POLICIES.

Requirements 7 to 12 of Policy AL/RTW5.

These requirements relate to management of the site should its removal from the Green Belt be allowed. They seem well-intentioned generally, but some of the wording is vague and open to interpretation, notably the wording of requirement 11.

Our greater concern is that by permitting development at the apex of the green belt wedge, Policy AL/RTW5 will have initiated an inexorable threat of harm to the Green Belt from renewed pressure for new housing allocations. We do not believe this threat was correctly assessed in the site examination that found lead to the inclusion of site AL/RTW5 in the PSLP.

Requirement 13

This requirement requires mitigation of the impact of the development in accordance with Policy STR/RTW 1. Section 7 of that policy allows reductions to the Green Belt only “where exceptional circumstances warrant this, and where an effective long-term Green Belt is maintained”.

As described previously, site AL/RTW5 had been created specifically to meet the suitability criteria for removal from the Green Belt to allow its inclusion in the PSLP. There are no exceptional circumstances to justify its removal, other than the general perceived shortage of new housing, crucially an effective long-term Green Belt will not have been maintained.

The approval decision for site AL/RTW5 turned on the methodology used to assess the relative strength of the Green Belt boundary, before and after the housing development. We dispute the approach taken for that comparison.

The existing boundary along the gardens of Reynolds Lane is described in “Green Belt Study (Stage 3)” as a weak boundary feature (4.92), or even a “weak and inconsistent” feature (4.98). The boundary is in fact a normal separation between a rural settlement and the countryside. Further, the ‘post and rail’ fencing along much of the boundary was directed by TWBC to be erected at this location. That direction was given as part of a permission to change the status of a strip of field between the gardens and the green belt to domestic garden in 2008. The reason for requiring the ‘post and rail’ fencing (as existing) was stated as “In the interest of visual amenity, and to protect the openness of adjoining Green Belt, in accordance with Policies MGB1 and EN1 of the Local Plan.”

It should further be noted that the housing along the boundary consists of a small development on the land of a former workshop and smithy, a small development on the land of the White Gates Farm outbuildings, the old White Gates Farmhouse, a bungalow built for a farm labourer about 50 years ago, and a single more modern detached family house. The farmhouse is said to date from the 18th century. It has been much extended and modernised; but retains most of the foundations and structural walls to full height of the original structure. This mix of housing is clearly appropriate for rural fringe; it is not urban sprawl.

The setting of the meadows is most definitely of the countryside. The land is grazed for the breeding of cattle, the calves being a special feature of the site. The continuing presence of the farmhouse gives the fields some historic context. The garden boundaries along Reynolds Lane were not considered weak and inappropriate in 2008 and should not be classed as such now. The three meadows of site AL/RTW5 play a key role in protecting the Green Belt on the slopes below. Moreover, they give some isolation to the Ancient Woodlands, even considering the existing footpath that runs through them. If a major housing project and amenity area were established alongside the woods there is no question that the special nature of the woodlands would be degraded, and its wildlife dispersed.

Should site AL/RTW5 be developed in accordance with the PSLP, this would all change. The area would become urban, with urban sprawl stretching down the hill from Speldhurst Road to the buffer zone. It is not clear if the buffer zone is to be in or out of the Green Belt. Either way the sprawl will be visible from across the valley through a gap in the tall trees. The sloping ground means that that view cannot be screened by planting in the short or medium term. Further the pressures to release further Green Belt land will incessant. The statement in para 4.99 that “The overall level of impact on adjacent Green Belt resulting from the release of AL/RTWXX (*note!*) will be Negligible” is clearly not sustainable. The threat to the Green Belt, even within the timescale of the Plan will be severe. The November 2019 submission by DHA, on behalf of Caenwood Estates and Dandara, makes this clear. They wish to build 395 houses at this location on Green Belt land. The statement that there is minimal threat to the Green Belt from the release of Site AL/RTW5 is unreal.

The area of site AL/RTW5 given in the latest SHELAA sustainability appraisal is 7.4ha for both the gross and developable areas, up from the 5.6ha of the stage 18 site. Those measurements do not account for an occupied property, “Oxleas”, that lies within the land added for the buffer zone. The property is not referred to in the plan documents, in fact the site is described in those documents as containing no existing buildings. The ownership of the property, and whether it can be included in the amenity zone is unclear. This may affect the gross area of the site as well as that of the amenity and buffer area.

TWBC have responded to a query on removal of land from the Green Belt by stating that “the developable area in the SHELAA assessment determines the land area to be removed from the Green Belt by an approved Local Plan”. As mentioned earlier that figure is currently given in the SHELAA as 7.4ha, which clearly conflicts with the stated intention elsewhere in the PSLP to only remove from the Green Belt the 5.6ha of land identified for residential use. This discrepancy needs to be resolved

and, if necessary, the figure in the SHELAA assessment corrected to avoid unintended land being removed from green belt. The figure also may need correction to allow for the property "Oxleas".

We consider these inconsistencies in the document are indicators of the rush ahead of publication to add site AL/RTW5 into the PSLP. Other signs are the numerous references in the documents to site AL/RTWXX, and the absence of any mention of site AL/RTW5 in chapter 5 of the Green Belt Study Stage 3. Surely, site AL/RTW5 required mention therein, along with the numerous other sites that are specifically referred to, in sections headed:

Purpose 1: Check the unrestricted sprawl of large built up areas;

Purpose 2: Prevent neighbouring towns merging into one another;

Purpose 3: Assist in safeguarding the countryside from encroachment.

It appears that chapter 5 may have been drafted before the inclusion of site AL/RTW5 in the PSLP.

We fear that the late addition of site AL/RTW5 to the PSLP is related to concerns for the speed of land deliveries projected from the strategic sites of the plan, and elsewhere. And whether delays might lead to notional shortfalls in the Council's five-year housing supply obligation in the early years of the plan. Issues that had been raised in the Caenwood/Dandara representation against omission of their lands from the DLP, in which they advocated the early involvement of their sites.

We believe the perceived five-year housing deficit only arises because the housing targets are likely to be inflated, the contingencies for slow delivery excessive, and the potential windfalls from the Town Centre and elsewhere are being ignored or underestimated. That is not a sound basis for adopting a plan that threatens the very integrity of the Green Belt separating the important towns of Royal Tunbridge Wells and Southborough.

Building over the green belt separating Southborough and Royal Tunbridge Wells might be seen as solution to a five-year supply shortfall (and might be welcomed in much of the wider borough). It would, however, defeat the objective of the PSLP to spread the consequences of growth, as well as the benefits, more evenly across the borough.

Air quality along the A26 corridor is an example of the difficulties already faced by those two towns, and keeping traffic moving is another. Both these difficulties would be made worse by Policy AL/RTW5.

The threat to the Green Belt from policy AL/RTW5 is severe, not negligible. Its implementation would encourage powerful moves for further housing development on Green Belt land, contrary to the directions of NPPF section 13, and of Policy STR/RTW1 of the PSLP. Sufficient reason for the policy not to remain in the PSLP.

It is not considered that exceptional circumstances have been demonstrated sufficient to allocate this land to meet housing need. The harm caused to the purposes of the Green Belt designation, and other considerations, would not be outweighed by the requirement of local housing need. Further, housing need should not outweigh the five purposes of the green belt – a view that is supported by paragraph 11/footnote 6 of the NPPF. Greater consideration should be given to urban regeneration by encouraging the recycling of derelict and other urban land, and for increased densities on sustainably located sites.

BIO-DIVERSITY

The following animals and plants represent the bio-diversity of Site AL/RTW5, much would be lost through the proposed development:

Animal wildlife – Polecats, foxes, roe deer, rats, mice, voles, shrews, frogs, toads, and grass snakes.

Bats - can we seen every evening. According to the site bats.org.uk, "Bats make a substantial contribution to the UK's biodiversity, comprising around one third of all our mammal species (18 species in total, with 17 breeding in the UK). Human activities have increasingly changed the environment we live in resulting in substantial declines in bats and biodiversity, which we would like to see reversed. All of our bats and their roosts are protected by law; this shows that the Government thinks that bat conservation is important."

Birds – Pheasants, wood pigeons, magpies, crows, jackdaws, blackbirds, starlings, sparrows, bluetits, bullfinches, dunnocks, wrens, goldfinches, and green woodpeckers. Tawny owls inhabit the neighbouring woods, and the occasional heron is spotted.

Insects – The wide variety of insects to be found includes Emperor dragonflies, and Meadow Brown and Red Admiral butterflies.

Flowers – these are concentrated around the periphery of the wooded areas. Varieties present include - bindweed, meadow buttercup, marsh marigold, cow parsley, yarrow, bird's foot trefoil, ox-eye daisy, creeping thistle, spear thistle, wild rose, stitchwort, bluebells, daisy celandine, dandelion, bugle, violet, bittersweet, common vetch, milkmaid, herb Robert, plantain, ragwort, sorrel, cuckoo-pint, clovers, nettles and many more.

Berries – Wild strawberries, elderberry, blackberry, haws from hawthorn, rose hips, woody nightshade, holly, and white bryony.

Trees - The site allocation would inevitably result in the loss of a number of protected trees, and degradation of the adjacent woodland and its wildlife.

Paragraph 175(c) of the National Planning Policy Framework states that development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons, and a suitable compensation strategy exists. The limited compensation strategy offered in policy AL/RTW5 does not outweigh the environmental damage caused directly by the policy; and ignores the threat of more extensive environmental damage from secondary developments implicit in the Policy.

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.

We consider that removal of Policy AL/RTW5 from the PSLP is necessary for the plan to be compliant with the NPPF. Policy AL/RTW5 is also not compliant with TWBC's own Overriding Strategies and Policies for the Local Plan.

Question 7

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

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

Question 7a

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

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

I consider it necessary to participate as my submission is on behalf of hundreds of local community residents. The details of our groups are as follows;

- . 163 members of our Facebook Group
- . 45 member email group
- . 75 signatories from a stall we set up on one day, Monday 31st May
- . 101 individual donations from the Crowd Justice page we created to crowdfund the legal fees to challenge the process by which the land was added late on to the PSLP

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

SRCAG PSLP submission in objection to Caenwood Farm Policy AL:RTW5.pdf (1)

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_9

Comment

Consultee	Mr Ian Sarjeant [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] Tunbridge Wells [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Mr Ian Sarjeant [REDACTED]
Comment ID	PSLP_179
Response Date	15/05/21 09:00
Consultation Point	Policy AL/RTW 5 Land to the south of Speldhurst Road and west of Reynolds Lane at Caenwood Farm, Speldhurst Road (View)
Status	Processed
Submission Type	Other
Version	0.11
Files	Ian Sarjeant Sec 5 RTW Policy AL-RTW5_photos_SI_Redacted.pdf
Data inputter to enter their initials here	KH
Question 1	
Respondent's Name and/or Organisation	Mr Ian Sarjeant
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.

Paragraphs 5.47 to 5.51

Policy AL/RTW 5 Land to the south of Speldhurst Road and west of Reynolds Lane at Caenwood Farm, Speldhurst Road

Question 4

Do you consider that the Local Plan:

Is legally compliant Don't know

Is sound Don't know

Complies with the Duty to Cooperate Don't know

Question 4a

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

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

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)

For office use only

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

Question 8

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

Sustainability Appraisal of the Pre Submission local Plan dated February 2021, we would like to raise the following objections to the development of Site Ref: 100 (AL/RTW5), land to the south of Speldhurst Road, adjacent to Whitegate Close, referred to as 'the Dandara land' and the unallocated sites - Site Ref: 30, land at Caenwood Farm and Whitegates Farm, referred as 'Caenwood farm', (and two further sites that are mentioned on Appendix 5 within the Site Ref:30. these are: Site Ref: 199 and Site Ref; 205.) The objections are as follows:

How and with what consultation, has this land had its Green Belt status removed? We challenge that the exceptional and special circumstances for its release will outweigh the harm in its release will cause. When the following statement has been made in the above document " ...a parcel of Green Belt that would constitute very high harm if released for development."

Please see Appendix 5-Royal Tunbridge Wells Scores for Reasonable Sites in Royal Tunbridge Wells. Copy attached. Under Ref 30, Land at Caenwood Farm and Whitegates Farm, Reynolds Lane, RTW (including sites 100, 199 and 205). You will see that the majority of the Sustainability Objectives score are between 0 to ---, which is very negative, with only five scoring +. The commentary reads: "This is a large site that would make a significant contribution to the housing objective. However, the substantial use of private vehicles in this location causes the noise and air objectives to score very negatively. The site also has sensitive biodiversity, heritage and landscape features, and is in a parcel of Green Belt that would constitute very high harm If released for development. This causes the land use objective to be given a highly negative score."

Also in the Tunbridge Wells Green Belt Study Stage Two dated July 2017, under Ref Nos TW1 and TW2, pockets of land off Speldhurst Road, states "Relationship between settlement and countryside, role in preventing sprawl of large built-up area and role in separation between Tunbridge Wells and Southborough (parcel is safeguarded Rural Fringe land). There have been no changes to the statement, so why has the 'safeguarding' been removed? Another statement in the document "22% of Green Belt

in TWB area, the key purpose of this Green Belt land is to prevent encroachment". If this development goes ahead it will erode the separation.

In November 2017 the Draft Local Plan Regulation 18, no mention of allocating the land at Caenwood Farm for residential purposes was made.

TWBC have been asked what had changed between these dates to persuade them to remove the Green Belt status from the site. They have not given a satisfactory answer, nor given any exceptional circumstances or said what the appropriate mitigating measures would be, to release part of the land.

This would give the impression of the Authority acting in a covert and underhand way, with a conclusion that they had been influenced by the developers, and not in the best interest of the general public. In the July 2019 SHELAA, the Council considered the site unsuitable for development. Again what happened in those intervening months?

In The Sustainability document, there are commentaries about how the development could impact on for eg protection of habitat, trees, woodland, hedges, landscape, water objectives, air quality, etc The statements include:

" ... will benefit and enhance biodiversity, climate change, health, landscape and water objectives";

" ... will benefit many environmental objectives";

" ... beneficial to the air, biodiversity, climate change, noise and travel objectives".

"In summary, the preferred Air, Water, Noise and Land Policies are notably positive in relation to air, climate change, health, water and, to a lesser extent, biodiversity objectives, with no identified adverse impacts." We would challenge this.

There does not seem to be any apparent method of executing these benefits, when the development will be taking away green fields, hedgerows, trees, adding to the already documented water stress in the area and Increasing the amount of traffic (in an already heavily congested area). The air pollution in the TWB is the 8th worst district in Kent. Air pollution along parts of the A26, from Holden Park to Grosvenor Road is an issue. Poor air quality is shortening people's lives in the district. "Development in this region must not contribute to poor air quality or put sensitive receptors at risk". This will not be the case. Speldhurst Road is effectively a "single" track road, because of the parking on both sides of the road. North side of the road is "fully parked" from Taylor Street to Lady's Gift Road and on the South side the parking runs West from Charles Street. These cars are not all from the residents of Speldhurst Road, they are overflow parking from Charles, Taylor and Edward Streets and cars parked by commuters using public transport. It can take up to 15 minutes to travel the 450 metres from our residence to the St John's Road A26 Junction, due to the volume of traffic and the inability to pass the cars parked on both sides of the road. Parking at The New Life Church events, baby classes, ballet, etc, and the schools drop offs, all add to the chaos. The A26 is no better, with traffic very often being stationary from the region of Southborough Common, right the way along St John's Road, and on to Tunbridge Wells. "Defra Important Areas for road noise within TWBC-A21, A267, A228, A26, B2162. Development adjacent to these sections of road should be avoided, particularly residential developments." Is this just being ignored? This development would be increasing the traffic by a substantial amount, thus adding to the already polluted and heavily congested roads. Also the constant mis-directions on to inappropriate roads for HGVs and cars alike by modern day SAT Navs, and the development of 'The Allotments' will only add to the Speldhurst Road 'gridlocked nightmare' and noise and air pollution. The European NO2 targets are not being met, and the addition of a further 100 houses in this area is only going to add to the pollution problem. Pictures of the parking issues are attached.

To suggest widening Speldhurst Road at the proposed site would mean a loss of a substantial hedgerow and established trees (which have TPOs). In addition to that loss, the loss of the hedgerows within the fields and the actual fields within the development area, would be detrimental to the local wildlife and would have no benefit for biodiversity or climate change. These environments sustain a wide range of birds and animals, including a pair of buzzards which can often be seen perching in the local trees, small birds, including woodpeckers, bullfinch, long tailed tits, thrush, etc and deer (including an albino one, photo attached), badger, foxes and squirrels, not to mention all manner of insects, bees and butterflies. Where are the benefits from this proposed development? There are none, so this loss would not be acceptable at a time when we should be doing everything possible to protect our countryside with all its benefits for both animals and humans alike.

Rain water from Speldhurst Road water drains through culverts onto the land in question where would this water be diverted to, and how? A Spring runs through land on the boundary of this land, how will it be protected from pollution and contamination? "TWBC is already an area of serious water stress", so where will the extra water be supplied from?

Please see attached a copy of a letter printed in the local newspaper from the chair of CPRE Kent Tunbridge Wells District Committee. The letter makes sound comments such as "When sold, the family

silver is gone forever", meaning that once built on our countryside will be lost for ever.
We have been associated with our property for over 50 years and resided here for the last 33 years.
Our property's kitchen window looks directly onto Speldhurst Road, so we have uninterrupted views of the daily traffic backlog from the St John's Road A26 junction (as the photos show). At the worst times of day the cars are stationary and idling for some time, which increases noise, air pollution - putting damaging gases into the atmosphere which are detrimental to people's health and Climate Change.
To develop the proposed site would only add to this problem.
For the reasons stated above we strongly object to this new proposed development.

If you would like to attach a file in support of your comments, please upload it here. [Ian Sarjeant Sec 5 RTW Policy AL-RTW5 photos SI Redacted.pdf](#)

Comment

Consultee	Alain Lewis ([REDACTED])
Email Address	[REDACTED]
Company / Organisation	Southborough and High Brooms Labour Party
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Southborough and High Brooms Labour Party (Alain Lewis - [REDACTED])
Comment ID	PSLP_1297
Response Date	04/06/21 14:11
Consultation Point	Policy AL/RTW 5 Land to the south of Speldhurst Road and west of Reynolds Lane at Caenwood Farm, Speldhurst Road (View)
Status	Processed
Submission Type	Web
Version	0.4
Question 1	
Respondent's Name and/or Organisation	Alain Lewis, Southborough and High Brooms Labour Party
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy AL/RTW 5 Land to the south of Speldhurst Road and west of Reynolds Lane at Caenwood Farm, Speldhurst Road	
Question 4	
Do you consider that the Local Plan:	

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

Question 4a

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

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

Question 5

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

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

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

Due to the inclusion of the Caenwood development which would cause untold damage to the environment, to traffic and air quality

Question 6

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

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.

We are encouraged that there is a commitment to more affordable housing in the borough. We believe however that there should be more genuinely affordable housing made available across the borough. There should as well be more social housing in the borough, as there is a dire need for this.

Our other major concern is the Caenwood development in Speldhurst Road. These 100 houses will have a detrimental effect on everyone in Southborough and the effect could potentially reach far into Tunbridge Wells. There will be around 100 to 200 extra cars on the road in Speldhurst Road, the A26 and Yew Tree Road. This will also be in addition to the extra cars on the road from the Spectrum development by the Civic Centre.

We are also none to happy about lines blurring between Southborough and Tunbridge Wells in the Caenwood development and how they have been so in this plan as well.

Question 7

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

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

Future Notifications

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

Comment

Consultee	Mr Brian Dury [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Southborough Environmental Action Movement (SEAM)
Address	[REDACTED] ROYAL TUNBRIDGE WELLS [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Southborough Environmental Action Movement [REDACTED]
Comment ID	PSLP_947
Response Date	01/06/21 19:54
Consultation Point	Policy AL/RTW 5 Land to the south of Speldhurst Road and west of Reynolds Lane at Caenwood Farm, Speldhurst Road (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	Southborough Environmental Action Movements
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

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

Policy AL/RTW 5 Land to the south of Speldhurst Road and west of Reynolds Lane at Caenwood Farm, Speldhurst Road

Paragraph No(s) 5.47 – 5.51

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

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 proposals contained in policy AL/RTW 5 – removal of Caenwood Farm from the Green Belt to provide for the development of 100 homes is clearly **UNSOUND**.

The policy in paragraph 4.124 states “Green Belt boundaries should only be altered in exceptional circumstances and should be fully evidenced and justified” – yet no evidence for its removal is provided – other than glib words “improvements to the remaining Green Belt to justify the changes to the boundary in this location.” However, no improvements are detailed – only warm words.

The policy tries to justify this green belt removal by stating “The area to the south of the site, although included within the allocation area, should not be developed but rather retained and enhanced”. However, it is not evident that thought has been given to the North Side of the site – i.e., Southborough – that place that it appears TWBC likes to forget about. This land, with its current Green Belt status already provides an essential buffer zone between the Village of Southborough and the Town of Tunbridge Wells. This will now be lost forever.

Then the proposal to build homes on this land is again clearly **UNSOUND** because of lack of infrastructure. Speldhurst Road is a busy, narrow through road, linking Southborough with Rusthall and Speldhurst; together with being used as a “rat run” for traffic avoiding the A26 via Kibbles Lane. There is no evidence that it is capable of supporting the additional traffic generated by the homes. The lack of a detailed traffic analysis adds to the inadequacies of the proposal.

Furthermore, the junctions of Reynolds Lane with Speldhurst Road and the junction of Speldhurst Road with the A26 are extremely busy and congested at peak times – again making the provision of 100 homes close by **UNSOUND**. There are hundreds of school children crossing the roads at these points to attend the many secondary schools around the location – there is no evidence that any thought has been given to the safety of these children or the increased danger to them from the extra traffic generated by the proposed homes

Furthermore, there is no evidence in the policy that consideration had been given to the provision of school places for children from the proposed homes – where will junior school children attend - Southborough? Yet there is no mention of this or what the additional requirements will be.

Again, there is no evidence that consideration has been given to the medical needs of residents in the proposed homes and the impact on GP practices in Southborough.

The policy to develop Caenwood Farm is therefore totally **UNSOUND** as it – fails on unjustified loss of Green Belt, failure to take into account existing the inadequate roads infrastructure, failure to consider schools and GP provision.

Duty to Co-operate – Southborough is an independent community and in fact a significantly older Community than Tunbridge Wells. Whilst it appears that TWBC feels it can, as the Planning Authority, do just as it wishes – it would have been nice. It would have been considerate. It would have been caring and appropriate – if TWBC had talked seriously to Southborough Town Council regarding the removal of Caenwood from the Green Belt and the proposal to build 100 homes on the land. The development of Caenwood will have no impact on the Town of Tunbridge Wells, yet considerable impact on the Village of Southborough. There are already homes on the North Side of Speldhurst Road – Southborough homes. The development of Caenwood will have a substantial and detrimental impact to the lives of people in the area. Yet the land appears to have been removed from the Green Belt very late in the process and with no evidence of thought for the people and the effect on the infrastructure of Southborough. But no surprises there – just the usual disappointment with TWBC.

Question 6

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

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Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Keep Caenwood Farm as Green Belt and halt proposed development.

Question 7

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

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

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

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	Michael Dunn [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Southborough Society
Address	[REDACTED] Southborough Tunbridge Wells [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Southborough Society (Michael Dunn - [REDACTED])
Comment ID	PSLP_334
Response Date	24/05/21 08:05
Consultation Point	Policy AL/RTW 5 Land to the south of Speldhurst Road and west of Reynolds Lane at Caenwood Farm, Speldhurst Road (View)
Status	Processed
Submission Type	Email
Version	0.6
Data inputter to enter their initials here	KJ
Question 1	
Respondent's Name and/or Organisation	Southborough Society
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

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

Policy AL/RTW 5 Land to the south of Speldhurst Road and west of Reynolds Lane at Caenwood Farm, Speldhurst Road

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 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.

It is unsound because it removes Green Belt land without proper public consultation

This was not included in the previous Draft Plan.

Although this site between Speldhurst Road and Reynolds Lane lies just outside the Southborough Town Council boundary, its development would have considerable effect on adjacent areas of the town. That has been recognised by the creation of the Speldhurst Road Community Action Group (SRCAG) which is opposed to the proposal. The Society has the following concerns:

- 1 Removal of Green Belt status of 5-6 hectares. This was the result of a Borough Council decision in February 2021, and SRCAG has sought a Judicial Review to allow democratic scrutiny before taking the matter back to Full Council. The Caenwood Farm site is the only green barrier between Tunbridge Wells and Southborough to the west of the A26: its diminution as a result of this proposal could lead to further similar reductions.
- 1 Increased traffic. Construction of some 100 residential dwellings of varying sizes will create more problems for an already difficult stretch of Speldhurst Road. It is highly unlikely that each new dwelling will have only one vehicle per household.
- 1 Site access. Policy AL/RTW5 provides for access from Speldhurst Road. At present the only such access is directly opposite the beginning of Prospect Road, which has significant traffic to/from the Primary School and a bus route. Reynolds Lane is both narrow and congested at peak times with children walking and school runs to/from St Gregory's School.
- 1 Widening of Speldhurst Road. This would only be possible on its southern edge, but at the expense of Tree Preservation Order 26/1984 along the entire northern edge of the Caenwood Farm site. A possible consequence is -
- 1 Parking for existing residents. At present their parking takes place on both sides of Speldhurst Road. If "an appropriate level" of such residents' parking is provided within the new site, they will have to cross back across a very busy road to access their properties.

For these reasons the Southborough Society is opposed to any development on the Caenwood Farm land.

Policy AL/RTW5 is not justified because it would remove Green Belt land without proper consultation with local residents, and therefore should be removed from the Local Plan as being 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.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Policy AL/RTWS should be removed from the Local Plan.

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:

Concern at possible reduction in nearby Green Belt.

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	Sir/Madam [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Southborough Town Council
Address	Council Offices 137 London Road ROYAL TUNBRIDGE WELLS TN4 0ND
Event Name	Pre-Submission Local Plan
Comment by	Southborough Town Council [REDACTED]
Comment ID	PSLP_1368
Response Date	03/06/21 16:28
Consultation Point	Policy AL/RTW 5 Land to the south of Speldhurst Road and west of Reynolds Lane at Caenwood Farm, Speldhurst Road (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	Southborough Town Council
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

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

Policy AL/RTW 5 Land to the south of Speldhurst Road and west of Reynolds Lane at Caenwood Farm, Speldhurst Road

[TWBC: for further comments relating to STR/SO 1 - please see Comment Number PSLP_1358]

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.

We do object also to the proposals AL/RTW 5 – removal of Caenwood Farm from the Green Belt providing for the development of 100 homes.

We do not see how and why the removal of Green Belt boundaries, especially as they 'should only be altered in exceptional circumstances and should be fully evidenced and justified'. Improving the remaining Green Belt does not justify this. Especially as there is no detail as to how this will be improved and where. We only see it being detrimental when placed alongside the blurring of lines between Southborough and RTW.

Speldhurst Road would not, as well, be able to cope with car traffic from an extra 100 homes on it. And the A26 junction and Yew Tree Road would not as well, with the current addition of 67 dwellings alongside the Southborough Civic Centre.

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, Not Stated
data inputter to tick 'not stated' box.

Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Southern Water Services Plc
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Southern Water Services Plc [REDACTED]
Comment ID	PSLP_1203
Response Date	03/06/21 15:31
Consultation Point	Policy AL/RTW 5 Land to the south of Speldhurst Road and west of Reynolds Lane at Caenwood Farm, Speldhurst Road (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	Southern Water
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

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

Policy AL/RTW 5 Land to the south of Speldhurst Road and west of Reynolds Lane at Caenwood Farm, Speldhurst Road

Question 4

Do you consider that the Local Plan:

Is legally compliant	Yes
Is sound	Yes
Complies with the Duty to Cooperate	Yes

Question 4a

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

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

Question 5

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

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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.

Southern Water is the statutory wastewater undertaker for Tunbridge Wells. As such, we have undertaken a preliminary assessment of the capacity of our existing infrastructure and its ability to meet the forecast demand for this proposal. Our previous assessment of the site was only valid for 12 months due to our sewer network constantly evolving as new development connects upstream which will affect the available capacity downstream. The assessment reveals that existing local sewerage infrastructure to the site has limited capacity to accommodate the proposed development. Limited capacity is not a constraint to development provided that planning policy and subsequent conditions ensure that occupation of the development is phased to align with the delivery of new wastewater infrastructure.

Proposals for 100 dwellings at this site will generate a need for reinforcement of the wastewater network in order to provide additional capacity to serve the development. This reinforcement will be provided through the New Infrastructure charge to developers, and Southern Water will need to work with site promoters to understand the development program and to review whether the delivery of network reinforcement aligns with the occupation of the development. Connection of new development at this site ahead of new infrastructure delivery could lead to an increased risk of flooding unless the requisite works are implemented in advance of occupation.

Southern Water has limited powers to prevent connections to the sewerage network, even when capacity is limited. Planning policies and conditions, therefore, play an important role in ensuring that development is coordinated with the provision of necessary infrastructure, and does not contribute to pollution of the environment, in line with paragraph 170(e) of the revised National Planning Policy Framework (NPPF) (2019).

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.

In consideration of the above, we recommend the following criterion for Policy AL/RTW 5

Occupation of development will be phased to align with the delivery of sewerage infrastructure, in liaison with the service provider.

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

Supporting Information File Ref No: SI_17

Comment

Consultee	Mrs Marguerita Morton ()
Email Address	
Company / Organisation	St. John's Road Residents association
Address	 Tunbridge Wells TN4
Event Name	Pre-Submission Local Plan
Comment by	St. John's Road Residents association (Mrs Marguerita Morton)
Comment ID	PSLP_260
Response Date	02/06/21 14:25
Consultation Point	Policy AL/RTW 5 Land to the south of Speldhurst Road and west of Reynolds Lane at Caenwood Farm, Speldhurst Road (View)
Status	Processed
Submission Type	Web
Version	0.5
Files	image00001.jpeg
Question 1	
Respondent's Name and/or Organisation	Marguerita Morton
Question 2	
Agent's Name and Organisation (if applicable)	N/A
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

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

Policy AL/RTW5 paragraph nos.5.47 to 5.51

Question 4

Do you consider that the Local Plan:

Is legally compliant Yes

Is sound No

Complies with the Duty to Cooperate Yes

Question 4a

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

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

- . It is not positively prepared
- . 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.

Development on previously designated Green Belt Land is inconsistent with Para 137 and 139 NPPF and Para 4.73 and 4.74 of the PSLP Appendix 1

The land at Speldhurst Road and Reynolds Lane was included in a document known as Strategic Housing Land Availability Assessment (SHELAA) 2019. According to the sustainability assessment "This is a large site that would make a significant positive contribution to the housing objective. However, **the substantial use of private vehicles in this location causes the noise and air objectives to score very negatively. The site also has sensitive biodiversity, heritage and landscape features.**"

the Site Assessment Sheet states that **the site is unsuitable as a site allocation** due to landscape impact concerns as well as significant highway concerns so there is a contradiction in the assessment where it was previously described as appropriate for limited development, particularly the north and north eastern part of the site adjacent to existing residential development.

We do not accept that this is in accordance with Item 4, Appendix 1, para 4.73 of the PSLP which is not in favour of piecemeal development on a land ownership basis. Para 4.74 says that there should be overarching strategic framework such that the development taken as a whole provides a community with areas for housing, education, employment uses, retail, open space and so on. It emphasises the importance of habitat retention, improvement, and creating net gains for biodiversity. because the site lays predominantly within the Green Belt and Special Landscape Area, and contains ancient hedgerows and woodland, partly in special flood zone 3 and a landfill quarry, it is considered then as being **constrained**.

The Plan should ensure strategic transport corridors, shared infrastructure and meet cohesive design principles. None of these have been evidenced or justified in accordance with Para 139 NPPF. We believe that due to lack of traffic studies or biodiversity studies the Tunbridge Wells Borough Council has not made a sufficient case for "exceptional circumstances".

Para 109 of the NPPF and Policies TP1, Para 6.546 PSLP

No development must compromise the safe and free flow of traffic or the safe use of the road by others.

Section 4: Development Strategy and Strategic Policies

Para 4.46 In contrast, while the Main Urban Area of Royal Tunbridge Wells, along with Southborough, would be a prime candidate, it is wholly surrounded by the High Weald AONB and, where the AONB does not come up to the urban edge, mainly to the west and north, those areas are designated Green Belt. They are also reliant on the A26 and A264 for access, which are both observably congested for extended periods at peak times, with no obvious scope for significant relief, to the detriment of local amenities and the town's historic character.

The location of this proposed allocation would create a severe impact on Speldhurst Road which is narrow at the proposed access site. There is no footway on the adjacent road which is bordered by trees, hedges and only one gate into the field. That leads to a public footpath that runs south across Caenwood Farm and then turns east towards Reynolds Lane. Therefore, any traffic emerging from the Caenwood development site would be impeded by traffic using Speldhurst Road and contribute to that heavy traffic flow. Traffic comes to a virtual standstill during peak commuter times now without the addition of potentially hundreds of vehicles wishing to join in order to get to the A26 junction where there are now two sets of traffic lights with very complicated sequencing for pedestrian and vehicle crossing. The A26 coming from the south (the Town Centre of RTW) is a two lane carriageway enabling left turns into Speldhurst Road at the junction but continues as a single carriageway into Southborough London Road after the second set of lights. This causes heavy congestion during peak travelling hours.

Furthermore, traffic continuing north on the A26 is then joined by a second junction with Yew Tree Road on the right (and a third set of traffic lights) carrying heavy traffic from the Industrial Estate.

I would like the Inspector to consider the Traffic Modelling Appeals APP/U2235/W/20/3254134 and 3256952 relating to PINS Inquiry November 2020 Appeals A & B Bellway Homes -v- Maidstone Borough Council.

Para 50 of the report said amongst other things "*There is no national definition of what may constitute a severe impact in the context of Para.109 NPPF. No contrary evidence was provided by the Council as to how a severe impact should be considered or any quantification or threshold that should be applied in the context of these appeals to assess at what point, if any, an increase in congestion would amount to a severe residual impact on the road network.*"

Commentary by the Inspector on the efficient operation of the local highway

The effect of development of the Local Plan, **will generate additional traffic and could contribute to an increase in congestion, particularly at peak hours, even after mitigation in the form of road improvements and other measures to make sustainable travel more attractive and effective. However the concentration of development close to the town does allow alternative and more sustainable means of travel to be made available. That is less likely to be the case were the housing to be located away from the town in another part of the Borough where residents would still need access to employment and services in the town.**

[TWBC: Following comments moved from Question 3a]

We object specifically to the removal of the parcel of land from the Green Belt known as SO1a identified in the Green Belt Study 2 (GBS 2) of 2017. This site was considered at the time as part of the larger parcel, BA10, and was judged "too sensitive" to release.

The GBS2 judged SO1a made a "Moderate to Weak" contribution to Green Belt purposes (GBS 2 pg. 120 and 121) but the remainder of the land to the west designated as SO1b made a "Strong/Relatively Strong" contribution for GB purposes and not proposed for release (pages 122 to 123).

The most recent Green Belt Study Stage 3 (GBS3) confers a finding of "Low to Moderate" saying that "The impact of its release on the adjacent GB will be negligible. The proposed site was not even allocated a development reference at this stage. That was done in the PSLP dated 4 November 2020. We submit that due to the late allocation, it does not allow for full public consultation as would have been possible under Reg.18 Consultation and, therefore, deprives the public of adequate presentation or scrutiny. This is exacerbated by Reg. 19 Consultation being conducted under Covid-19 isolation or partial isolation conditions.

We do not accept this judgment as sound in that the evidence base from GBS2 had described the whole of the Caenwood Farm parcel as being too sensitive to release and we believe that GBS 3 was provided to support the change of use and cannot be justified to support the Local Plan on a strategic basis. Therefore, the removal of AL/RTW5 from the GB cannot be justified and therefore, the Plan is unsound.

We submit that the land at this site is clearly more connected to the countryside and the adjoining open fields and its loss will have a much greater impact than "negligible".

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.

We believe that allocation AL/RTW5 should be removed from the Pre-Submission Local Plan.

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)?	<input type="checkbox"/> 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:

Question 8

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

Sustainability Appraisal Consultation Document

Appendix E Cumulative Impact Assessment for Green Belt page 165

Site AL/RTW5 appears on the impact assessment for allocated sites in the Green Belt. It was assessed as Site No.30 including 100, 199 and 205 described as Caenwood Farm and Whitegates Farm stating "This is a large site that would make a significant positive contribution to the housing objective. However, the substantial use of private vehicles in this location causes the noise and air objectives to score very negatively. The site also has sensitive biodiversity, heritage and landscape features."

The Assessment says nothing about air quality due to its proximity to the A26 which is an AQMA zone and suffers moderate to severe air pollution during certain parts of the day, especially during morning and afternoon commuter times. A new development is likely to add to this existing poor air quality and to traffic congestion at the Speldhurst Road access point.

EN 11- Net Gains for Nature: biodiversity

There is an abundance of wildlife, flora and fauna as evidenced in photos from residents. They would be at risk if the north east corner of the open field were to be built on that piece of land forming part of the larger habitat and providing a buffer from urban sprawl or encroachment.

EN14: Trees, Woodlands, Hedges and Development

Policies EN1 and EN14 will not allow development if it would damage or destroy one or more trees protected by a TPO. Furthermore, Para 170 NPPF states that planning decisions and policies should contribute to and enhance the natural and local environment. There will be a presumption in favour of the retention and enhancement of existing trees, woodland and hedgerow cover on site.

If a planning application does go forward providing for unavoidable loss of trees on site, the developer will be required to implement appropriate management measures. It will be necessary to obtain a tree survey in accordance with the current recommendations of BS5837. The tree survey information should include protection, mitigation and management measures including arboricultural site supervision where required.

If you would like to attach a file in support of your comments, please upload it here. [image00001.jpeg](#)

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	Elizabeth Strang [REDACTED]
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	Elizabeth Strang [REDACTED]
Comment ID	PSLP_813
Response Date	01/06/21 17:00
Consultation Point	Policy AL/RTW 5 Land to the south of Speldhurst Road and west of Reynolds Lane at Caenwood Farm, Speldhurst Road (View)
Status	Processed
Submission Type	Web
Version	0.2
Question 1	
Respondent's Name and/or Organisation	Elizabeth Strang
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.	
Table 6 Green Belt Sites AL/RTW5	
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 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 believe that the Local Plan is **not legally compliant** because the information that AL/RTW 5 was to be removed from Green Belt and developed was not made available to local residents and the general public in time for them to be able to raise objections at the full council meeting of the 3rd February. In November 2019 residents were assured that this site was deemed unsuitable to be part of any future development plan. This changed (though without any reason being given for the change) in November 2020 with the Green Belt Study 3. However, this Study was not made available to the General Public until "late Feb/Early March" (Steven Baughen Head of Planning's own words to me in an email dated 15th Feb). In that document the site was known as AL/RTW XX. Most people did not know of the inclusion of this site and the intention to remove it from the Green Belt until the meeting of the 3rd Feb. It is invidious to say that the documents were available to some members of council before that and so the public could have access to them. It is not reasonable, or legally compliant, to expect residents to constantly go on to TWBC's website to see if land, last deemed protected, is being removed from the Green Belt.

I claim the Local Plan is **not legally compliant** because it constantly uses the present tense to describe something that has not yet happened. Thus the site AL/RTW5 is described as "removed" from the Green Belt when this is not true. It does not allow for the possibility that this is still under discussion. The purpose of the exercise is to propose such a removal and allow argument against it. It is misleading to the general public. TWBC does explain this anomaly in one small paragraph but this is not sufficient in such a large document. To the uninitiated this is unfair and adds to the overall impression that representation in this form, and on this form, is only for the learned and legally competent.

I claim the Local Plan is **Not Sound** on the following Basis:

Positively Prepared: It was not positively prepared because as can be clearly understood from the minutes / transcript of the Full Council Meeting of the 3rd February, there were many councillors who had not had full access to all the documents before that meeting. This, it would appear, arose through a complicated system of (limited) access to passwords and codes. Whatever the system, it was the duty of TWBC to ensure that all councillors were in possession of all relevant documents and that they had time to read them and inwardly digest them before the 3rd February. No organisation that did not ensure such overall availability, and thus invalidate the outcome of the vote, could be called positively prepared.

It was **not positively prepared** because the insertion of the site AL/RTW5 shows signs of great haste and last minute lack of detail.

a) It was not given an official reference number originally. Having been regarded as an unsatisfactory site for development in November 2019, it was hastily inserted into the Green Belt study of November 2020 (not available to the public until Feb/March 2021). In this study it was known as AL/RTWXX as stated above, and was not given the site number AL/RTW5 until the PSLP under discussion now. (draft published 21st January 2021)

b) There are discrepancies in the area of the site shown on maps and descriptions. In the Reg 19 Consultation (Published Jan 2021) it is shown as AL/RTW5 sized **5.611 Ha** whereas in the Site Assessment Sheet for RTW also published January 2021 it is shown as **7.40 Ha**.

This does not indicate **positive preparation**.

It is not justified

The removal of the Green Belt from this site is not justified at all. The Green Belt Status can only be removed from established Green Belt Boundaries "under exceptional circumstances." (NPPF) Despite asking TWBC on many occasions what are the exceptional circumstances which allow their decision, they have been unable to come up with any satisfactory answer. I thus deduct it must be "the need for more houses". I therefore argue that based on **this** reason the removal of the green belt from this site is **not justified** as TWBC has **not** looked closely enough nor allowed enough time to consider the possible future availability of Brown Field Sites in the Borough.

a) The council itself recognises the need to "assist in urban regeneration by encouraging the recycling of derelict and urban land". (Green Belt Study).

b) They have employed consultants Nexus to (amongst other things) "look into the substantial number of properties which might become available due to the failing retail sector"

c) They are proudly instigating a Town Centre plan. (due to start 2022?). Why not wait until such a plan reveals facts before removing any green belt hastily. In the process of their investigation they will surely look into all windfall and brownfield sites. It would be improper not to wait until this information were available.

d) The large Royal Victoria Place has recently been bought by British Land who one presumes will want to make money from such a purchase. It is muted they will turn the top floors of the car park into a residential area. This would be very suitable for multiple **truly** affordable housing.

I am aware these are not facts but they are **real** possibilities. The idea that the council should remove Green Belt from certain sites solely to build houses before such alternatives are **fully** investigated **is not only unjustified it is irresponsible**. The council should pay more heed here to the *Government Response to local housing needs proposals in "Changes the current planning system"* ..i.e. "We should be clear that meeting housing needs is **never** a reason to cause unacceptable harm to such places (i.e. protected landscapes and Green Belt)"

Consistent with National Policy

It is **not** consistent with **Green Belt Policy**.

This site satisfies all 5 purposes of the Green Belt

1. It prevents the unrestricted sprawl of the built up areas of Tunbridge Wells and Southborough.
2. It prevents the two towns - Tunbridge Wells and Southborough from merging into one another and becoming a characterless border area
3. It assists, in a very positive and real manner, the countryside from encroachment. It is a breathing space between houses and ancient woodland with preserved wildlife.
4. It preserves the setting and special character of both towns, allowing each to have their own individual character and not merge into an indeterminate built up area
5. By doing all the above, it assists in the urban regeneration (as mentioned above) as it encourages the use of other urban and abandoned sites.

Therefore they are **not** consistent with Green Belt Policy

They are **not** consistent with NPPF Policy

I have already quoted the NPPF paras 135 and 136 i.e. that **"Once established Green Belt boundaries should only be altered where exceptional circumstances are fully evidenced and justified"**.

Not only have TWBC **NOT** fully evidenced and justified the exceptional circumstances that they believe allow them to remove the green belt from AL/RTW5, they have not even presented us with any circumstances, exceptional or otherwise.

Yet again, they are **not** in keeping with National Policy

In Conclusion : I therefore claim that the proposal in the PSLP to remove the Green Belt from site AL/RTW5 is totally unjustified and unsound.

1. . It is a totally inappropriate proposed development both as regards the reason (housing) in the area chosen (green belt)
2. TWBC have not fully investigated the possibility of other sites they can use for **affordable** housing before diminishing the Green Belt.
- 3 . The effect on the whole of the Green Belt in this area would not be "negligable" as they claim, but would have serious **long term** effects. The removal of what they describe as "3 fields of *moderate distinction*" would allow the first inroads into a very clearly defined and key area of the rural space that defines the separation of Tunbridge Wells and Southborough . An area, which for many years they have been defining, and rightly so, as being vital to such a task. I argue nothing has changed in the importance of the role played by this site towards the enhancement of **all** aspects of the local area.

Question 6

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

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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 have covered this I think in full above and do not want to repeat.

For the plan to be **sound** at all, TWBC should closely examine their belief that the need for housing constitutes *exceptional circumstances*. Are they sure such a need exists (census /population figures/ density of housing?) and have they looked at **all** other possible sites where such housing could be sited.

Until all that is done, and done thoroughly and over a reasonable period, any removal of Green Belt should not be countenanced.

Question 7

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

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

Question 7a

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

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

I consider this to be necessary, or at least perhaps useful, as filling in this form is so very difficult and limiting. . A chance to put forward an argument verbally and in response to intelligent questions would be welcome.

Comment

Consultee	Ms Susan Westlake [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] ROYAL TUNBRIDGE WELLS [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Ms Susan Westlake [REDACTED]
Comment ID	PSLP_283
Response Date	03/06/21 23:28
Consultation Point	Policy AL/RTW 5 Land to the south of Speldhurst Road and west of Reynolds Lane at Caenwood Farm, Speldhurst Road (View)
Status	Processed
Submission Type	Web
Version	0.5
Question 1	
Respondent's Name and/or Organisation	Susan Westlake
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.

Paragraph No(s)

4.125

5.47

Policy No.

AL/RTW 5

Policies Map (Inset Map No(s))

5

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
	. 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.

It is not consistent with achieving sustainable development.

It will affect current and future generations in the locality. The A26 road already exceeds pollution limits. Speldhurst Road is already congested at peak times with parked cars causing jams and traffic extending all the way down past Kibbles Lane causing pollution.

Food should be produced on this farmland to help this country to be more self-sufficient instead of relying on imports and in view of the climate emergency.

This land has been promoted by landbankers for several years, hoping for a substantial profit. Greenfield land is more profitable for developers than brownfield. Will that profit be kept and spent locally, or end up in off-shore accounts?

Average house prices are currently at least 15 times average salaries in the area. The original plan referred to social rent homes. This plan refers to 'affordable housing' but it needs to be truly affordable for local people.

I question the manner in which the Caenwood Farm site was added to the PSLP, thus seriously prejudicing the democratic right of the residents in this area from making their arguments and opinions heard at the local level.

I strongly protest against the removal of the Green Belt status from the Caenwood Farm site and thus allow the progressive destruction of the last area of green belt. I protest against the resulting loss of a countryside buffer between Tunbridge Wells and Southborough and the consequent encroachment of urban sprawl that will result and which the current site at present prevents.

Question 7

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

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

Question 8

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

This appraisal states 'scores for the environmental objectives ranged from – to 0. The air quality objective scores as mixed overall due to the likelihood that most development in Southborough will increase traffic in the AQMA. ... Noise and water are scored slightly negative. ... This site scores some neutrals and positives but is let down on its heritage, land use and landscape scores. The whole site has archaeological potential and is an historic field.

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	Tracy Wilson [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] Southborough [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Tracy Wilson [REDACTED]
Comment ID	PSLP_519
Response Date	27/05/21 15:05
Consultation Point	Policy AL/RTW 5 Land to the south of Speldhurst Road and west of Reynolds Lane at Caenwood Farm, Speldhurst Road (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	Tracy Wilson
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

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

Policy AL/RTW 5 Land to the south of Speldhurst Road and west of Reynolds Lane at Caenwood Farm, Speldhurst Road

Question 4

Do you consider that the Local Plan:

Is legally compliant Don't know

Is sound Don't know

Complies with the Duty to Cooperate Don't know

Question 4a

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

Do you consider that the Local Plan is not sound because: . It is not 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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I am a resident of Rosemead flats which are on the corner of Speldhurst and Prospect Road with a lovely view across the fields opposite at present to the woodland area.

I am extremely unhappy with the proposed development for the following reasons:-

- a) I have lovely unobstructed views from my lounge and main bedroom across the road to the natural woodland and fields.
- b) Very concerned about environmental issues. At present, there is farmland with cows on, woods with deer, rabbits, birds etc, what will become of this.
- c) There is a large amount of woodland with trees to be cut down and woodland destroyed.
- d) Southborough is already extremely busy and congested with traffic especially during work and the school run times in the morning. Sometimes it is almost impossible to get up the traffic lights with the sheer weight of traffic.
- e) When not home working to which I am doing at present, I work in Tunbridge Wells and use Reynolds Lane as a cut through. Again, this is extremely busy with people double parking, people having to mount the pavement in their cars to get through the road. This will only exacerbate the problem with more houses built and obviously more cars.
- f) I do not think the infrastructure of Southborough and Tunbridge Wells can cope with more housing. The road infrastructure will not take it and it will be gridlocked, not enough schools and also I belong to St Andrews Medical Practice in Southborough which is already hugely over-subscribed with patients. Are they adding other services for the amount of houses they are planning on building.
- g) Also, I can see that there will be a huge amount of disruption for a number of years and very noisy with construction traffic.

To reiterate again, Southborough does not have the infrastructure in place for more houses. It is always gridlocked and will not be able to cope.

Unless there are plans to build some kind of bypass into Tunbridge Wells, the only routes in are either Reynolds Lane which is widely used as a "rat run" and already cannot cope and the main road into Tunbridge Wells which is always gridlocked. I don't think you comprehend the amount of excess traffic that there will be.

Question 6

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

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Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

I do not wish this development to go ahead at all. It will spoil the village feel of Southborough which will not be able to cope.

You area already building a development further down Speldhurst Road as it is, nearby to the turning on the opposite side of the road to the Salomons.

I thought our goal going forward was to have less, traffic, congestion and be more away of green issues.

I am appalled this is going ahead and only for material gain for the developers.

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:

Also, I wish to know why you have released this site from being Green Belt to allow it to be built on bearing in mind it has loads of trees, woodland and wild animals including deer, badgers etc.

5.49 The site was released from the Green Belt, and the Development Strategy Topic Paper and Green Belt studies set out the exceptional circumstances and compensatory improvements to the remaining Green Belt to justify the changes to the boundary in this location.

5.50 There are areas of ancient woodland in proximity to the site, and trees with Tree Preservation Orders within the site itself

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 Richard Young [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Member of the Speldhurst Road Community Action Group
Address	[REDACTED] Southborough [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Member of the Speldhurst Road Community Action Group [REDACTED] [REDACTED]
Comment ID	PSLP_65
Response Date	24/04/21 18:49
Consultation Point	Policy AL/RTW 5 Land to the south of Speldhurst Road and west of Reynolds Lane at Caenwood Farm, Speldhurst Road (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	KJ
Question 1	
Respondent's Name and/or Organisation	Richard Young, member of the Speldhurst Road Community Action Group
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

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

Policy AL/RTW 5: Land to the south of Speldhurst Road and west of Reynolds Lane at Caenwood Farm, Speldhurst Road

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.

1. I have lived in Speldhurst Road for more than 40 years and have seen it evolve from a road where horses could ride safely, to a race track for high performance week-enders,

Owing to successive roadworks on the A26 it is now used as a bypass to Southborough, as is Reynolds Lane to St.Johns. To countenance further traffic from an access for 100 houses on this site is unthinkable. Even if the road is widened, where is the increased traffic to go? In addition: The New Life Church hosts a large number of family events, including Mothers and Toddlers. There is insufficient parking within the Church and the mothers are forced to park in the road, sometimes on the pavements. The A26 is already extremely busy, and the T junction between Speldhurst Road and Kibbles Lane would create a traffic block for those seeking to avoid Southborough. Kibbles Lane down to Southborough pond is already very dangerous, with more traffic building up on returning to the A26. It is a residential area with a large number of pedestrians.

2. Strategic objectives in the Local Plan include:

"To protect the valued heritage, and built and natural environments of the boroughand to achieve net gains for nature,"

"To release appropriate land from the Green Belt...and to protect the openness of the remaining Green Belt land,"

We are concerned that the approval for 100 houses will lead to approval in the future for more houses on the rest of the land owned by the same person.

We would advise that many of the wooded areas to the south of Speldhurst Road are protected and are a haven for wildlife. Much of the land is well tended.

The 100 houses will adversely change the area and will lead to the unwelcome urbanisation of the Northwestern edge of Tunbridge Wells.

We would urge you to reconsider this allocation.

Question 7

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

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

For office use only

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

Local Plan Regulation 19 representations in document order

**Comments on Section 5: Place
Shaping Policies: Royal Tunbridge
Wells: Policy AL/RTW 6: Land at 202
and 230 Upper Grosvenor Road**

Comment

Consultee	Trix Tanzarella [REDACTED]
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	Trix Tanzarella [REDACTED]
Comment ID	PSLP_92
Response Date	04/06/21 16:15
Consultation Point	Map 6 Site Layout Plan (View)
Status	Processed
Submission Type	Web
Version	0.5

Question 2

Agent's Name and Organisation (if applicable)	Trix Tanzarella
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Question 3

To which part of the Local Plan does this representation relate?	Policies Map
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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.

AL/RTW6

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.

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We have found, based on the below, that the proposed policy AL/RTW6 is unsound as it is not consistent with national policy and does not enable the delivery of sustainable development in accordance with the policies in the NPPF. We present the following reasons.

1) OVERDEVELOPMENT:

NPPF paragraph 117 states that: “Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.”

The allocation of 40-45 residential dwellings constitutes an overdevelopment of the site. The site, at 0.47 hectare not taking the access road and pedestrian access into account, is constrained, isolated and ill proportioned for a development of this scale. If the premise is that the trees under TPO on the borders need to be maintained in order to protect amenity and biodiversity and to make the new development pleasant and liveable, then the effective developable area is indeed only 0.29 hectare, given the extent of the root protection areas required (as illustrated by the arboricultural report submitted in support of the current planning application for this site).

A number of previous planning applications for this site have been unsuccessful over the years due to the cramped nature of the site, for developments constituting 24 dwellings (2004), 14 dwellings (2004), and 2 dwellings (2005). One of the reasons cited by the planning dept. for the refusal of the application in 2005 was that the proposal “would give rise to a cramped and discordant form of backland development... The development would threaten existing trees (some of which are covered by Area tree preservation order No.8 2005) and Laurel hedge screen, which act as significant landscape features, the potential loss of which... would severely impact on the visual amenity and character of the area and create overlooking to the rear gardens of no’s 204-220 Upper Grosvenor Road, thereby harming the privacy and amenity of the occupants of those properties...”

Although these conditions on site have not changed, we understand that the housing context has changed, and there is a greater need than ever to satisfy demand. The NPPF however requires that decisions should promote an effective use of land and that safe and healthy living conditions should be achieved. We understand that councils should be responsive to the demand, but we also believe it is of critical importance for this to be done with sensitivity and in the spirit of the NPPF, which encourages the creation of well-designed and liveable spaces. Extreme care should be taken to ensure that any available land is used well and overdevelopment should be avoided where it will lead to an environment that is cramped, over-occupied, isolated and overshadowed. Higher density developments should have adequate surrounding spill-over space to accommodate the needs of the residents and to create an environment generous enough to carry the inhabitants of the development. A development of 40-45 units with its substantial building footprint and towering nature, as is illustrated by the current planning application, will require extensive parking, ample room for services and waste, generous external amenity space for its many users, play areas and ample access to sunlight. The site is simply not big enough to accommodate such needs adequately. The planning application for this site currently at council illustrates this fact clearly, as they are only able to provide very minimally in respect of

external amenity space. In order to establish such a density on this site, deep blocks will be required, with single aspect apartments and with limitations on proper orientation in regards to solar gain and daylighting due to the limiting factors of preventing overlooking and the problems of facing onto the adjacent railway line.

In regards to local biodiversity, this site is an important stepping stone from Hilbert Wood to gardens along UGR. The site will sustain a heavy loss in biodiversity over the span of the construction works, especially given that the works area will be cramped, particularly if the boundary trees are to be maintained. In addition to accommodating the needs of any future residents, the area remaining around the building footprints should be large enough to sustain a nett biodiversity gain through landscaping measures – the smaller an area remains for such measures, the more difficult and costly for a developer to achieve the nett gain. Policies put in place should make it feasible for developers to achieve these requirements without excessive strain, or the requirements simply won't be achieved.

2) BOUNDARY TREES AS SCREEN & HIGH RISK OF DAMAGE TO TREES:

The AL/RTW6 proposal states that “The layout of any development within the site will need to have regard to the amenities of the existing properties and to retain an appropriate level of screening” with one of the requirements (No. 4) being that the layout and design of the development should protect the trees of most amenity value. It states that “Particular regard shall be had to the retention and reinforcement of the trees along the eastern and southern boundaries to retain an appropriate level of screening”. The proposal therefore relies heavily on the presence of trees on the boundary to prevent overlooking and protect amenity.

It's worth mentioning however, that the tall trees which are seen on plan to act as a visual screen all along the boundaries of the development do not do so uniformly as much depend on the crown height, density and whether they are indeed evergreen. Some trees are not in good health and require removal. Much of the existing “screen” is currently provided by lower infill vegetation which will likely be removed. There is no guarantee that any retained trees will remain in place into the future and won't be excessively pruned throughout the lifetime of a development. Cumulatively these factors indicate that the trees alone cannot be the means by which the harmful effects on amenity could be overcome.

Furthermore and probably more problematic, is that fact that a development at this scale poses a real risk to the health of the trees under TPO surrounding the site.

Extensive root protection areas would be required to reasonably protect the TPO trees on the boundary, as has been shown in the arboricultural report submitted under the current planning app for this site. The same planning application illustrates the large building footprints which would be required to establish 40-45 units. The root protection areas and building footprints combined would leave an excessively narrow works area around the building perimeter – with single access to the site for works, operations will be cramped and damage to these established TPO trees, will invariably become very difficult to avoid.

3) NOISE DISTURBANCE, AIR & LIGHT POLLUTION:

Paragraph 180 of the National Planning Policy Framework (2019) states:

Planning policies and decisions should ensure that new development is appropriate for its location taking into account the likely effects... and should:

- 1 *Mitigate and reduce to a minimum potential adverse impact resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life.*
- 2 *Identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason; and*
- 3 *Limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.*

Noise disturbance and air pollution are both existing problems along Upper Grosvenor Road. These problems will be deepened substantially by the introduction of 40-45 units. Currently there is some refuge from the existing road pollution and noise disturbance on UGR to the rear of the properties facing onto the green and undisturbed gardens of 230 UGR, which would be lost if this previously unaffected site were to be overdeveloped at the proposed scale.

Currently the residents along UGR facing onto 230 UGR have the benefit of dark sky to the rear with minimal artificial light in the evenings. The development itself but especially the streetlights required for the access road and new parking will likely drastically affect the amenity to the rear in this regard.

4) SAFE ACCESS & ROAD SAFETY:

Paragraph 108 of the National Planning Policy Framework (2019) states:

In assessing sites that may be allocated for development in plans, or specific

applications for development, it should be ensured that: safe and suitable access to the site can be achieved for all users;

and Paragraph 110 states:

that applications for development should: create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles.

Upper Grosvenor Road is a busy road with many existing safety hazards to pedestrians and road users – especially being a main route for various large vehicles. This particular stretch of road is a school route and is in frequent use by large numbers of pedestrians due to the nearby High Brooms train station, Grosvenor & Hilbert Park and the Co-op on Silverdale Lane. The proposed access road joins to UGR on a bend with very poor visibility, especially to the north where there is a down slope. Residents on UGR have witnessed many accidents on this bend over the years and there are two known pedestrian deaths due to car accidents (please see attached photo record provided by Luke Engleback in his objection to the current planning app for this site: 21/00460/OUT). The bus stop and Silverdale Ln opposite the proposed entrance are further compounding factors on an already unsafe bend.

The Transport Statement provided by Motion for the current planning application determines that the proposed access achieves a required 43.3m visibility splay to the north. It is clear from the plan submitted that this is only achieved by drawing the splay almost on top of the adjacent property boundary. Furthermore, the traffic counter used to determine vehicle speeds which the required visibility splays are based on was recording traffic during tier 3 lockdown restrictions and the sample taken therefore does not represent real traffic conditions outside lockdown times. The determination in terms of the splay thus lacks due care on two counts. We are quite confused as to why the KCC Highways report for this same application considers that this splay is achieved, as in so doing it clearly does not take into account the particularities of the location. Bins put out along this boundary and the existing (or any future) boundary treatments of the property adjacent the sidewalk actually drastically impede the view. The hedging in question is reasonably well maintained and not overhanging to an inordinate extent (photograph attached) – it is not unreasonable to suppose that future boundary treatments might well impede the view even more drastically. Minimal caution has been applied here and setting the bar so low is an incredible oversight. This is of critical importance and should not be considered an auxiliary point as the combination of conditions on this bend, at a point of such low visibility will put lives in real danger. This is not a safe location for an access road to the site.

With Grenfell in our recent history we need no greater reminder of the real effects of decisions at these early stages of the planning process. With very many residents having highlighted the on-ground dangers of this road and the seriously inappropriate location of the proposed access road on the recent planning application, it would not be fair to say at any future evaluation, that caution had not been raised by local residents.

5) EMERGENCY ACCESS:

It should be noted that there is a single emergency access road to the proposed site. The narrow existing access to the north is not wide enough to accommodate emergency vehicles. With a single emergency access to the site and very tight turning circles one has to consider what the conditions might be like in the case of a fire.

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.

Access should be provided at a location where suitable visibility of oncoming traffic can be achieved, so that paragraphs 108 & 110 of the NPPF can be satisfied.

The scale of development and density should be proportionate to the site with the number of residential units at a much lower number than proposed, so that paragraph 117 & 180 of the NPPF can be satisfied and so that the land can be used effectively. Development should be proposed at a scale where it will be feasible for a developer to achieve the requirements set out in regards to well-designed and liveable spaces, adequate external amenity spaces, adequate daylighting and solar control, limiting impact on the amenity of existing residents, achieving of nett biodiversity gains etc. Development should be proposed at a scale where it would be feasible to construct and maintain the development without adverse impacts on the existing trees under TPO.

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

Supporting Information File Ref No: SI_59

Comment

Consultee	Christopher Carney [REDACTED]
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	Christopher Carney [REDACTED]
Comment ID	PSLP_989
Response Date	02/06/21 22:40
Consultation Point	Policy AL/RTW 6 Land at 202 and 230 Upper Grosvenor Road (View)
Status	Processed
Submission Type	Web
Version	0.3
Files	UGR Street Scene.pptx 5861906_0_2 redacted.pdf

Question 1

Respondent's Name and/or Organisation	Christopher Carney
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Question 3

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

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

Policy AL/RTW6

Land at 202 and 230 Upper Grosvenor Road

Question 4

Do you consider that the Local Plan:

Is sound	No
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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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I believe the proposed inclusion of the site at 230 Upper Grosvenor Road is outside of established planning principals and the size and circumstances of the site does not support the proposed level of development.

There have been multiple attempts to develop the garden of No. 230, all of which have been unsuccessful due to a number of confounding factors.

The NPPF Paragraph 117 states that: -

"Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions"

I do not believe this site meets the stated criteria

In 2005 permission (05/00066/OUT) was sought to erect **2 dwellings** on the land and permission was **refused** on multiple grounds, including: -

"The proposal would give rise to a cramped and discordant form of backland development... The development would threaten existing trees (some of which are covered by Area tree preservation order No.8 2005) and Laurel hedge screen, which act as significant landscape features, the potential loss of which... would severely impact on the visual amenity and character of the area and create overlooking to the rear gardens of nos 204-220 Upper Grosvenor Road, thereby harming the privacy and amenity of the occupants of those properties..." It was decided that this comparatively low key development was contrary to Policies ENV7 and ENV15 of the Kent Structure Plan and policies EN1 and H9 of the Tunbridge Wells Borough Local Plan 1996, Policy EN1 and H5 of the Tunbridge Wells Borough Local Plan Review and Policy QL1 of the Kent and Medway Structure Plan."

The proposed allocation to develop 40-45 residential units is a **massive overdevelopment** of a site not deemed capable of supporting an additional 2 dwellings in 2005.

One of the issues with the proposed site is the combination of its shape (broadly triangular) and the many tree preservation orders. When taking into account the multiple TPO's, particularly the root protection zones during construction, the developable area of the land is severely reduced. I do not believe that it is possible to create a development of the proposed scale and respect the TPO's in place.

To squeeze an additional 40-45 housing units onto the site is overreaching. The large buildings required will result in inappropriate density, as illustrated by the submitted pre-planning application.

This proposal requires constructing housing that is single aspect, with poor orientation due to unsolvable issues with overlooking neighbours, leading to a risk of overheating on one aspect & poor light quality on the opposing side.

The proposed density leads to characterless, poor quality living accommodation with little communal space and, given the nature of the site, a lack of integration with the local community.

The proposed density of habitation will also lead to parking overspill into the neighbouring roads, which are busy and have very limited on-road parking. Many local residents beyond Upper Grosvenor Road have pointed this out on the outline planning that has been submitted for this site.

From an environmental perspective the development of this site will have a significant detriment to the local area.

Amenity

The NPPF paragraph 180 states

"Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:

- a) mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life⁶⁰;*
- b) identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason; and*
- c) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation."*

The proposed extent of development does not comply with this requirement.

The land is an important amenity for the residents of 178-228 Upper Grosvenor Road, serving as a calming counterpoint to the road & traffic noise of Upper Grosvenor Road. It is an important green corridor from Hilbert Woods and the railway and development of the scale proposed would destroy this amenity and wildlife corridor.

b) A development of the proposed scale will negatively impact the lives of the local residents through, noise pollution from vehicles entering & exiting the site, and the noise generated by the 100 or so residents

c) Increase air pollution from the increased vehicle traffic, and idling vehicles on the new access road trying to join traffic on Upper Grosvenor Road

d) Create significant light pollution from the proposed accommodation, carparking and outside areas. The night sky will be lost.

To create the proposed housing density, blocks will need to be built. These will create a significant overlooking problem for the existing residents of 178-228 Upper Grosvenor Road. Many of the trees on the perimeter of the site are deciduous and provide little screening in the winter months and are not of sufficient height to prevent overlooking into rear gardens and house elevations. There is also a significant risk that development will damage / destroy many of the trees (including those with TPO's) further reducing the screening effect and of course, a substantial number of trees will need to be removed to provide access to the site.

Site Access and public safety

Finally, we must examine the proposed method of access to the site, which requires the demolition of 202 Upper Grosvenor Road. I strongly request that the planning officers visit the site in person to see the folly of this suggestion.

NPPF paragraph 108 states that:

"In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:

- b) safe and suitable access to the site can be achieved for all users; "*

A site visit would immediately identify that this proposed access is: -

a) At the apex of a bend, limiting visibility to oncoming traffic. The splay angles are exceedingly tight when neighbours' hedges are catered for and when bins are out for collection, visibility is dangerously hampered looking downhill. Commonly delivery vans park on the pavement completely obscuring

visibility to oncoming traffic. Please refer to photographs at this link to see example visibility challenges <https://photos.app.goo.gl/KKfuF81EQHgbWpVx7>

b) Is on a hill where, during the winter months, traffic approaching the proposed exit from the site have to contend with low sun during school run hours. From personal experience, I can say this can be blinding when the road is wet. Please refer to photographs at this link for evidence of sun angles <https://photos.app.goo.gl/KKfuF81EQHgbWpVx7>

c) Hampered by the bus stop outside 229. This leads to long queues of traffic and occasional accidents & close calls as impatient drivers try to overtake the stationary bus into oncoming traffic, which frequently then mounts the pavement endangering pedestrians.

d) Opposite Silverdale Lane. This is a quiet street, often used by school children and typically a crossing point for school journeys or on their way to Hilbert / Grosvenor Park. The new access road will make this a much more hazardous crossing.

e) Narrow and will require bin lorries, and other large vehicles to swing into oncoming traffic to be able to negotiate the bend to the access road. One particular concern is if parking overflow from the site spills into this access road and prevents access by Fire Engines in an emergency. The existing entrance to 230 is inaccessible by large vehicles.

c) On a road that is busy and frequented by speeding traffic. As previously stated, the speed & volume of traffic on Upper Grosvenor Road is significant. There have been many accidents on the stretch from Silverdale Lane to Silverdale road, including fatalities.

Overall, this site is difficult to develop due to it's size, shape, TPO's and access limitations. It may be possible to engineer a smaller development of a several family houses, but planning (05/00066/OUT) ruled this out for just 2 dwellings, recognising the site limitations.

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:

To provide local context to my objections to this part of the local plan.

If you would like to attach a file in support of your comments, please upload it here. UGR Street Scene.pptx

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	Stuart Clayman ([REDACTED])
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	Stuart Clayman ([REDACTED])
Comment ID	PSLP_1313
Response Date	04/06/21 15:09
Consultation Point	Policy AL/RTW 6 Land at 202 and 230 Upper Grosvenor Road (View)
Status	Processed
Submission Type	Web
Version	0.1

Question 1

Respondent's Name and/or Organisation Stuart and Elizabeth Clayman

Question 3

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

Question 3a

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

Policy AL/RTW 6

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
- . It is not consistent with national policy

Question 5

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The suggestion of using this plot of land at 230 Upper Grosvenor Road for the development of 40 to 45 residences is highly inappropriate, and it lacks consideration of many of the fundamental aspects that impinge on such a development. The land area is actually unsuitable for such a large number of dwellings, as in reality the amount of usable space, the surrounding houses, and the access limitations make it untenable.

It seems that whoever thought of suggesting 40-45 residences did not understand the site's limitations, nor had a clear view on the number of planning applications that had been rejected, and that much lower densities had been considered inappropriate for the site. Although the site is around 0.47 hectares, the number of trees which have TPOs plus their root systems reduce the amount of usable land to around 0.29 hectares. In the past, planning was turned down on this site for a number of proposals. In particular, the council rejected 2 dwellings because it would result in a cramped form of development, and that there would be poor visibility to the existing road. Also rejected was a proposal for 14 properties and another proposal for 24 properties. The fundamentals of these rejections have not gone away.

The development proposal at 230 Upper Grosvenor Road is not a good fit for this plot of land and is an over intensification of the local neighbourhood. Its density would be far too high for this suburban style neighbourhood. It is clear that given the actual usable amount of land, it is not actually possible to fit that many dwellings and the required number of parking spaces into the space. There are a number of aspects that need to be adjusted downwards if anything is actually built.

It is important/crucial to reconsider this allocation in the development plan and revisit the site to fully understand the limitations of the site and reassess what sort of development would be both sustainable and feasible and an enhancement not a detriment to the local area.

Here we outline some of the major issues that make plan AL/RTW 6 unsuitable for going ahead.

1) Height and Scale of development

To fit in 40-45 dwellings, the development would have a height and scale that is significantly oversized for the plot. This would need to be a massive development in relation to the plot and as such will overwhelm anything else in the area in both height and surface area. It would be out of proportion to the area and the neighbourhood and would completely overwhelm any surrounding properties and dramatically change the character of the surrounding locale.

The current properties in the neighbourhood are 2 or 3 storey houses, with gable roofs. In order to fit 40-45 dwellings into the plot this would entail a multi-storey structure or structures that would be significantly taller and more substantial than anything nearby and will inherently present as a huge mass to the properties backing onto it. Furthermore, the inevitable height of the structures will allow anyone in those flats to overlook the gardens and into the windows of the existing properties thereby significantly intruding on the privacy of the existing dwellings.

2) Density of development

The density of the proposed development plan would be too high for this plot, which is on back land behind a number of existing houses. The majority of the properties backing onto the proposed development are mostly single family dwellings, which is an attractive aspect of the locale.

Out of 24 properties between 228 and 180 UGR, which all back onto the land of 230 UGR, only 4 of them are flats. Out of those 4, only one is a purpose built block, of 3 stories at 192 UGR, and this replaced an old property that was used as a retirement home. Historically that block was repurposed as flats in the 1990's, so the footprint in size, density, and height was not significantly altered from the previous building on the site.

Therefore, out of the 24 properties, only 3 that were originally single family dwellings have been converted to flats. The rest remain family houses. In fact, the percentage of properties that have been converted to flats is less than 12%.

The plan for AL/RTW 6 is proposing to turn a single family dwelling with TPO trees (thus limiting the build area to 0.29 hectares) into 40-45 properties to accommodate new residents. This density is drastically higher than any current dwelling in the area and would create a high density development on green backland.

To build to that density would result in a very high number of occupants. Even if all the 45 dwellings were 1 bed units that alone is a potential for 90 occupants. If a mix were of 2 and 3 bed units, the number rises dramatically and a realistic estimate is around 166 occupants as the following estimation of 2 people per 1 bed unit, 3/4 per 2 bed unit, and 4/6 persons per 3 bed unit is a plausible occupancy level.

In the past planning was turned down because it was deemed that even 2 dwellings would result in a cramped form of development on this site. A change of planning policy does not overcome this fundamental issue. Cramped is still cramped.

3) Road safety

The demolition of 202 UGR will create a new road, not a driveway, which will directly connect to UGR. At this point in the road the visibility is poor due to the curve in the road and the dip down the hill. The line of sight is highly limited, and the properties on both sides have hedges which restrict how much a driver can see. There are no guarantees that this can be resolved on a permanent basis.

There is a bus stop nearly opposite (10 metres away) from the proposed exit, creating an additional hazard. Cars turning out of this new road would be stopped by buses at the bus stop.

Due to the location where the new road will meet UGR, it will be more-or-less directly opposite Silverdale Lane. Their centres are offset by just 4 meters. In essence, a new crossroads will be created on a bend with poor visibility. Silverdale Lane is a busy route, which has 2 directional traffic and many pedestrians, even though it is a single lane. Sending more vehicles down there will be a danger to all and any vehicles exiting from Silverdale Lane onto UGR will be met with not only the current UGR traffic and the bus stop but also competing traffic into and out of the new road into the proposed development.

Upper Grosvenor Road is a major route for ambulances, buses, and other emergency vehicles. Furthermore, the section of UGR from 202, down towards Silverdale Road is relatively narrow and bendy for a main road and is effectively a 1 1/2 lane road due to permitted on street parking on the opposite side. There is always a problem if a large vehicle (such as a bus or a truck) is going up the hill or down the hill and often the cars swerve onto the pedestrian pavement. In addition, this is a major pedestrian school route with school children walking both to/ from home and to High Brooms train station. Their safety should be a key factor in any decision that will have a further negative impact on the safety of their school route.

Policy AL/RTW6, point 2, says: "Provision of sustainable and active transport mitigation measures". How is this ever possible with this site and the suggested level of development.

The introduction of vehicles from 40-45 flats would add an excessive volume of vehicles and the line of site from the new road is ineffective for the volume of vehicles that would use it. Another matter that the Council are aware of is that the cars are travelling quite fast on this stretch of UGR.

In the past planning was turned down due to poor visibility to the existing road. This "poor visibility" still exists.

4) Insufficient parking and excessive traffic

With between 40 to 45 dwellings on the site, we can estimate that there would be 2-3 cars per unit, with the number of cars likely to be between 80 - 115 cars.

However, the site is highly space limited and there can only be less planned car park spaces than needed, so there will be a guaranteed overflow of vehicles going into the surrounding area. Currently there is no space on Upper Grosvenor Road. There is only on street parking on UGR on the opposite side of the proposed development, which is already fully utilised parking primarily by residents on the opposite side w/o driveway, and is already under capacity for the needs of the local area. In addition there is a Disabled bay in that parking area. Where will all these new cars go?

Also some of the houses are unable to make a driveway, due to the drop of the land, so they rely on the on street parking and would be in competition for parking near their homes from the overflow of the proposed development.

All of these vehicles combined with the layout of the proposed new crossroad and the bus stop location will cause congestion, danger, and more accidents. It will inevitably lead to further traffic jams, which in turn leads to increased poor air quality and pollution, thus impacting the existing residents.

5) Land environment

The site of the proposed plan is currently back land, which is green and contains many shrubs and trees (some with protected status and a large number of TPOs) and provides homes to a lot of local wildlife such as birds, foxes, bats and insects. The TPO trees have a substantial root system which needs to be assessed and protected. This root system will limit the usable build area and to fit 40-45 dwellings into it would result in just 0.29 hectares of usable build space.

Policy AL/RTW6, point 4 says "Proposals to be informed by a detailed arboricultural survey, taking into consideration existing mature trees on-site and on the boundary of the site, with the layout and design of the development protecting those of most amenity value. Particular regard shall be had to the retention and reinforcement of the trees along the eastern and southern boundaries to retain an appropriate level of screening". It is difficult to see how considering this and maintaining all the TPO trees can allow so many flats to be built.

Bats are frequently seen in this area and are a key feature in the back gardens that back on to 230 UGR. This bat activity was even observed during a recent bat survey of the area. In terms of the bat survey, which was done over one evening, for 2 hours, Date: 31/08/2020, Start and End Times: 19:30 - 21:30, the surveyors did observe that: "Commuting passes by common and soprano pipistrelles were heard from 20:01 for the duration of the survey. The bats could occasionally be seen passing west to east over B1 and into the treeline that borders the east side of the site. Foraging behaviour by common pipistrelles was heard in the garden area ...". They also say "In addition, brown long-eared calls were heard at 21:28...".

If so much bat activity was seen in just 2 hours of 1 night, imagine how much of an environment this is for bats, where the surveyors say "... during the active bat season (May – September)".

If this plan goes ahead, the environment in 230 UGR for these bats will be completely undermined and could destroy their livelihood.

40-45 units would eliminate most of this green environment, and the associated car parking with inadequate green space and landscaping will just render the plot a concrete jungle. Reports suggesting biodiversity net-gain when combined with this level of development should not be taken seriously. Overall, losing this green space would be a loss of a valuable environment in this part of Tunbridge Wells.

6) Infringement on right to privacy

Given the limited land space, this suggested plan would need to be of considerable height, perhaps 12 meters and 4 stories, to fit in over 40 flats, and will thus directly overlook the backs of a number of houses and into the gardens and into people's windows which will be a drastic invasion of privacy. These houses have been very quiet and private at the back, and this is one of the appeals of them. Although there is a busy road at the front, the backs are relatively tranquil.

Any build would need to be so close to the boundary, and there are no guarantees that any of the greenery and hedges will be kept, except for a few trees with TPOs and even these would be under threat, as the fines for chopping down TPO trees for developers are very low or non-existent.

7) Noise and light pollution

As this is currently back land, with 1 house of modest proportions and height , there is currently very little noise and light overspill. A change to over 40 flats, and over 150 people and permeant parking for around 100 cars will change the level of noise emanating from that plot, as well as creating a light nuisance for all of the houses that back onto that land. Currently at night it is completely dark and that is a fundamental environmental aspect that should be a priority for both the well being of the environment, local ecology and sustainability.

8) Security

Again, this is currently back land, with 1 house with little concern of the members of that household creating a security problem for the houses that back onto it. By creating over 40 flats with over 150 people, this aspect of security will be dramatically changed.

9) Sustainability

This development is not a brownfield site that needs to be repurposed, nor does it replace an existing large building. This is an oversized plan on a very green, back land plot, and the number of suggested flats, and its consequential bulk, will be a detriment on all fronts. For any development in this site there needs to be a consideration of

- . sustainable development
- . effective use of land
- . improving the environment

To reference the Tunbridge Wells Local Plan and particularly EN1. EN1 says “All proposals for development within the borough will be required to satisfy the following criteria ...” and lists 9 main criteria, and a large number of sub-criteria.

Having presented some of the big issues this plan has, we can consider if the plan AL/RTW 6 can possibly satisfy these criteria:

1. Design, character, and site context - It starts with: Proposals should retain and, where appropriate, enhance buildings that contribute positively to the locality and street scene, heritage assets, open spaces, trees/vegetation, features of biodiversity/geodiversity, or other features important to the built or landscape character of the area,

NO

2. Highway safety and access - Vehicular access, parking provision, and pedestrian movement should be safely accommodated; Traffic from new development should not result in severe residual cumulative impacts on the road network; Car parking and/or servicing should be appropriate to site context

NO

3. Water/flooding issues

Possibly

4. Landscape, trees, and amenity - Proposals should be accompanied by an integral landscaping (both hard and soft) scheme, which contributes to, and enhances, the natural and local environment, including sympathetic boundary treatments and green infrastructure; Any proposed new landscaping, and any existing landscape feature to be retained, shall include adequate provision for future tree and hedgerow growth, and management practices.

NO

5. Biodiversity and geodiversity - Proposals should maximise opportunities for increasing biodiversity potential, Proposals that affect existing biodiversity, geodiversity, and blue/green infrastructure must be designed to avoid, mitigate, or compensate for any potential harm, resulting in a net gain; Proposals should identify and not undermine the value of ecosystem services that the site provides

NO

6. Residential amenity - Proposals should not cause significant harm to the amenities of occupiers of neighbouring properties and uses, and should provide adequate residential amenities for future occupiers of the development by ensuring That development does not result in, or is exposed to, excessive noise, vibration, odour, air pollution, activity, vehicular movements, or overlooking; That the built form does not create an unacceptable loss of privacy and overbearing impact, outlook, or daylight and sunlight enjoyed by the occupiers of adjacent/nearby properties; Provision of sufficient public and private outdoor and recreational space.

NO

7. Crime reduction - Proposals should create a safe and secure environment and incorporate adequate security measures and features to deter crime, fear of crime, disorder, and anti-social behaviour.

Highly unlikely

8. Design and construction guidance

Hard to say

9. Community engagement - New development should be informed by effective engagement between applicants, local communities, neighbours of sites, local planning authorities, infrastructure providers, and other interested parties throughout the planning process. Applications that demonstrate early, proactive, and effective engagement, and that the views expressed in that engagement have been properly considered, will be looked on more favourably than those that cannot.

Who can say

So overall, it is hard to convince ourselves that allowing 40-45 units matches the development criteria. And, as previously stated, a development of that scale will create further air, light ,and noise pollution for the current residents backing onto the site from which they will have no respite.

10) Change essence of the neighbourhood

The proposal plan would be, in general, an over development in a residential area and out of proportion to the local character. The proposed plan wants to change a single 2 story 4/5 bedroom family dwelling with garden into over 40 flats, comprised of potentially multi storey buildings and car parks with potential for 166 people, and convert another detached house into a small road.

If allowed, it would set a height precedent that would cause future high-rise over-developments in neighbourhoods. Increasingly raising the density and the skyline would be detrimental to the town as a whole.

There are a number of aspects in the National Planning Policy Framework regarding the current neighbourhood that seem conflicting with proposal AL/RTW6. NPPF 122 highlights the desirability of maintaining an area's prevailing character and setting (including residential gardens) and the importance of securing well-designed, attractive and healthy places. Proposal AL/RTW6 can never match this. NPPF 125 suggests: Design policies should be developed with local communities so they reflect local aspirations, and are grounded in an understanding and evaluation of each areas's defining characteristics, again AL/RTW6 is not a match to this as it can only be opposite the to the main characteristics of our neighbourhood.

NPPF 127 says that Planning decisions should ensure that: a) developments will function well and add to overall quality of the area - not just short term, but over the lifetime fo the development; b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; c) are sympathetic to local character and history, including the surrounding but environment and landscape setting; d) establish and maintain a strong sense of place; It is clear AL/RTW6 cannot meet these criteria.

Building over 40 dwellings will have a negative impact on the existing householders in this local area. Making new flats, which upsets the existing neighbours, either those who back onto it, or those on the other side of the road, who will also be affected, does not seem to be the benefit of planning. The well being of the existing neighbours should also be strongly considered.

Conclusions

The AL/RTW6 proposal, as presented in the Pre-Submission Local Plan, is highly unsuitable for this site. The current suggestion of over 40 flats:

- . will destroy the green area
- . will be disproportionate in scale, density, and mass for this area
- . will destroy the local neighbourhood
- . will create a traffic hazard on Upper Grosvenor Road
- . will create a pollution zone where one does not exist
- . will create excessive light pollution that will affect both wildlife and local residents
- . will directly overlook and infringe on the privacy of the surrounding homes
- . will be detrimental to existing wildlife

If the site is to be developed, a more effective use of the land will be to create a relatively small number of family houses with consideration to genuine quality of living of both future occupants of the new dwellings and the existing neighbours

Once again, It is important/crucial to reconsider this allocation in the development plan and revisit the site to fully understand the limitations of the site and reassess what sort of development would be both sustainable and feasible and an enhancement not a detriment to the local area.

Question 7

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

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

Question 7a

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

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

I am happy to participate and clarify / highlight the issues that make this Policy untenable.

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_51a-b

Comment

Consultee	Jenny Dunkin [REDACTED]
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	Jenny Dunkin [REDACTED]
Comment ID	PSLP_883
Response Date	03/06/21 07:43
Consultation Point	Policy AL/RTW 6 Land at 202 and 230 Upper Grosvenor Road (View)
Status	Processed
Submission Type	Web
Version	0.2
Files	564E300A-1BA1-490A-BF33-449C972C705F.jpeg E49D4A2B-CD84-4F65-AD7F-058D9BF51005.jpeg

Question 1

Respondent's Name and/or Organisation	Jenny and Andrew Dunkin
---------------------------------------	-------------------------

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.

AL/RTW 6 land at 230 and 202 Upper Grosvenor Road

Question 4

Do you consider that the Local Plan:

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

Question 4a

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

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

- . 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 NPPF is clear that decisions regarding planning policies for new development should protect the environment and ensure safe good quality living conditions for future and existing residents and users.

Three previous applications to redevelop the existing single house and garden at 230 Upper Grosvenor Road, into multiple dwellings and car parking have previously been withdrawn or rejected on multiple grounds. Council Officers found that the plans for multiple dwellings submitted were too dense for the size of the plot, that there would be damage to existing mature trees, that creating road access to the plot would lead to an unacceptable rise in vehicular traffic in terms of noise and air pollution and that there would be an increased risk of road traffic accidents. None of these material facts has changed. Therefore, the adoption of this plot for intensive development is neither of effective nor justified. In respect of road safety it may be demonstrated through a trustworthy road traffic assessment conducted both at peak and off peak times, that pedestrian and road traffic levels have substantially increased since the last planning application was made in 2005, partly due to the changes in local infrastructure, for example the considerable expansion of the retail area at Dowding Way.

The adoption of this plot in to the Local Plan would represent a serious unjustified overdevelopment of the site. The size of the developable area is not large, especially if one artificially inflates the apparent buildable area by counting the existing single track driveway and planned road access in the calculations. The existing site is awkwardly shaped being hard against the railway boundary to one side and adjacent to multiple existing residential properties for the entirety of its length, which means that from the outset the potential of **'ensuring safe and healthy living conditions'** for all is compromised. In order to fit a large number of dwellings on to the small plot there is little option other than to create high rise looming blocks of flats, only single aspect in terms of fenestration, resulting in windowless rooms and internal shared areas, orientated so that the apartments would be either too hot and too bright, or too cold and too dark. There is little room for the provision of worthwhile safe outdoor playareas for children, particularly ones that could be surveilled from indoors, or be safely separated from residents' moving vehicles and road access. The awkward proposed access to the site for vehicles makes it uncertain as to whether a fire appliance, ladders and hoses would be able to reach all units in the development. This would be unsafe and therefore not legally compliant.

In terms of **'safeguarding and improving the environment'** adopting this small plot for the use of any type of large footprint, high density building with hardstanding for car parking will negatively impact the existing and potential future biodiversity of this small area of green space. The trees and garden serve as a respite for all species from noise, light and air pollution and a buffer zone between the busy road and the railway for a large number of existing residents from numbers 194 to 228 Upper Grosvenor Road. For the residents of 232-242 Upper Grosvenor Road their small and only outdoor green space would also be severely compromised. Developers' promises to respect the root drainage and the canopy spread of the many trees subject to Tree Protection Orders on this plot and to include new planting

and soft landscaping in their plans in order to sustain or enhance biodiversity are not protected in terms of policy wording and cannot be assured in terms of the future lifespan of any development.

The NPPF states that new development should **'limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.'** The existing single dwelling and garden currently have no negative impacts in this respect and could be described as **'intrinsically dark'**. A high density development with multiple flats using internal lighting, adjacent floodlit parking areas and the intensification of use of the existing, single track access driveway to become a streetlamp lit pedestrian foot and cycle path, will constitute a marked negative change, where light spill impacts both the residential amenity of a large number of people and the biodiversity of the area. This is unsound and not legally compliant with the NPPF. This is evidenced by the Senior Scientific Officer's observations in the Environmental Protection statement, submitted as part of a current Planning Application regarding this plot, dated 26 March 2021: *"I would recommend the attachment of a condition to ensure that neighbouring properties are not affected by light spill from the development."* It is impossible to foresee how any proposed design could light the pedestrian footpath, the vehicle access and the parking areas sufficiently to make them safe for users yet avoid light spill negatively impacting both a large number of existing residents and the environment. (Photograph attached to demonstrate proximity of the currently unlit driveway to existing homes.)

The NPPF also states that planning policies and decisions should protect **'the potential sensitivity of the site or the wider area to impacts that could arise from the development'**. The compact nature and awkward shape of this wedge of land mean that conceiving a design which limits or excludes overlooking is extremely challenging. Developers will rely on the screening provided by existing mature trees on the site. However, a current Planning Application pertaining to this site: 21/00460/OUT evidences how easy it is for developers to use computer generated images to convey an impression of a far taller, broader and generally more substantial tree canopy than is in fact the case and which omits to make visually clear that the majority of these trees are deciduous and so, bare for many months of the year. Therefore, the impact on both existing and future residents' rights to privacy and to avoiding both overlooking and overhearing in their homes cannot be assured by the adoption of this plot for dense development, making it both unsound and not legally compliant.

The NPPF states that **'it should be ensured that...safe and suitable access to the site can be achieved for all users'**. In respect of road safety and the safety of pedestrians this site is ill-suited to an intensification of use of the existing single track driveway to a pedestrian and cycle path between number 228 and numbers 232-242 Upper Grosvenor Road and the additional road access proposed by the demolition of 202, Upper Grosvenor Road.

Upper Grosvenor Road is a long residential road which serves as a main artery for the town. The road is used by large vehicles including lorries and is a bus route for both local buses and frequent rail replacement bus services. In many stretches the road is too narrow to allow two way traffic, not least because there is limited off street parking so many residents are obliged to park on the street. At all times but, especially at rush hour when there are families and children walking to school, drivers frequently mount the curb or abuse the dropped curb at the exact point proposed to be the entrance and exit for pedestrians and cyclists. Drivers frequently exceed the speed limit and there has been more than one fatality and several serious injuries to pedestrians and other road users in this immediate area. (Photograph attached to evidence traffic build-up and resulting congestion with vehicle mounting the curb at the access point for the proposed pedestrian and cycle path.)

The proposed road access to the dwellings to be created by the demolition of the house at number 202 is similarly dangerous and ill-conceived. The road access would join the main road at a bend and on an incline and, unless several residents' front garden and driveway hedges and shrubs are severely cut back, or even removed, it is the case that sight lines in both directions would be severely compromised and would be further impacted when rubbish bins are left out. In winter, low sun further reduces visibility.

At peak times residents of the new development will be forced to queue with idling engines waiting to turn left or right, on to or from Upper Grosvenor Road. This will exacerbate existing congestion and create fumes polluting the air. Queuing or moving traffic along and around the proposed access would severely compromise the environment in terms of noise, fumes and vibrations and the existing residential amenity of a large number of residents in the adjacent and surrounding homes. The close proximity of several private driveways, a bus stop and the junction of Silverdale Lane opposite the proposed access, also increases the risk of accidents in stretch of a road that has seen many accidents including regular damage to residents' parked cars.

For these reasons the adoption of this plot into the local plan would not be compliant with a duty to provide existing and future users with safe access and road safety.

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 site is unsuitable for a dense development with multiple dwellings and their accompanying vehicles. There is no justification for cramming blocks of flats on to a small piece of land that is better and more effectively purposed as a green buffer zone offering sustainably built homes to key workers. In terms of modifications, it could be proposed to scrap the demolition of number 202 Upper Grosvenor Road and focus on removing number 230 and replacing it with two family homes. These homes would be accessed using the existing driveway. Residents of the new houses could have parking for a maximum of 4 vehicles not including occasional visitors, this would need to be legally protected to avoid overuse by vehicles. In this way the existing green space and biodiversity would be preserved or even enhanced, road safety would not be seriously negatively impacted and existing residents' amenities would be less compromised. Residents of the new homes would enjoy their privacy and safe garden space.

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)

Question 8

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

Adopting this plot of land into the Local Plan will only meet the criteria for sustainability if the scale of any development is mindful of the relevant environmental issues at every stage. Any intensification of plot use increasing from a single to multiple dwellings with accompanying motor vehicles does not represent a sustainable use of land even if steps are taken in an attempt to mitigate against some elements of potential negative impact. The use of power, energy and resources required to build an intense development and the application of largely non-sustainable, non-recyclable, non-eco-friendly

building materials like wise. Large areas of hardstanding and buildings on garden land at the expense of existing trees and wildlife habitat represents the antithesis of sustainability.

If you would like to attach a file in support of your comments, please upload it here. [E49D4A2B-CD84-4F65-AD7F-058D9BF51005.jpeg](#)

If you would like to attach a file in support of your comments, please upload it here. [564E300A-1BA1-490A-BF33-449C972C705F.jpeg](#)

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	Michael Ewing [REDACTED]
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	Michael Ewing [REDACTED]
Comment ID	PSLP_677
Response Date	30/05/21 11:43
Consultation Point	Policy AL/RTW 6 Land at 202 and 230 Upper Grosvenor Road (View)
Status	Processed
Submission Type	Web
Version	0.2

Question 1

Respondent's Name and/or Organisation	Jennifer Ewing
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Question 3

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

Question 3a

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

Policy AL/RTW 6

Question 4

Do you consider that the Local Plan:

Is sound	No
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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
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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.

SAFE ACCESS & ROAD SAFETY Paragraph 108 of National Planning Policy Framework states that safe and suitable access to the site should be achieved for all users. Upper Grosvenor Road is already a very busy and unsafe road with a long history of incidents and accidents particularly on the bend on which the access road (currently 202) will be created. We witness at least 3 incidents a year (not all attended by the police) (At least two known deaths.) It is already quite unsafe pulling out of drives on to such a busy road especially as cars parked on the road obscure the view and cars speed along Upper Grosvenor Road. The access road will be on sharp bend with a downhill slope so visibility will be very poor. The road will only get busier and with more housing, the number of parked cars will increase. (Parking may be part of the development but people always seem to have more cars and more visitors with cars than parking. There is already a parking overflow into UGR. Because people want to tuck their cars in off the road, people already park on the pavement blocking the pavements for prams and wheelchair users.) During the development no doubt the construction vehicles will block the road and decrease visibility further. There is a bus stop and Silverdale Lane, which gives on to Upper Grosvenor Road, opposite the proposed access road. There will be a lot happening at this junction and safety will be compromised. The road is used by children as St John's school is nearby. Children walk to schools such as TWGGS and Skinners via UGR and families need to be able to cross the road to go to the well used Grosvenor and Hilbert park, the entrance to which is about 500 metres from the proposed access road. OVERDEVELOPMENT Further the proposed development overdevelops the site which is not in line with paragraph 117 of the NPPF which states planning policies should promote the effective use of land and ensure safe and healthy living conditions. It is a small strip and inappropriate shape (triangular) of land on which to put 45 units which will probably also have to make space for 50+ residents' cars. The development will be further cramped as many of the trees on the site are subject to tree protection orders so the developer will have to work round these orders. Development will lead to a loss of biodiversity. Such a densely developed site with so many units cramped into such a tiny space cannot lead to satisfactory healthy living conditions for future residents. Will the site have proper provision of community and green space for residents along with light, spacious, airy housing. And does the infrastructure exist to support the new residents such as school places and spaces at local doctors?

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	Annabel Greig ([REDACTED])
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	Annabel Greig ([REDACTED])
Comment ID	PSLP_1354
Response Date	04/06/21 16:26
Consultation Point	Policy AL/RTW 6 Land at 202 and 230 Upper Grosvenor Road (View)
Status	Processed
Submission Type	Web
Version	0.1
Question 1	
Respondent's Name and/or Organisation	Annabel Greig
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
AL RTW/6	
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 . It is not effective because:

Question 5

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

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

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

I would suggest that this plan is not sound because the proposed development on Upper Grosvenor Road would not comply with the policies of the NPPF. I am of this opinion for the following reasons:

- 1 The site is not of a suitable size for such a development and planning applications in similar cramped sites are refused
- 2 Loss of essential green buffer zone between railway line and Upper Grosvenor Road. Substantial number of trees will be removed to accommodate such a large development
- 3 Light, noise and air pollution will be increased in the area
- 4 The need for density dictates that the apartments be deep blocks and will not be pleasant to live in due to removal of trees, cold, windowless spaces and limited ventilation.
- 5 Access - the small site and triangular shape are not suitable for a development of this size and its access requirements
- 6 Parking - overflow onto Upper Grosvenor Road and surrounding areas potentially hazardous
- 7 Increased risk of road traffic accidents in an area which already has a history of collisions, with two known deaths. A large number of school children travel along the road on foot. Road narrowing will only exacerbate this and hinder access for emergency vehicles. Speeding is already a problem on Upper Grosvenor Road.

Question 6

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

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 proposed development on Upper Grosvenor Road should not proceed.

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	Peter Lidstone ()
Email Address	
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Peter Lidstone ()
Comment ID	PSLP_1308
Response Date	04/06/21 15:18
Consultation Point	Policy AL/RTW 6 Land at 202 and 230 Upper Grosvenor Road (View)
Status	Processed
Submission Type	Web
Version	0.1
Question 1	

Respondent's Name and/or Organisation	Councillor Peter Lidstone
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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.

AL/RTW 6

Question 4

Do you consider that the Local Plan:

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

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

Question 5

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

Development of this scale on a small site which is backed onto by a number of nearby houses would have a detrimental impact on the amenity of both the existing and new residents. Existing issues with noise and air pollution on Upper Grosvenor Road would be deepened – with a loss of refuge, clean air and dark sky to the rear of properties facing onto 230 Upper Grosvenor Road. High blocks are required to achieve the proposed density at the site, which would result in overlooking of existing properties. The tree screen at the boundary is the single element protecting amenity of neighbouring properties. Many trees are deciduous, so would provide no effective screening during winter months

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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I believe that allocation AL/RTW6 should be removed from the Pre-Submission Local Plan.

Question 7

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

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

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

Question 8

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

I struggle to follow how the site has scored positively in terms of sustainability when an application for two dwellings (rather than the 44 currently proposed) was rejected in 2005 because of concerns:

- "The proposal would give rise to a cramped and discordant form of backland development"
- Impact on trees including many with TPOs
- Highways risks and lack of visibility splay provision

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	Nitin Parmar [REDACTED]
Email Address	[REDACTED]
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Nitin Parmar [REDACTED]
Comment ID	PSLP_1138
Response Date	03/06/21 17:39
Consultation Point	Policy AL/RTW 6 Land at 202 and 230 Upper Grosvenor Road (View)
Status	Processed
Submission Type	Web
Version	0.4
Question 1	
Respondent's Name and/or Organisation	Mr N Parmar
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.	
AL/RTW 6	
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.

- Loss of bio-diversity
- Trees are protected and I cannot see how they would not be effected by the build
- Other plans have been rejected before and some on a much smaller scale
- The area would be over populated and density os already very high
- The main road is already very busy and any additional traffic would be unbearable to local residents making life very unpleasant from a health and noise point of view
- Danger to proposed site access from the main road, the corner is a blind corner
- The proposal is too large and not in keeping with the area, the building would be a fire trap
- Not integrated with the local surroundings and building styles
- Overflow of traffic in an already heavily populated car area
- Increase in population would have a devastating impact on the natural environment
- Danger to children as the road already has a speeding problem with cars
- Loss of privacy as the build will over look into properties
- Noise increased by excess people in proposed building

Question 6

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

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Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

I do not believe there should be any modifications as it simply shouldn't go ahead

Question 7

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

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

Question 7a

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

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

I'm trying to protect a much loved area by its local residents becoming over populated and the danger of (what I see) is a building built solely for monetary gains which will be a very unpleasant place for the proposed residents to live in.

The build is wholly inncorrect and must be opposed

Question 8

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

N/A

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	Graham Siddle ([REDACTED])
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	Graham Siddle ([REDACTED])
Comment ID	PSLP_1327
Response Date	04/06/21 15:58
Consultation Point	Policy AL/RTW 6 Land at 202 and 230 Upper Grosvenor Road (View)
Status	Processed
Submission Type	Web
Version	0.1

Question 1

Respondent's Name and/or Organisation	Graham Siddle
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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.

AL/RTW 6

Question 4

Do you consider that the Local Plan:

Is legally compliant	Don't know
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Is sound	No
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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 . It is not justified 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 would to state teh following reasons makes this local plan unsound:

The current sit eproposal for 40-45 units is very different to anything else around thi spart of Upper Grosvenor Road and will increase the development of the area.

These buildings will be far taller than anything else in th enear vicinity creatinga major eyesore foe everyone living nearby or visiting the area.

Aware there are tree presevations in place but they will not be sufficienet to restrict the impact that these large dwellings will create by removal of trees and large shrubs.

Upper Grosvenor Road around this area has limited street parking and any extra traffic\vans or people arriving to the area cannot be catered for. Especially with the hill and two bends around this area cause significant issues already.

Significant noise increase in the area - Both sides will be affected while at present there is shielding from the un

The road is busy with school children and young families walking to and from school and going to Hilbert Rec. Excessive traffic and site works etc will cause major issue son this front. Especailly with restrictive parking and cars and buses mounting pavements to get up and down the road.

This proposed planning will completely change this are of St Johns and the surrounding area, reducing the amount of green space. Two talll buildings twice the height of anything else nearby will also be an eyesore for everyone and multiple trees etc will no doubt be removed as part of the building works taking place.

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

Supporting Information File Ref No: SI_4a-c

Comment

Consultee	Trix Tanzarella [REDACTED]
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	Trix Tanzarella [REDACTED]
Comment ID	PSLP_94
Response Date	04/06/21 16:16
Consultation Point	Policy AL/RTW 6 Land at 202 and 230 Upper Grosvenor Road (View)
Status	Processed
Submission Type	Web
Version	0.1
Files	21_00460_OUT-Luke_Engleback-4157778-7.pdf 1_Claimed_visibility_splay.pdf 2_ACTUAL_Visibility_Splay_taking_boundary_treatment_into_account.png
Question 1	
Respondent's Name and/or Organisation	Trix Tanzarella
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
	Policy AL/RTW 6
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 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.

We have found, based on the below, that the proposed policy AL/RTW6 is unsound as it is not consistent with national policy and does not enable the delivery of sustainable development in accordance with the policies in the NPPF. We present the following reasons.

1) OVERDEVELOPMENT:

NPPF paragraph 117 states that: "Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions."

The allocation of 40-45 residential dwellings constitutes an overdevelopment of the site. The site, at 0.47 hectare not taking the access road and pedestrian access into account, is constrained, isolated and ill proportioned for a development of this scale. If the premise is that the trees under TPO on the borders need to be maintained in order to protect amenity and biodiversity and to make the new development pleasant and liveable, then the effective developable area is indeed only 0.29 hectare, given the extent of the root protection areas required (as illustrated by the arboricultural report submitted in support of the current planning application for this site).

A number of previous planning applications for this site have been unsuccessful over the years due to the cramped nature of the site, for developments constituting 24 dwellings (2004), 14 dwellings (2004), and 2 dwellings (2005). One of the reasons cited by the planning dept. for the refusal of the application in 2005 was that the proposal "would give rise to a cramped and discordant form of backland development... The development would threaten existing trees (some of which are covered by Area tree preservation order No.8 2005) and Laurel hedge screen, which act as significant landscape features, the potential loss of which... would severely impact on the visual amenity and character of the area and create overlooking to the rear gardens of no's 204-220 Upper Grosvenor Road, thereby harming the privacy and amenity of the occupants of those properties..."

Although these conditions on site have not changed, we understand that the housing context has changed, and there is a greater need than ever to satisfy demand. The NPPF however requires that decisions should promote an effective use of land and that safe and healthy living conditions should be achieved. We understand that councils should be responsive to the demand, but we also believe it is of critical importance for this to be done with sensitivity and in the spirit of the NPPF, which encourages the creation of well-designed and liveable spaces. Extreme care should be taken to ensure that any available land is used well and overdevelopment should be avoided where it will lead to an environment that is cramped, over-occupied, isolated and overshadowed. Higher density developments should have adequate surrounding spill-over space to accommodate the needs of the residents and to create an environment generous enough to carry the inhabitants of the development. A development

of 40-45 units with its substantial building footprint and towering nature, as is illustrated by the current planning application, will require extensive parking, ample room for services and waste, generous external amenity space for its many users, play areas and ample access to sunlight. The site is simply not big enough to accommodate such needs adequately. The planning application for this site currently at council illustrates this fact clearly, as they are only able to provide very minimally in respect of external amenity space. In order to establish such a density on this site, deep blocks will be required, with single aspect apartments and with limitations on proper orientation in regards to solar gain and daylighting due to the limiting factors of preventing overlooking and the problems of facing onto the adjacent railway line.

In regards to local biodiversity, this site is an important stepping stone from Hilbert Wood to gardens along UGR. The site will sustain a heavy loss in biodiversity over the span of the construction works, especially given that the works area will be cramped, particularly if the boundary trees are to be maintained. In addition to accommodating the needs of any future residents, the area remaining around the building footprints should be large enough to sustain a nett biodiversity gain through landscaping measures – the smaller an area remains for such measures, the more difficult and costly for a developer to achieve the nett gain. Policies put in place should make it feasible for developers to achieve these requirements without excessive strain, or the requirements simply won't be achieved.

2) BOUNDARY TREES AS SCREEN & HIGH RISK OF DAMAGE TO TREES:

The AL/RTW6 proposal states that “The layout of any development within the site will need to have regard to the amenities of the existing properties and to retain an appropriate level of screening” with one of the requirements (No. 4) being that the layout and design of the development should protect the trees of most amenity value. It states that “Particular regard shall be had to the retention and reinforcement of the trees along the eastern and southern boundaries to retain an appropriate level of screening”. The proposal therefore relies heavily on the presence of trees on the boundary to prevent overlooking and protect amenity.

It's worth mentioning however, that the tall trees which are seen on plan to act as a visual screen all along the boundaries of the development do not do so uniformly as much depend on the crown height, density and whether they are indeed evergreen. Some trees are not in good health and require removal. Much of the existing “screen” is currently provided by lower infill vegetation which will likely be removed. There is no guarantee that any retained trees will remain in place into the future and won't be excessively pruned throughout the lifetime of a development. Cumulatively these factors indicate that the trees alone cannot be the means by which the harmful effects on amenity could be overcome.

Furthermore and probably more problematic, is that fact that a development at this scale poses a real risk to the health of the trees under TPO surrounding the site.

Extensive root protection areas would be required to reasonably protect the TPO trees on the boundary, as has been shown in the arboricultural report submitted under the current planning app for this site. The same planning application illustrates the large building footprints which would be required to establish 40-45 units. The root protection areas and building footprints combined would leave an excessively narrow works area around the building perimeter – with single access to the site for works, operations will be cramped and damage to these established TPO trees, will invariably become very difficult to avoid.

3) NOISE DISTURBANCE, AIR & LIGHT POLLUTION:

Paragraph 180 of the National Planning Policy Framework (2019) states:

Planning policies and decisions should ensure that new development is appropriate for its location taking into account the likely effects... and should:

- 1 *Mitigate and reduce to a minimum potential adverse impact resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life.*
- 2 *Identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason; and*
- 3 *Limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.*

Noise disturbance and air pollution are both existing problems along Upper Grosvenor Road. These problems will be deepened substantially by the introduction of 40-45 units. Currently there is some refuge from the existing road pollution and noise disturbance on UGR to the rear of the properties facing onto the green and undisturbed gardens of 230 UGR, which would be lost if this previously unaffected site were to be overdeveloped at the proposed scale.

Currently the residents along UGR facing onto 230 UGR have the benefit of dark sky to the rear with minimal artificial light in the evenings. The development itself but especially the streetlights required for the access road and new parking will likely drastically affect the amenity to the rear in this regard.

4) SAFE ACCESS & ROAD SAFETY:

Paragraph 108 of the National Planning Policy Framework (2019) states:

In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that: safe and suitable access to the site can be achieved for all users;

and Paragraph 110 states:

that applications for development should: create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles.

Upper Grosvenor Road is a busy road with many existing safety hazards to pedestrians and road users – especially being a main route for various large vehicles. This particular stretch of road is a school route and is in frequent use by large numbers of pedestrians due to the nearby High Brooms train station, Grosvenor & Hilbert Park and the Co-op on Silverdale Lane. The proposed access road joins to UGR on a bend with very poor visibility, especially to the north where there is a down slope. Residents on UGR have witnessed many accidents on this bend over the years and there are two known pedestrian deaths due to car accidents (please see attached photo record provided by Luke Engleback in his objection to the current planning app for this site: 21/00460/OUT). The bus stop and Silverdale Ln opposite the proposed entrance are further compounding factors on an already unsafe bend.

The Transport Statement provided by Motion for the current planning application determines that the proposed access achieves a required 43.3m visibility splay to the north. It is clear from the plan submitted that this is only achieved by drawing the splay almost on top of the adjacent property boundary. Furthermore, the traffic counter used to determine vehicle speeds which the required visibility splays are based on was recording traffic during tier 3 lockdown restrictions and the sample taken therefore does not represent real traffic conditions outside lockdown times. The determination in terms of the splay thus lacks due care on two counts. We are quite confused as to why the KCC Highways report for this same application considers that this splay is achieved, as in so doing it clearly does not take into account the particularities of the location. Bins put out along this boundary and the existing (or any future) boundary treatments of the property adjacent the sidewalk actually drastically impede the view. The hedging in question is reasonably well maintained and not overhanging to an inordinate extent (photograph attached) – it is not unreasonable to suppose that future boundary treatments might well impede the view even more drastically. Minimal caution has been applied here and setting the bar so low is an incredible oversight. This is of critical importance and should not be considered an auxiliary point as the combination of conditions on this bend, at a point of such low visibility will put lives in real danger. This is not a safe location for an access road to the site.

With Grenfell in our recent history we need no greater reminder of the real effects of decisions at these early stages of the planning process. With very many residents having highlighted the on-ground dangers of this road and the seriously inappropriate location of the proposed access road on the recent planning application, it would not be fair to say at any future evaluation, that caution had not been raised by local residents.

5) EMERGENCY ACCESS:

It should be noted that there is a single emergency access road to the proposed site. The narrow existing access to the north is not wide enough to accommodate emergency vehicles. With a single emergency access to the site and very tight turning circles one has to consider what the conditions might be like in the case of a fire.

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.

Access should be provided at a location where suitable visibility of oncoming traffic can be achieved, so that paragraphs 108 & 110 of the NPPF can be satisfied.

The scale of development and density should be proportionate to the site with the number of residential units at a much lower number than proposed, so that paragraph 117 & 180 of the NPPF can be satisfied and so that the land can be used effectively. Development should be proposed at a scale where it will be feasible for a developer to achieve the requirements set out in regards to well-designed and liveable spaces, adequate external amenity spaces, adequate daylighting and solar control, limiting impact on the amenity of existing residents, achieving of nett biodiversity gains etc. Development should be proposed at a scale where it would be feasible to construct and maintain the development without adverse impacts on the existing trees under TPO.

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)

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: Royal Tunbridge
Wells: Policy AL/RTW 7: Land at
former Gas Works, Sandhurst Road**

Comment

Agent	Nicola Furlonger [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Richard Hopkinson Architects
Address	[REDACTED] Tunbridge Wells [REDACTED]
Consultee	[REDACTED]
Company / Organisation	J Murphy & Sons and SGN
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	J Murphy & Sons and SGN [REDACTED]
Comment ID	PSLP_710
Response Date	28/05/21 17:33
Consultation Point	Policy AL/RTW 7 Land at former Gas Works, Sandhurst Road (View)
Status	Processed
Submission Type	Email
Version	0.5
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	J Murphy and Sons Ltd and SGN
Question 2	
Agent's Name and Organisation (if applicable)	Richard Hopkinson Architects
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

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

Policy AL/RTW 7 Land at former Gas Works, Sandhurst Road

Question 4

Do you consider that the Local Plan:

Is legally compliant Yes

Is sound Yes

Complies with the Duty to Cooperate Yes

Question 4a

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

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

Question 5

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

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

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

The proposed allocation of the former Gas Works Site at Sandhurst Road under **Policy AL/RTW7** for housing is supported by JMS and SGN. As noted in accompanying text, the Gas Works was decommissioned some years ago and now lies largely vacant, with the exception of a small compound area. The disposal and redevelopment of the former Gas Works is part of SGN's rolling programme of decommissioning gas holder sites across the country and replacing these with underground gas infrastructure. It is anticipated that the acquisition of the site by JMS from SGN will be completed over summer 2021 with a planning application pursued shortly after. JMS hope to commence development in 2022.

The site lies within the urban area and close to the mainline station at High Brooms (within 150 metres walking distance) and within easy reach of Tunbridge Wells town centre and key employment areas. It is therefore a highly sustainable location for new housing, in line with the strategic objectives and spatial strategy of the New Local Plan (e.g., Policies STR 1 and STR 3).

The site is therefore readily available, offers a suitable location for development now, and can be brought forward for delivery within the first five years of the new Local Plan. Its identification as a specific, deliverable site for years one to five of the Plan (in accordance with paragraph 67 of the NPPF), is therefore appropriate, meeting the NPPF's tests of soundness.

The proposed allocation of the site for "approximately 170-200 dwellings" is also supported, as is the recognition in Clause 2 of the Policy that the site has the potential to be developed at a range of heights, which might include taller buildings. In this respect, the Policy reflects the opportunity this site offers for achieving higher densities and the investigations and design work undertaken by JMS/SGN to date. JMS and SGN support the principles set out within the rest of the Policy as being appropriate to the site, with any wider contributions being subject to the relevant policy tests.

Notwithstanding the above support, JMS and SGN have outstanding concerns regarding the wider approach to parking standards set out in Policy TP 3 of the Pre-Submission Local Plan, which could unnecessarily and negatively impact on the delivery of optimum densities on the Gas Works site (see also JMS and SGN's response to proposed Policy TP 3). The respondent is therefore requesting that a bespoke approach to parking be adopted for the site, given its unique location and accessibility.

The former Gas Works site sits on the doorstep of a mainline rail station with links to major urban centres, including Tunbridge Wells (4 minutes journey time), Tonbridge (7 minutes) and London (40-55 minutes). It is close to other sustainable transport links and shops, facilities and employment opportunities, which include key employment areas at North Farm/Longfield Road and Southborough/High Brooms. These can be easily accessed on foot, bicycle or by bus.

The site is therefore uniquely located to benefit from sustainable travel options. As can be seen in the Residential Parking Standards Topic Paper for Pre-Submission Local Plan (February 2021), the site already lies in an area of relatively low car ownership and a higher proportion of train travel; transport measures would be adopted to support this characteristic and to further encourage sustainable transport choices. In addition, the likely nature of development on this site which, given its locational characteristics, is expected to comprise a higher proportion of smaller units, meaning that occupants of these units are likely to have lower levels of car ownership (as confirmed within the Topic Paper).

The site would lie within the proposed 'Zone B' area for the purposes of the parking standards (i.e., for developments inside the 'Limits to Built Development' of the urban areas), where minimum parking requirements are proposed. For the Gas Works site, these standards would fail to take account of the characteristics of the site and the nature of development and are likely to impose a level of parking that exceeds the number required, to the detriment of the site's development. The requirement for at least one space per residential unit (not including visitor spaces) – including one space for every one-bed unit, which the Topic Paper shows have an average 0.61 car or van ownership per apartment – would necessitate a minimum of 170 car parking spaces across the site, with negative consequences for the balance of development, resulting in a site that is dominated by car parking spaces at the expense of other communal and amenity spaces.

The exceptional circumstances set out in proposed Policy TP 3 would not allow for a bespoke approach, except where an SPD or neighbourhood plan allows this, which is not appropriate for this site. Alternatively, the policy allows for departures from the minimum standard where viability considerations demand. These would not however allow for a bespoke approach to reflect particular accessibility levels, or the nature of development, or a package of transport measures that would suppress car ownership. JMS and SGN believe this is required for this site.

Notwithstanding any revisions to Policy TP 3, in order to reflect the unique site-specific circumstances, JMS and SGN therefore request that Policy **AL/RTW 7 be amended to require that: ... "A bespoke approach to the provision of residential car parking be adopted that balances parking provision with the accessibility of the site and the delivery of a package of sustainable transport measures to be agreed with the Local Planning Authority."**

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.

To ensure the intentions of this site allocation are not undermined, JMS and SGN propose that Policy AL/RTW 7 be amended to incorporate the requirement that: ... **"A bespoke approach to the provision of residential car parking be adopted that balances parking provision with the accessibility of the site**

and the delivery of a package of sustainable transport measures to be agreed with the Local Planning Authority.”

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

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_2183
Response Date	04/06/21 16:56
Consultation Point	Policy AL/RTW 7 Land at former Gas Works, Sandhurst Road (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 AL/RTW 7 Land at former Gas Works, Sandhurst Road

[TWBC: see attached full representation, which has been input against the following: Section 1 (PSLP_2164), Section 2 (PSLP_2168), Section 3 (PSLP_2169), Policies STR1 (PSLP_2170), STR2 (PSLP_2171), STR4 (PSLP_2172), STR5 (PSLP_2174), STR7 (PSLP_2175), STR8 (PSLP_2176), Section 5 (PSLP_2177), Section 5: Royal Tunbridge Wells (PSLP_2178), Policies AL/RTW1 (PSLP_2180), AL/RTW5 (PSLP_2181), AL/RTW7 (PSLP_2183), AL/RTW14 (PSLP_2184), AL/RTW17 (PSLP_2185), AL/RTW21 (PSLP_2187), STR/SO1 (PSLP_2188), AL/SO1 (PSLP_2190), Strategic Sites (PSLP_2192), STR/SS1 (PSLP_2193), STR/SS2 (PSLP_2195), STR/SS3 (PSLP_2196), STR/PW1 (PSLP_2199), AL/PW1 (PSLP_2200), STR/CA1 (PSLP_2201), AL/CRS1 (PSLP_2202), AL/CRS2 (PSLP_2203), AL/CRS3 (PSLP_2204), AL/CRS4 (PSLP_2205), AL/CRS6 (PSLP_2206), AL/CRS7 (PSLP_2207), STR/HA1 (PSLP_2208), PSTR/BE1 (PSLP_2209), PSTR/BI 1 (PSLP_2210), PSTR/BM1 (PSLP_2211), PSTR/FR1 (PSLP_2212), PSTR/GO1 (PSLP_2213), PSTR/HO1 (PSLP_2214), AL/HO1 (PSLP_2215), PSTR/LA1 (PSLP_2216), AL/LA1 (PSLP_2217), PSTR/PE1 (PSLP_2218), AL/PE4 (PSLP_2219), PSTR/RU1 (PSLP_2220), PSTR/SA1 (PSLP_2221), AL/SA1 (PSLP_2222), PSTR/SP1 (PSLP_2223), EN1 (PSLP_2224), EN3 (PSLP_2225), EN4 (PSLP_2226), EN5 (PSLP_2227), EN8 (PSLP_2228), EN9 (PSLP_2229), EN10 (PSLP_2230), EN12 (PSLP_2231), EN13 (PSLP_2232), EN14 (PSLP_2233), EN18 (PSLP_2234), EN19 (PSLP_2235), EN20 (PSLP_2236), EN25 (PSLP_2237), EN26 (PSLP_2238), H1 (PSLP_2239), H3 (PSLP_2240), H7 (PSLP_2241), ED1 (PSLP_2242), ED2 (PSLP_2243), ED3 (PSLP_2244), ED4 (PSLP_2245), ED5 (PSLP_2246), ED6 (PSLP_2247), Town, Rural Service, Neighbourhood, and Village Centres (PSLP_2248), Policies TP1 (PSLP_2249), TP2 (PSLP_2250), TP3 (PSLP_2251), TP4 (PSLP_2252), TP5 (PSLP_2253), TP6 (PSLP_2254), OSSR1 (PSLP_2255), Appendix 4 (PSLP_2256) and Evidence Base (whole Plan) (PSLP_2257)

Question 4a

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

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

Question 5

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

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

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

Public Rights of Way

The County Council requests direct reference to Public Footpath WB10.

Question 6

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

Question 7

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

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

Question 7a

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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

Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Southern Water Services Plc
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Southern Water Services Plc [REDACTED]
Comment ID	PSLP_1205
Response Date	03/06/21 15:31
Consultation Point	Policy AL/RTW 7 Land at former Gas Works, Sandhurst Road (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	Southern Water
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy AL/RTW 7 Land at former Gas Works, Sandhurst Road	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes

Is sound	Yes
Complies with the Duty to Cooperate	Yes

Question 4a

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

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

Question 5

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Southern Water is the statutory wastewater undertaker for Tunbridge Wells. As such, we have undertaken a preliminary assessment of the capacity of our existing infrastructure and its ability to meet the forecast demand for this proposal. Our previous assessment of the site was only valid for 12 months due to our sewer network constantly evolving as new development connects upstream which will affect the available capacity downstream. The assessment reveals that existing local sewerage infrastructure to the site has limited capacity to accommodate the proposed development. Limited capacity is not a constraint to development provided that planning policy and subsequent conditions ensure that occupation of the development is phased to align with the delivery of new wastewater infrastructure.

Proposals for 200 dwellings at this site will generate a need for reinforcement of the wastewater network in order to provide additional capacity to serve the development. This reinforcement will be provided through the New Infrastructure charge to developers, and Southern Water will need to work with site promoters to understand the development program and to review whether the delivery of network reinforcement aligns with the occupation of the development. Connection of new development at this site ahead of new infrastructure delivery could lead to an increased risk of flooding unless the requisite works are implemented in advance of occupation.

Southern Water has limited powers to prevent connections to the sewerage network, even when capacity is limited. Planning policies and conditions, therefore, play an important role in ensuring that development is coordinated with the provision of necessary infrastructure, and does not contribute to pollution of the environment, in line with paragraph 170(e) of the revised National Planning Policy Framework (NPPF) (2019).

Our assessment has revealed that Southern Water's underground infrastructure crosses this site. This needs to be taken into account when designing the site layout. Easements would be required, which may affect the site layout or require diversion. Easements should be clear of all proposed buildings and substantial tree planting.

Question 6

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In consideration of the above, we recommend the following criterion for Policy AL/RTW 7

Occupation of development will be phased to align with the delivery of sewerage infrastructure, in liaison with the service provider.

Layout is planned to ensure future access to existing wastewater infrastructure for maintenance and upsizing purposes.

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

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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: Royal Tunbridge
Wells: Policy AL/RTW 8: TN2 Centre
and adjacent land, Greggs Wood
Road, Sherwood**

Comment

Consultee	Ms Alison Burchell [REDACTED]
Email Address	[REDACTED]
Company / Organisation	NHS Kent and Medway Clinical Commissioning Group
Address	[REDACTED] [REDACTED] Ashford [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	NHS Kent and Medway Clinical Commissioning Group [REDACTED]
Comment ID	PSLP_1550
Response Date	04/06/21 09:16
Consultation Point	Policy AL/RTW 8 TN2 Centre and adjacent land, Greggs Wood Road, Sherwood (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	NHS Kent and Medway Clinical Commissioning Group
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

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

Policy AL/RTW 8 TN2 Centre and adjacent land, Greggs Wood Road, Sherwood

[TWBC: this representation has been input against Policies AL/RTW 8, AL/RTW 15, STR/CRS 1, AL/HA 5, STR/SS 3, PSTR/HO 1, PSTR/BM 1, STR/SS 1, PSTR/GO 1 and AL/HO 3– see Comment

Numbers PSLP_1550, PSLP_1551, PSLP_1552, PSLP_1553, PSLP_1556, PSLP_1568 PSLP_1570, PSLP_1554, PSLP_1559 and PSLP_1569]

Question 4

Do you consider that the Local Plan:

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

Question 4a

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

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

Question 5

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

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

Policy AL/RTW8 - TN2 Centre and adjacent lane, Greggs Wood Road, Sherwood

Comment: The allocation for a medical centre is noted as an opportunity to inform the planning for primary medical care services in Tunbridge Wells.

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)
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Future Notifications

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:	No, I do not wish to be notified of future stages of the Local Plan
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Local Plan Regulation 19 representations in document order

**Comments on Section 5: Place
Shaping Policies: Royal Tunbridge
Wells: Policy AL/RTW 10: Montacute
Gardens**

Comment

Agent	Miss Joanna Chambers [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Changing Cities
Address	[REDACTED] LONDON [REDACTED]
Consultee	42 Leisure PLC [REDACTED]
Company / Organisation	42 Leisure PLC
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	42 Leisure PLC (42 Leisure PLC - 763367)
Comment ID	PSLP_1723
Response Date	04/06/21 12:06
Consultation Point	Policy AL/RTW 10 Montacute Gardens (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	42 Leisure Ltd
Question 2	
Agent's Name and Organisation (if applicable)	Changing Cities
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.

Paragraphs 5.28 and 5.70

Policy STR/RTW 2 Royal Tunbridge Wells Town Centre

Policy AL/RTW 10 Montacute Gardens

inset Maps 1 & 2

[TWBC: this representation has been input against Policies STR/RTW2 and AL/RTW10 – see Comment Numbers PSLP_1722 and PSLP_1723]

Question 4

Do you consider that the Local Plan:

Is legally compliant Yes

Is sound No

Complies with the Duty to Cooperate Yes

Question 4a

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

Do you consider that the Local Plan is not sound . **It is not effective 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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42 Leisure welcomes the reinstatement of land at Montacute Gardens as a site allocation under Policy AL/RTW10. Montacute Gardens is allocated in the adopted Local Plan for mixed use development as part of a comprehensive strategy to regenerate and revitalise the southern part of the Town Centre. Following the redevelopment of Union House, the site is critical to achieving the objectives for regeneration of this part of the town centre and cannot be viewed in isolation. However, whilst welcoming this change, 42 Leisure is concerned that the site has been excluded from the Town Centre Boundary and is no longer viewed in the context of the wider regeneration of this part of the town centre (previously referred to as the Eridge Road Area of Change).

42 Leisure Ltd has a long-standing commitment to helping Tunbridge Wells fulfil its great potential. The Company was established with the purpose of delivering high quality development and area regeneration which will ensure the town centre remains prosperous and vibrant whilst protecting and enhancing its unique character and heritage- making it the destination of choice with a stronger visitor economy and cultural offer. 42 Leisure previously prepared a comprehensive vision for the area incorporating Montacute Gardens, Union House and the surface car park (formerly referred to by the Council as the Eridge Road Area of Change) and remains committed to working with the Council and other landowners in delivering this.

In conjunction with other neighbouring sites, the land at Montacute Gardens has an important contribution to make in achieving the strategic objectives for the regeneration of this part of the town centre. 42 Leisure Ltd is concerned that as currently worded, Policy AL/RTW10 will not be effective and will lead to continued piecemeal development which will undermine these objectives. It is therefore requested that full consideration is given to the proposed amendments to enable all stakeholders to work together to realise their shared ambitions for the town.

Question 6

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42 Leisure considers further changes are required to the Draft Local Plan to make the policies effective and to reflect the importance of AL/RTW10 and the regeneration of this part of the town centre in achieving the overall vision for Royal Tunbridge Wells.

The following amendments are proposed:

1. Include reference in Paragraph 5.28 and Policy STR/RTW2 to regeneration of the southern part of the town centre- formerly the Eridge Road Area of Change. This area (including Montacute Gardens and Site AL/RTW2 Land at Auction House, Linden Park Road) should be included in the list of sites/areas identified for change within the town centre which are integral to the vision for the town and offer scope for redevelopment and enhancement to uses and the public realm as part of a comprehensive vision for the town centre. It is underutilised and poorly integrated with the Pantiles and wider town centre. Development within this area will act as a catalyst for the rejuvenation of the Pantiles and the wider town centre and help to ensure the future prosperity and vitality of the town. The redevelopment of the Union House site has started this process but on its own, will not deliver the full potential for revitalisation and enhancement of this part of the town centre. Development and enhancement of the existing properties and land at Montacute Gardens and the surface public car park are essential to realising the benefits for Tunbridge Wells. This should be acknowledged in the vision for the town centre which should promote high quality development well integrated with the wider area which delivers a rich mix of uses, high quality design and attractive streets and public spaces and respects the character and heritage of Royal Tunbridge Wells. This will require collaborative working between the Council, landowners and other stakeholders.

2. Paragraph 5.70 makes reference to the site allocation being on the edge of the town centre. The Town Centre Boundary (Inset Map 2) should be extended to include Land at Montacute Gardens (AL/RTW10).

3. Extend boundary of AL/RTW 10 to include the surface public car park fronting Eridge Road (A26).

4. Amend Paragraph 5.70 to reflect the importance of the site to the regeneration of the southern part of the town centre and the need for an overall vision and integration with the wider area.

5. Amend Policy AL/RTW 10 as follows:

- Add to introductory paragraph: 'The site forms a gateway to the town centre and proposals should contribute to the strategic objectives for the regeneration of this part of the town centre. An overall vision will be required to avoid piecemeal development. The site, as defined on the Royal Tunbridge Wells Policies Map and the Town Centre Inset Map, is allocated for a residential led mixed use development which may include other appropriate town centre uses'.
- Add to requirements: 'Proposals should be considered within the context of an overall masterplan and vision for the site'.
- Add to requirement 2: 'Proposals should enhance the conservation area and the adjacent Tunbridge Wells

Common and the setting of The Pantiles'. • Add to requirements: 'Development of the surface car park will be permitted as part of a comprehensive development subject to satisfying the criteria set out in Policy TP4'.

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:

42 Leisure Ltd may wish to participate in the hearing sessions to highlight the importance of the site and the regeneration of the southern part of the town centre to achieving the strategic vision and objectives for Royal Tunbridge Wells.

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	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Southern Water Services Plc
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Southern Water Services Plc [REDACTED]
Comment ID	PSLP_1199
Response Date	03/06/21 15:31
Consultation Point	Policy AL/RTW 10 Montacute Gardens (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	Southern Water
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy AL/RTW 10 Montacute Gardens	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes

Is sound	Yes
Complies with the Duty to Cooperate	Yes

Question 4a

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

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

Question 5

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

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

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

Southern Water is the statutory wastewater undertaker for Tunbridge Wells. Our assessment has revealed that Southern Water's underground infrastructure crosses this site. This needs to be taken into account when designing the site layout. Easements would be required, which may affect the site layout or require diversion. Easements should be clear of all proposed buildings and substantial tree planting.

Question 6

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

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Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

In consideration of the above, we recommend the following criterion for Policy AL/RTW 10

Layout is planned to ensure future access to existing wastewater infrastructure for maintenance and upsizing purposes.

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

Local Plan Regulation 19 representations in document order

**Comments on Section 5: Place
Shaping Policies: Royal Tunbridge
Wells: Policy AL/RTW 11: Former Plant
& Tool Hire, Eridge Road**

Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Southern Water Services Plc
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Southern Water Services Plc [REDACTED]
Comment ID	PSLP_1206
Response Date	03/06/21 15:31
Consultation Point	Policy AL/RTW 11 Former Plant & Tool Hire, Eridge Road (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	Southern Water
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy AL/RTW 11 Former Plant & Tool Hire, Eridge Road	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes

Is sound	Yes
Complies with the Duty to Cooperate	Yes

Question 4a

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

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

Question 5

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

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Southern Water is the statutory wastewater undertaker for Tunbridge Wells. Our assessment has revealed that Southern Water's underground infrastructure crosses this site. This needs to be taken into account when designing the site layout. Easements would be required, which may affect the site layout or require diversion. Easements should be clear of all proposed buildings and substantial tree planting.

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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In consideration of the above, we recommend the following criterion for Policy AL/RTW 11

Layout is planned to ensure future access to existing wastewater infrastructure for maintenance and upsizing purposes.

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

Local Plan Regulation 19 representations in document order

**Comments on Section 5: Place
Shaping Policies: Royal Tunbridge
Wells: Policy AL/RTW 12: Land at
Tunbridge Wells Telephone
Engineering Centre, Broadwater Down**

Comment

Agent	Mr Steven Davies [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Hobbs Parker Property Consultants Ltd
Address	Romney House Monument Way ASHFORD TN24 0HB
Consultee	Telereal Trillium [REDACTED]
Company / Organisation	British Telecom Plc & Telereal Trillium
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	British Telecom Plc & Telereal Trillium [REDACTED] [REDACTED]
Comment ID	PSLP_1037
Response Date	02/06/21 14:47
Consultation Point	Policy AL/RTW 12 Land at Tunbridge Wells Telephone Engineering Centre, Broadwater Down (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	Telereal Trillium
Question 2	
Agent's Name and Organisation (if applicable)	Hobbs Parker Property Consultants LLP
Question 3	

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

Policy

Question 3a

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

Policy AL/RTW 12 Land at Tunbridge Wells Telephone Engineering Centre, Broadwater Down

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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Policy AL / RTW 12 Land at Tunbridge Wells Telephone Engineering Centre, Broadwater Down

On behalf of the site owner, Telereal Trillium, I can confirm their continued support for the allocation of the site in accordance with policy AL/RTW12 of the Reg 19 Plan, and can confirm that they would expect to bring a planning application forward to deliver the site in accordance with the allocation in a timescale of approximately 5 years. The allocation therefore remains both available for development and deliverable.

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

Consultee	Sarah Macintyre [REDACTED]
Email Address	[REDACTED]
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Sarah Macintyre [REDACTED]
Comment ID	PSLP_1763
Response Date	04/06/21 16:12
Consultation Point	Policy AL/RTW 12 Land at Tunbridge Wells Telephone Engineering Centre, Broadwater Down (View)
Status	Processed
Submission Type	Email
Version	0.3
Data inputter to enter their initials here	KH
Question 1	
Respondent's Name and/or Organisation	Sarah Macintyre
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/RTW 1 The Strategy for Royal Tunbridge Wells

Policy AL/RTW 12 Land at Tunbridge Wells Telephone Engineering Centre, Broadwater Down

[TWBC: this representation has been input against Policies STR/RTW1 and AL/RTW12 – see Comment Numbers PSLP_1761 and PSLP_1763]

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 am writing with respect to the plan for a huge scale development in the south side of the town, around Al rtw 12 and adjacent areas.

I strongly recommend that the number of proposed dwellings is reduced for reasons highlighted below. I do, however, appreciate the need to use brownfield rather than greenfield sites for development and strongly object to any further development of green field sites, such as the field adjoining the Ramslye estate.

1. There is currently a complete lack of cycling paths, safe cycling routes from this end of town into the centre. Any proposal would need to be a linked up plan, not just a box ticking one which takes a cyclist further away from their destination.
2. The current traffic in the area is already heavy and often at a standstill in the mornings/evenings. There is no proposal to support any changes to this, no vision of how to improve the local traffic conditions or how to reduce pollution and its health impacts on the local community.
3. There are very few safe crossing points in the area - to support pedestrians/non car users.
4. Additional traffic will impact the green spaces that are to remain.
5. Housing that has recently been built in other areas does not appear to be of sustainable, low energy type. Green space designated in these areas for playgrounds are minimal. Cars and garages dominate.

Given the imperative to reduce our carbon footprints, co2 emissions and environmental impact, I query where the real sustainability and vision for a cleaner, safer, environmentally friendly plan is.

I would strongly recommend a genuine review to help address these points.

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)?

Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Southern Water Services Plc
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Southern Water Services Plc [REDACTED]
Comment ID	PSLP_1202
Response Date	03/06/21 15:31
Consultation Point	Policy AL/RTW 12 Land at Tunbridge Wells Telephone Engineering Centre, Broadwater Down (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	Southern Water
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

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

Policy AL/RTW 12 Land at Tunbridge Wells Telephone Engineering Centre, Broadwater Down

Question 4

Do you consider that the Local Plan:

Is legally compliant	Yes
Is sound	Yes
Complies with the Duty to Cooperate	Yes

Question 4a

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

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

Question 5

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Southern Water is the statutory wastewater undertaker for Tunbridge Wells. Our assessment has revealed that Southern Water's underground infrastructure crosses this site. This needs to be taken into account when designing the site layout. Easements would be required, which may affect the site layout or require diversion. Easements should be clear of all proposed buildings and substantial tree planting.

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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In consideration of the above, we recommend the following criterion for Policy AL/RTW 12

Layout is planned to ensure future access to existing wastewater infrastructure for maintenance and upsizing purposes.

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

Local Plan Regulation 19 representations in document order

**Comments on Section 5: Place
Shaping Policies: Royal Tunbridge
Wells: Policy AL/RTW 13: Turners Pie
Factory, Broadwater Lane**

Comment

Consultee	Mrs S Sheldrake [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] ROYAL TUNBRIDGE WELLS [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Mrs S Sheldrake [REDACTED]
Comment ID	PSLP_45
Response Date	20/04/21 11:41
Consultation Point	Policy AL/RTW 13 Turners Pie Factory, Broadwater Lane (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	Susan Sheldrake
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

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

Policy AL/RTW 13: Turners Pie Factory, Broadwater Lane

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 against turner's going for yet more houses as this area is crowded and the town really needs jobs!

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	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Southern Water Services Plc
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Southern Water Services Plc [REDACTED]
Comment ID	PSLP_1207
Response Date	03/06/21 15:31
Consultation Point	Policy AL/RTW 13 Turners Pie Factory, Broadwater Lane (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	Southern Water
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy AL/RTW 13 Turners Pie Factory, Broadwater Lane	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes

Is sound	Yes
Complies with the Duty to Cooperate	Yes

Question 4a

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

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

Question 5

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

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Southern Water is the statutory wastewater undertaker for Tunbridge Wells. Our assessment has revealed that Southern Water's underground infrastructure crosses this site. This needs to be taken into account when designing the site layout. Easements would be required, which may affect the site layout or require diversion. Easements should be clear of all proposed buildings and substantial tree planting.

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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In consideration of the above, we recommend the following criterion for Policy AL/RTW 13

Layout is planned to ensure future access to existing wastewater infrastructure for maintenance and upsizing purposes.

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: Royal Tunbridge
Wells: Policy AL/RTW 14: Land at
Tunbridge Wells Garden Centre**

Comment

Consultee	Nicholas Kemp [REDACTED]
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	Nicholas Kemp [REDACTED]
Comment ID	PSLP_241
Response Date	21/05/21 12:20
Consultation Point	Map 14 Site Layout Plan (View)
Status	Processed
Submission Type	Web
Version	0.2

Question 1

Respondent's Name and/or Organisation N J Kemp

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.

5.91, 5.92, 5.93, 5.94

Question 4

Do you consider that the Local Plan:

Is sound No

Question 4a

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

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

Question 5

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5.91 Existing vehicular access to the site is directly from the A26 Eridge Road to the south east corner of the site, close to the bend in the Eridge Road. The Spa Valley Railway Line is located south of the site, including a bridge that crosses the Eridge Road just south of the site access.

The existing access from the site onto the Eridge Road is already dangerous with a steep slope onto a busy bend with restricted visibility. The proposed development will add considerably to the traffic using this access road and so will represent a much greater risk of accident. There is no pedestrian footpath on the garden centre side of the Eridge Road and so the pedestrians from the houses on the development going into town will need to cross a busy road on a dangerous bend. Therefore: 1) Traffic Safety and Hazard: Vehicle access point on A26 Eridge Road. Road Traffic Safety compromised due to additional vehicle movement volumes; with a traffic hazard as there is restricted line of sight (ref. also 5.94) Note: Existing access considered to be on apex of bend, not as defined above as 'close to the bend'. 2) Pedestrian Safety and hazard: No available pavement on the Common side of the A26 pedestrians will be crossing the A26 at a dangerous busy point

5.92 The site was released from the Green Belt, and the Development Strategy Topic Paper and Green Belt studies set out the exceptional circumstances and compensatory improvements to the remaining Green Belt to justify the changes to the boundary in this location.

What to date have been the compensatory improvements to the remaining Green Belt? The 2019 Plan describes the site as being part of a Biodiversity Opportunity Area where any development should demonstrate net gains for nature and biodiversity. Reference was also made to the DEFRA "MAGIC" website which described the area as suitable as woodpasture and parkland. Both these descriptions have been removed from the current plan.

5.93 It lies adjacent to the Royal Tunbridge Wells Conservation Area and to Tunbridge Wells Common, which is a designated Local Wildlife Site. Part of the site is also covered by the Environment Agency's Flood Zone 3. River Grom flooding Report 2017 (Currently Correct / Relevant unless structural changes have been made) – Ref pages 7-9 Extracts: (page 7 – 2.3 para 4) To the south and east of The Pantiles, much of the area has separate surface water and foul water drainage. The surface water sewers generally discharge to watercourses which ultimately flow into the River Grom. (Page 9 – 2.4.1 para 3) There is a Combined Sewer Overflow (CSO) from the public combined sewer in the culverted section of the River Grom that allows the combined sewer in the Pantiles area of Tunbridge Wells to discharge into it if its capacity is exceeded. The development is in a river valley. Under present conditions High Rocks Lane regularly floods as the point where it meets Hungershall Park (and where it is presumed the proposed "emergency exit" will be for the development). As a result the road is always in a poor condition with potholes that reappear quickly after frequent repairs. The road at this point is a blind bend with no footpath so pedestrians and cyclists often veer across the roadway to avoid the potholes and create a real danger of accidents to oncoming vehicles. This situation will only get worse once a large area of the valley floor is concreted over as a result of the development. It was recently noticed by local residents that the site currently suffers from a sewage problem. A large manhole cover had been dislodged and was surrounded by household waste which had obviously been forced out. It is hoped that this would be resolved as part of the development, especially as the River Grom is in close proximity and there is a seasonal flooding issue in that area, as referred to above in the 2017 flooding report.

5.94 Development would need to be sensitively designed to respect the location in proximity to the Common, the conservation area, and the topography of the site. However, it constitutes a sustainable site on the edge of the town centre and could accommodate a mix of uses, to include the

retention/expansion of the existing garden centre business and the introduction of some residential development within the site. However, Kent County Council, as the local highways authority, considers that the scale of development on the site may be limited due to the current access constraints. 108 Tunbridge Wells Borough Local Plan Regulation 19 Consultation Pre-Submission Local Plan Map 14 Site Layout Plan Policy AL/RTW 14 Land at Tunbridge Wells Garden Centre This site, as defined on the Royal Tunbridge Wells Policies Map, is allocated for the expansion of the existing Use Class E (a) commercial use (garden centre) with an element of residential of approximately 25-30 residential dwellings, of which 30 percent shall be affordable housing. Development on the site shall accord with the following requirements: 1. Means of access, including secondary and emergency means of access, to be informed by a transport statement; it is likely that the scale of any development may be limited by the quality of access arrangements that can be achieved within the confines of the site. An emergency access is likely to be required to the north; Planning consents often require provision of social/affordable housing under Section 106 Agreements, but invariably the developer comes back to the local authority later and pleads that it renders the scheme unviable. The 30% (eg) then falls away to 10% or less. The infrastructure requirements on this site will render development especially expensive. The contribution this site could make to meeting housing need is negligible. Previous planning for access - Refused(89/02011/FUL | New vehicular access. New gate and 1.8m high chain link boundary fence | Wyevale Garden Centre Eridge Road Royal Tunbridge Wells Kent TN4 8HP (midkent.gov.uk)) Ref. No: 89/02011/FUL | Received: Tue 07 Nov 1989 | Validated: Thu 14 Jun 1990 | Status: Decided Council Letter 1990 - Extracts detailing the Refusal reasons: 1 a) The proposed access would be likely to create unacceptable additional hazard to traffic. 2 a) The sight lines are inadequate and would create unacceptable additional hazards to traffic 3 a) The proposal would be undesirable in an area which is predominately rural in character, and would be detrimental both to the appearance and to the rural amenities of the locality. 4 a) The proposal would be likely to be unacceptably detrimental to residential amenities of adjacent dwellings The only change since 1990 is higher volumes of traffic on High Rocks Lane and Hungershall Park. No known local precedents have been set for a requirement of a secondary and/or an emergency access. Example: The existing adjacent large estate has no secondary or emergency access. Access: The suggested 'North' secondary and emergency access point will: Destroy a Bio Diverse habitat, impacting the natural rural dynamic. By default the access point becomes a tacit 'extra access' immediately opening onto High Rocks Lane with hazardous restricted/limited line of sight which is onto a speed de-restricted area and is a width constricted lane, plus opposite another lane entrance point; as highlighted in the council's planning permission access refusal 1990. There is a high probability for this access to become a local shortcut Proposing a Secondary and Emergency access appears to be a leverage argument to open up the site with another access point thereby ignoring the hazards identified, refer to previous valid refusal rational. There is a high probability for dangerous additional 'on road parking' at the lower end of Hungershall Park/ corner of High Rocks lane/ Cabbage Stalk Lane. The proposed new developments at Spratsbrook Farm and the old Plant & Tools Hire site by The West Station which is to have access directly on to Eridge Road, will both increase traffic flows along this busy stretch and force drivers to find alternative routes. Newts and a variety of amphibian wildlife have been seen in the site North aspect / River Grom area of this location. In traffic management terms an emergency exit would require either traffic light control, or a roundabout (taking up additional land) further eroding the natural character of the area.

2. The provision of pedestrian and cycle access to the north and improved pedestrian and cycle access into the town; If the access point is allowed to the north, then the suggested access is onto a hazardous speed de-restricted and width restricted lane. This was one of the reasons the previous planning for access was refused. This would also create a safety hazard for pedestrians as there is no pavement from the suggested access secondary/emergency point towards Cabbage Stalk Lane.

3. Adequate servicing and parking to serve the expanded commercial use on the site;

4. Provision of a green route through the site from east to west connecting to existing Public Rights of Way on Tunbridge Wells Common and Cabbage Stalk Lane;

Site East West access – Cabbage Stalk Lane will cause additional volume of use. This poses the following problems:

1) Compromise to safety and hazard as now a designated cycle path. Several near misses have already occurred with current multi-use volumes; as the majority of cyclists appear to disregard this lane as being a shared facility with pedestrians, pedestrians and dog walkers, plus vehicular access traffic.

- 2) Cyclists coming out of the new development will generally turn right into Cabbage Stalk Lane, adding to the volumes of cyclists using that lane. Furthermore, this will surely add to the number of cyclists on the Common who increasingly seem to be ignoring the “no cycling” rule there.
- 3) For those who might turn left into High Rocks Lane, this would add to the number of cyclists on this narrow lane with blind corners and numerous potholes - adding yet further risk to themselves, pedestrians and cars.
- 4) This is likely to further increase the volume of cyclists coming down the hill in Hungershall Park and towards the proposed development. Residents are increasingly concerned about the number of cyclists coming around the corner at very high speed and oblivious to the blind entrance several drives. There have been near misses recently and including one cyclist who recently came off his bike near the entrance to the drive at no. 12 Hungershall.
5. Development shall be located on the areas identified for mixed use on the site layout plan; Tunbridge Wells Borough Local Plan 109 Pre-Submission Local Plan Regulation 19 Consultation
6. Green infrastructure shall be provided on the areas shown indicatively in green on the site layout plan, and these shall be retained and enhanced. This shall include suitable buffering and enhancements to the River Grom corridor and to the setting of the adjacent Tunbridge Wells and Rusthall Common;
- The plan shows a green space buffer running alongside Cabbage Stalk Lane. The current woodland buffer is substantial and therefore the developer is likely to bulldoze and excavate as much as is feasible subject to ground stability and the preservation of valuable and species trees etc. The trees provide cover and privacy for wildlife and seclusion for walkers and local residents but are not in themselves wonderful specimens but are nevertheless very important to the semi rural nature of the area. The retention of as much tree cover as possible is very important. The River Grom flows along the Southern boundary of the plot alongside the railway line. The woodland and the river provide a habitat for deer and other wild animals. It would be desirable if the western end of the plot be preserved for wildlife, not be built upon and not used for vehicular access.
7. Regard will be given to existing hedgerows and mature trees on-site, with the layout and design of the development protecting those of most amenity value, as informed by an arboricultural survey and a landscape and visual impact assessment; The development will inevitably destroy and erode an established valuable bio-diverse habitat in a unique rural area.

Question 7

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

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

Future Notifications

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

Comment

Consultee	steven KING [REDACTED]
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	steven KING [REDACTED]
Comment ID	PSLP_292
Response Date	24/05/21 11:14
Consultation Point	Map 14 Site Layout Plan (View)
Status	Processed
Submission Type	Web
Version	0.2

Question 1

Respondent's Name and/or Organisation	Steven John King
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Question 3

To which part of the Local Plan does this representation relate?	Paragraph(s)
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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.

5.91,5.92,5.93,5.94

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 . It is not justified 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.

Additional housing in the garden center area will add to traffic creating hazards and is a real issue to safety of pedestrians and cyclists owing to the location being on a low visibility high speed corner.

The original access to the garden centre is already on a very dangerous road and there are no pavements along that stretch of road which would obviously be used heavily by pedestrians walking into town rather than just visiting the garden center in their cars as it is now.

5.92. With areas of greenbelt possibly being destroyed to make way for building then the mature nature and biodiversity will be decimated as will the areas of outstanding natural beauty.

5.93. Flooding in the area is a real concern as surface water from the lower end of Hungershall Park, High Rocks Lane and Cabbage Stalk Lane freezes during winter and is a deathtrap with black ice everywhere creating numerous accidents. Any proposed interference of natural drainage will only make matters worse due to change in water course.

5.94. The idea that a secondary and emergency access road to be put in from the north is directly in the area of already mass flooding, ice and a 90 degree bend. I live at the bottom of Hungershall Park and am very aware of the numerous accidents or near misses that happen on the bend including many times as I have been driving into or out of my gates so any more traffic of any sort will only lead to certain fatalities. Parking at the bottom of Hungershall Park and the corner of Cabbage Stalk Lane is already a problem which will only get worse if another access into a new housing development were to be granted. The area of possible access here would be completely not in keeping with the surrounding heavily wooded tranquil environment that remains home to a large amount of biodiversity many of which are protected. (bats, newts, snakes, badgers, deers amongst others)

I note that the previous planning application 89/02011/FUL Received 09/11/1989 was refused on many of the above comments and since then the only change has been more traffic off all sorts using Hungershall Park/Cabbage Stalk Lane and High Rocks Lane so any U-turn to approve this dangerous application will sadly only lead to death on or around the bend.

Question 6

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

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Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The only option for the proposal on the grounds of safety is to not go ahead with the plan and save lives or put a traffic light system at the entrance to the now garden center ,but this again is only going to create even more traffic problems into Tunbridge Wells.

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	Stephen Lacey [REDACTED]
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	Stephen Lacey [REDACTED]
Comment ID	PSLP_293
Response Date	24/05/21 09:53
Consultation Point	Map 14 Site Layout Plan (View)
Status	Processed
Submission Type	Web
Version	0.2

Question 1

Respondent's Name and/or Organisation	Stephen Lacey
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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.

"5.91, 5.92, 5.93, 5.94"

Question 4

Do you consider that the Local Plan:

Is sound	No
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Question 4a

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

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

Question 5

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

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

5.91 Existing vehicular access to the site is directly from the A26 Eridge Road to the south east corner of the site, close to the bend in the Eridge Road. The Spa Valley Railway Line is located south of the site, including a bridge that crosses the Eridge Road just south of the site access. The existing access from the site onto the Eridge Road is already dangerous with a steep slope onto a busy bend with restricted visibility. The proposed development will add considerably to the traffic using this access road and so will represent a much greater risk of accident.

There is no pedestrian footpath on the garden centre side of the Eridge Road and so the pedestrians from the houses on the development going into town will need to cross a busy road on a dangerous bend.

Therefore:

1) Traffic Safety and Hazard: Vehicle access point on A26 Eridge Road. Road Traffic Safety compromised due to additional vehicle movement volumes; with a traffic hazard as there is restricted line of sight (ref. also 5.94) Note: Existing access considered to be on apex of bend, not as defined above as 'close to the bend'. 2) Pedestrian Safety and hazard: No available pavement on the Common side of the A26 pedestrians will be crossing the A26 at a dangerous busy point

5.92 The site was released from the Green Belt, and the Development Strategy Topic Paper and Green Belt studies set out the exceptional circumstances and compensatory improvements to the remaining Green Belt to justify the changes to the boundary in this location. What to date have been the compensatory improvements to the remaining Green Belt?

The 2019 Plan describes the site as being part of a Biodiversity Opportunity Area where any development should demonstrate net gains for nature and biodiversity. Reference was also made to the DEFRA "MAGIC" website which described the area as suitable as woodpasture and parkland. Both these descriptions have been removed from the current plan.

5.93 It lies adjacent to the Royal Tunbridge Wells Conservation Area and to Tunbridge Wells Common, which is a designated Local Wildlife Site. Part of the site is also covered by the Environment Agency's Flood Zone 3.

River Grom flooding Report 2017 (Currently Correct /Relevant unless structural changes have been made)– Ref pages 7-9 Extracts:(page 7 – 2.3 para 4)To the south and east of The Pantiles, much of the area has separate surface water and foul water drainage. The surface water sewers generally discharge to watercourses which ultimately flow into the River Grom.(Page 9 – 2.4.1 para 3).... There is a Combined Sewer Overflow (CSO) from the public combined sewer in the culverted section of the River Grom that allows the combined sewer in the Pantiles area of Tunbridge Wells to discharge into it if its capacity is exceeded.

The development is in a river valley. Under present conditions High Rocks Lane regularly floods as the point where it meets Hungershall Park (and where it is presumed the proposed "emergency exit" will be for the development). As a result the road is always in a poor condition with potholes that reappear quickly after frequent repairs. The road at this point is a blind bend with no footpath so pedestrians and cyclists often veer across the roadway to avoid the potholes and create a real danger of accidents to oncoming vehicles. This situation will only get worse once a large area of the valley floor is concreted over as a result of the development.

It was recently noticed by local residents that the site currently suffers from a sewage problem. A large manhole cover had been dislodged and was surrounded by household waste which had obviously been forced out. It is hoped that this would be resolved as part of the development, especially as the River Grom is in close proximity and there is a seasonal flooding issue in that area, as referred to above in the 2017 flooding report.

5.94 *Development would need to be sensitively designed to respect the location in proximity to the Common, the conservation area, and the topography of the site. However, it constitutes a sustainable site on the edge of the town centre and could accommodate a mix of uses, to include the retention/expansion of the existing garden centre business and the introduction of some residential development within the site. However, Kent County Council, as the local highways authority, considers that the scale of development on the site may be limited due to the current access constraints. 108 Tunbridge Wells Borough Local Plan Regulation 19 Consultation Pre-Submission Local Plan Map 14 Site Layout Plan*

Policy AL/RTW 14 Land at Tunbridge Wells Garden Centre This site, as defined on the Royal Tunbridge Wells Policies Map, is allocated for the expansion of the existing Use Class E (a) commercial use (garden centre) with an element of residential of approximately 25-30 residential dwellings, of which 30 percent shall be affordable housing. Development on the site shall accord with the following requirements:

- 1 *Means of access, including secondary and emergency means of access, to be informed by a transport statement; it is likely that the scale of any development may be limited by the quality of access arrangements that can be achieved within the confines of the site. An emergency access is likely to be required to the north;*

Planning consents often require provision of social/affordable housing under Section 106 Agreements, but invariably the developer comes back to the local authority later and pleads that it renders the scheme unviable. The 30% (eg) then falls away to 10% or less. The infrastructure requirements on this site will render development especially expensive. The contribution this site could make to meeting housing need is negligible.

Previous planning for access - Refused(89/02011/FUL | New vehicular access. New gate and 1.8m high chain link boundary fence | Wyevale Garden Centre Eridge Road Royal Tunbridge Wells Kent TN4 8HP (midkent.gov.uk)) Ref. No: 89/02011/FUL | Received: Tue 07 Nov 1989 | Validated: Thu 14 Jun 1990 | Status: Decided Council Letter 1990 - Extracts detailing the Refusal reasons:1 a) The proposed access would be likely to create unacceptable additional hazard to traffic.2 a) The sight lines are inadequate and would create unacceptable additional hazards to traffic3 a) The proposal would be undesirable in an area which is predominately rural in character, and would be detrimental both to the appearance and to the rural amenities of the locality.4 a) The proposal would be likely to be unacceptably detrimental to residential amenities of adjacent dwellings

The only change since 1990 is higher volumes of traffic on High Rocks Lane and Hungershall Park.

No known local precedents have been set for a requirement of a secondary and/or an emergency access. Example: The existing adjacent large estate has no secondary or emergency access.

Access: The suggested 'North' secondary and emergency access point will:

- . Destroy a Bio Diverse habitat, impacting the natural rural dynamic .
- . By default the access point becomes a tacit 'extra access' immediately opening onto High Rocks Lane with hazardous restricted/limited line of sight which is onto a speed de-restricted area and is a width constricted lane, plus opposite another lane entrance point; as highlighted in the council's planning permission access refusal 1990.
- . There is a high probability for this access to become a local shortcut

Proposing a Secondary and Emergency access appears to be a leverage argument to open up the site with another access point thereby ignoring the hazards identified, refer to previous valid refusal rational.

There is a high probability for dangerous additional 'on road parking' at the lower end of Hungershall Park/ corner of High Rocks lane/ Cabbage Stalk Lane. The proposed new developments at Spratsbrook Farm and the old Plant & Tools Hire site by The West Station which is to have access directly on to Eridge Road, will both increase traffic flows along this busy stretch and force drivers to find alternative routes.

Newts and a variety of amphibian wildlife have been seen in the site North aspect / River Grom area of this location.

In traffic management terms an emergency exit would require either traffic light control, or a roundabout (taking up additional land) further eroding the natural character of the area.² *The provision of pedestrian and cycle access to the north and improved pedestrian and cycle access into the town;*

If the access point is allowed to the north, then the suggested access is onto a hazardous speed de-restricted and width restricted lane. This was one of the reasons the previous planning for access was refused.

This would also create a safety hazard for pedestrians as there is no pavement from the suggested access secondary/emergency point towards Cabbage Stalk Lane.

- 1 *Adequate servicing and parking to serve the expanded commercial use on the site;*
- 2 *Provision of a green route through the site from east to west connecting to existing Public Rights of Way on Tunbridge Wells Common and Cabbage Stalk Lane;* Site East West access – Cabbage Stalk Lane will cause additional volume of use. This poses the following problems:
 - 1) Compromise to safety and hazard as now a designated cycle path. Several near misses have already occurred with current multi-use volumes; as the majority of cyclists appear to disregard this lane as being a shared facility with pedestrians, pedestrians and dog walkers, plus vehicular access traffic.
 - 2) Cyclists coming out of the new development will generally turn right into Cabbage Stalk Lane, adding to the volumes of cyclists using that lane. Furthermore, this will surely add to the number of cyclists on the Common who increasingly seem to be ignoring the “no cycling” rule there.
 - 3) For those who might turn left into High Rocks Lane, this would add to the number of cyclists on this narrow lane with blind corners and numerous potholes - adding yet further risk to themselves, pedestrians and cars.
 - 4) This is likely to further increase the volume of cyclists coming down the hill in Hungershall Park and towards the proposed development. Residents are increasingly concerned about the number of cyclists coming around the corner at very high speed and oblivious to the blind entrance several drives. There have been near misses recently and including one cyclist who recently came off his bike near the entrance to the drive at no. 12 Hungershall.

- 1 *Development shall be located on the areas identified for mixed use on the site layout plan; Tunbridge Wells Borough Local Plan 109 Pre-Submission Local Plan Regulation 19 Consultation*
- 2 *Green infrastructure shall be provided on the areas shown indicatively in green on the site layout plan, and these shall be retained and enhanced. This shall include suitable buffering and enhancements to the River Grom corridor and to the setting of the adjacent Tunbridge Wells and Rusthall Common;* The plan shows a green space buffer running alongside Cabbage Stalk Lane. The current woodland buffer is substantial and therefore the developer is likely to bulldoze and excavate as much as is feasible subject to ground stability and the preservation of valuable and species trees etc. The trees provide cover and privacy for wildlife and seclusion for walkers and local residents but are not in themselves wonderful specimens but are nevertheless very important to the semi rural nature of the area. The retention of as much tree cover as possible is very important.

The River Grom flows along the Southern boundary of the plot alongside the railway line. The woodland and the river provide a habitat for deer and other wild animals. It would be desirable if the western end of the plot be preserved for wildlife, not be built upon and not used for vehicular access.⁷ *Regard will be given to existing hedgerows and mature trees on-site, with the layout and design of the development protecting those of most amenity value, as informed by an arboricultural survey and a landscape and visual impact assessment;*

The development will inevitably destroy and erode an established valuable bio-diverse habitat in a unique rural area.

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.

The development is not suitable in the area designated

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:

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

Comment

Consultee	Stephen Cooper [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Blue Diamond UK Ltd
Address	[REDACTED] [REDACTED] Guernsey [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Blue Diamond UK Ltd [REDACTED]
Comment ID	PSLP_1726
Response Date	04/06/21 14:52
Consultation Point	Policy AL/RTW 14 Land at Tunbridge Wells Garden Centre (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	Blue Diamond UK Ltd (Stephen Cooper)
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

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

Policy AL/RTW 14 Land at Tunbridge Wells Garden Centre

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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Blue Diamond Tunbridge Wells Garden Centre, Eridge Road, Tunbridge Wells TN4 8HR

Blue Diamond Garden Centres operate a network of over 30 commercial garden centres across the UK. We wish to submit representations to the Pre-Submission (Regulation 19) consultation draft of the Tunbridge Wells Borough Local Plan (BLP), particularly in respect of the draft policy allocation for the above garden centre site.

The draft allocation for the site Policy AL/RTW14 'Land at Tunbridge Wells Garden Centre' states that the site 'is allocated for the expansion of the existing Use Class E (a) commercial use (garden centre) with an element of residential of approximately 25-30 residential dwellings, of which 30 percent shall be affordable housing'. The policy sets out a total of ten requirements which any development on the site should satisfy. We welcome the identification in the Regulation 19 plan that the council considers the site to be suitable for continued and expanded use as a garden centre in the long term, and also suitable for residential uses alongside the garden centre. However, it is considered that alongside the continued operation of the garden centre and potential future residential use, the site also has potential to offer an enhanced contribution to meeting the identified retail capacity needs of the Borough, particularly in respect of the identified capacity for convenience goods floorspace. We note that the Regulation 18 publication of the Plan (September 2019) also allocated our site as a development opportunity, under draft allocation AL/RTW16. The Regulation 18 identified the site as being 'allocated for A1 retail use that could include an A1 convenience store at the eastern part of the site with an element of residential'. This allocation is supported by the company as the preferred mix of uses, and we consider that these uses can be accommodated on the site alongside the existing garden centre operation. We are therefore disappointed to note that the convenience retail element of this allocation has now been removed.

Reasons for removal of the convenience retail allocation We have reviewed the comments which were received on the Regulation 18 draft Local Plan, which have been published on the authority's website in respect of draft allocation AL/RTW16, as well as the Council's response to these comments, set out as Part 2 of the document 'Consultation Statement for Pre-Submission Local Plan' (March 2021). The Consultation Statement acknowledges that there has been a 'significant amendment' to AL/RTW16, stating that:

'This site as previously drafted was allocated for A1 retail use that could include an A1 convenience store with an element of residential... Following the findings within the Retail, Commercial Leisure and Town Centre Uses Study, as well as comments made during the Regulation 18 consultation, it is considered appropriate to allocate this site for expansion of the existing commercial use as well as an element of residential development of approximately 25-30 dwellings, due to its location outside of the town centre boundary.'

From the above it is clear that the two reasons for removing the convenience goods allocation for our site are, firstly, the findings of the Retail, Commercial Leisure and Town Centre Uses Study (which was published in February 2021, subsequent to the Regulation 18 consultation being undertaken), and secondly comments made during the Regulation 18 consultation. We consider each of these below.

(i) Findings of the Retail, Commercial Leisure and Town Centre Uses Study ('the Retail Study')

We note that the retail study identifies growth in convenience goods spending in the Borough, which translates into a positive requirement for new convenience goods floorspace over the new Local Plan period, of between 3,100 square metres and 5,400 square metres at the start date of the Local Plan (i.e. a current requirement), and this will increase to between 5,300 square metres and 9,300 by the end of the Local Plan period. This is a large quantum of convenience 'need' and for the Borough to ensure that the capacity is delivered to effectively meet the needs of existing and future local residents, these needs should be met through appropriate site allocations. Our site is considered to represent a suitable location to assist in meeting these substantial needs, particularly given its accessibility from residents in the south of the town, where the Local Plan identifies a substantial amount of new residential growth will be taking place. It will also assist in meeting the 'over-trading' of the nearby Sainsbury's store which is identified by the Retail Study, and is of sufficiently close proximity to Royal Tunbridge Wells town centre to enable linked shopping trips to be made – our site benefits from being under 600 metres walk from the foot of the Pantiles. Despite the need which is identified in the retail study, paragraph 4.30 of the Regulation 19 Local Plan states that the Council does not propose to allocate any sites for retail, and states that *'this floorspace capacity should be achieved through the bolstering of existing or proposed stores within existing centres', due to 'the substantial amount of vacant floorspace currently available, particularly in Royal Tunbridge Wells town centre'*. This is not a practical solution to meeting the substantial needs which have been identified by the Council's evidence base for the following reasons:

- the historic nature of Royal Tunbridge Wells, including the presence of a significant number of listed buildings and the fact that much of the town centre falls within a Conservation Area.
- Existing supermarkets in the town centre are small 'convenience' stores which are unlikely to be easily expanded, especially given the constraints identified above, to an extent where any extension is able to make a meaningful contribution to meeting the needs identified.
- We are not aware of any vacant units which are of sufficient size and offer the ability to meet the needs of modern supermarket operations, e.g. directly adjacent, surface-level customer car parking and servicing by large articulated delivery vehicles.
- The majority of residential growth for Royal Tunbridge Wells is towards the south of the town, meaning that residents would be less likely to use facilities in the town centre for food shopping than provision which is better located to easily meet their shopping needs. The existing Sainsbury's and Lidl stores, alongside our site, are much better placed to meet these future needs.

(ii) Comments on Regulation 18 consultation

From reviewing the comments on our submitted as part of the Regulation 18 consultation, we are of the view that none of the submitted comments justify the change in policy approach which is currently proposed by the Council. In particular, we welcome that Kent County Council's Highways and Transportation team supported the draft allocation, requesting that any alterations to means of access as part of the development of the site is informed by a Transport Assessment. We also note the comments which were submitted by Martin Robeson Planning Practice on behalf of Tesco Stores Limited. Having reviewed these, it is clear that these representations have been submitted to protect Tesco's trading position. The Council's Retail Study identifies that Tesco's main foodstore in the Borough, at Pembury, is trading very strongly, and is 'over-trading' compared to company averages. The representations which have been submitted are evidently seeking to protect this position as any new large foodstore in Royal Tunbridge Wells will inevitably draw some trade from this store. However, competition between retailers is not a planning matter and therefore there is not, in our view, justification for any weight to be given to the representations submitted by Tesco. We also dispute, for the reasons set out above, that our site is *'relatively remote from the bulk of the town's population'* and that convenience development at our site would be of *'potential detriment to the town'*. Our site is well-placed in close proximity to the town centre, to existing residents living on the southern and western sides of Royal Tunbridge Wells, and to meet the needs of planned future residential growth in these areas.

Conclusions

In light of the justification above, it is requested that Tunbridge Wells Borough Council reconsider the proposed approach set out in the Regulation 19 BLP, which removes the previously-identified convenience retail allocation for the Garden Centre site. There is a clear policy case for this allocation to be reinstated in light of the proximity of the site to the town centre and planned growth areas. For the avoidance of doubt, we welcome the policy support for the potential future expansion of the garden centre, and also support the retention of the residential element of the allocation. It is considered that the development of an appropriate scale of residential uses on the site where this would not compromise the future operations of the business. However, it is considered that a commitment from the Council in

its new Local Plan to enable the development of convenience goods retail of an appropriate scale (subject to satisfaction of the appropriate policy tests, and other key considerations such as Highways and Green Belt impact) is also required. We therefore request that the policy text for allocation AL/RTW4 in the Regulation 19 Local Plan is replaced with that previously used in the Regulation 18 consultation for allocation AL/RTW16.

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)?

Comment

Consultee	Joanna Bowden [REDACTED]
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	Joanna Bowden [REDACTED]
Comment ID	PSLP_526
Response Date	28/05/21 08:48
Consultation Point	Policy AL/RTW 14 Land at Tunbridge Wells Garden Centre (View)
Status	Processed
Submission Type	Web
Version	0.1
Question 1	
Respondent's Name and/or Organisation	Jo Bowden
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.	
5.91, 5.92, 5.93, 5.94	
Question 4	
Do you consider that the Local Plan:	
Is sound	No
Question 4a	
If you consider that the Local Plan is not sound, please answer this question.	

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

Question 5

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The current road infrastructure where the garden centre is located will cause more traffic the knock on effect throughout Tunbridge Wells along London Road and then St Johns Road would be even more chaotic and dangerous than it currently is. It is very difficult getting in and out of the garden centre currently due to the curve of the road.

The common itself which abuts this land will be affected for the wild life and the well being of the people who use the Common for their health and well being. The forest areas behind Ramslye leading to High Rocks and back round to Cabbage Stalk/Hungershall Park leading to the Common are places of beautiful green land and natural habitats. These particular areas should be preserved as they are part of the Tunbridge Wells natural beauty and image.

I also find that area is particularly flooded - surely this would cause many issues to drain the land whilst maintaining the greenland around it? The road side for the other exit - Hungershall Park would be dangerous, there are no footpaths there and the road itself is narrow and again where will the traffic divert to? these roads are not maintained on a regular basis and extra traffic will cause issues.

There are many other areas in TW that could be considered that don't affect the greenbelt, wildlife and natural beauty. For one the Cinema site! This has been left for at least 20 years.

Question 7

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Question 8

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

Are there going to be enough Schools, GP's, Dentists to cover the extra population these plans are going to encourage?

Will the council be considering developing the current shopping site into housing? As local and national businesses do not seem to be able to "afford" to stay in this commercial sector of the town?

There are many areas to use beyond the forest and green land in and around the town before we consider these areas.

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	Nadine Buckley [REDACTED]
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	Nadine Buckley [REDACTED]
Comment ID	PSLP_998
Response Date	02/06/21 22:27
Consultation Point	Policy AL/RTW 14 Land at Tunbridge Wells Garden Centre (View)
Status	Processed
Submission Type	Web
Version	0.3
Question 1	
Respondent's Name and/or Organisation	Nadine Buckley
Question 2	
Agent's Name and Organisation (if applicable)	N/A
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.	
5.91, 5.92, 5.93, 5.94	
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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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.

5.91 Existing vehicular access to the site is directly from the A26 Eridge Road to the south east corner of the site, close to the bend in the Eridge Road. The Spa Valley Railway Line is located south of the site, including a bridge that crosses the Eridge Road just south of the site access. The existing access from the site onto the Eridge Road is already dangerous with a steep slope onto a busy bend with restricted visibility. The proposed development will add considerably to the traffic using this access road and so will represent a much greater risk of accident.

There is no pedestrian footpath on the garden centre side of the Eridge Road and so the pedestrians from the houses on the development going into town will need to cross a busy road on a dangerous bend.

Therefore:

1) Traffic Safety and Hazard: Vehicle access point on A26 Eridge Road. Road Traffic Safety compromised due to additional vehicle movement volumes; with a traffic hazard as there is restricted line of sight (ref. also 5.94) Note: Existing access considered to be on apex of bend, not as defined above as 'close to the bend'. 2) Pedestrian Safety and hazard: No available pavement on the Common side of the A26 pedestrians will be crossing the A26 at a dangerous busy point

5.92 The site was released from the Green Belt, and the Development Strategy Topic Paper and Green Belt studies set out the exceptional circumstances and compensatory improvements to the remaining Green Belt to justify the changes to the boundary in this location. What to date have been the compensatory improvements to the remaining Green Belt?

The 2019 Plan describes the site as being part of a Biodiversity Opportunity Area where any development should demonstrate net gains for nature and biodiversity. Reference was also made to the DEFRA "MAGIC" website which described the area as suitable as woodpasture and parkland. Both these descriptions have been removed from the current plan.

5.93 It lies adjacent to the Royal Tunbridge Wells Conservation Area and to Tunbridge Wells Common, which is a designated Local Wildlife Site. Part of the site is also covered by the Environment Agency's Flood Zone 3.

River Grom flooding Report 2017 (Currently Correct /Relevant unless structural changes have been made)– Ref pages 7-9 Extracts:(page 7 – 2.3 para 4)To the south and east of The Pantiles, much of the area has separate surface water and foul water drainage. The surface water sewers generally discharge to watercourses which ultimately flow into the River Grom.(Page 9 – 2.4.1 para 3).... There is a Combined Sewer Overflow (CSO) from the public combined sewer in the culverted section of the

River Grom that allows the combined sewer in the Pantiles area of Tunbridge Wells to discharge into it if its capacity is exceeded.

The development is in a river valley. Under present conditions High Rocks Lane regularly floods as the point where it meets Hungershall Park (and where it is presumed the proposed “emergency exit” will be for the development). As a result the road is always in a poor condition with potholes that reappear quickly after frequent repairs. The road at this point is a blind bend with no footpath so pedestrians and cyclists often veer across the roadway to avoid the potholes and create a real danger of accidents to oncoming vehicles. This situation will only get worse once a large area of the valley floor is concreted over as a result of the development.

It was recently noticed by local residents that the site currently suffers from a sewage problem. A large manhole cover had been dislodged and was surrounded by household waste which had obviously been forced out. It is hoped that this would be resolved as part of the development, especially as the River Grom is in close proximity and there is a seasonal flooding issue in that area, as referred to above in the 2017 flooding report.

5.94 *Development would need to be sensitively designed to respect the location in proximity to the Common, the conservation area, and the topography of the site. However, it constitutes a sustainable site on the edge of the town centre and could accommodate a mix of uses, to include the retention/expansion of the existing garden centre business and the introduction of some residential development within the site. However, Kent County Council, as the local highways authority, considers that the scale of development on the site may be limited due to the current access constraints. 108 Tunbridge Wells Borough Local Plan Regulation 19 Consultation Pre-Submission Local Plan Map 14 Site Layout Plan*

Policy AL/RTW 14 Land at Tunbridge Wells Garden Centre This site, as defined on the Royal Tunbridge Wells Policies Map, is allocated for the expansion of the existing Use Class E (a) commercial use (garden centre) with an element of residential of approximately 25-30 residential dwellings, of which 30 percent shall be affordable housing. Development on the site shall accord with the following requirements:

- 1 *Means of access, including secondary and emergency means of access, to be informed by a transport statement; it is likely that the scale of any development may be limited by the quality of access arrangements that can be achieved within the confines of the site. An emergency access is likely to be required to the north;*

Planning consents often require provision of social/affordable housing under Section 106 Agreements, but invariably the developer comes back to the local authority later and pleads that it renders the scheme unviable. The 30% (eg) then falls away to 10% or less. The infrastructure requirements on this site will render development especially expensive. The contribution this site could make to meeting housing need is negligible.

Previous planning for access - Refused(89/02011/FUL | New vehicular access. New gate and 1.8m high chain link boundary fence | Wyevale Garden Centre Eridge Road Royal Tunbridge Wells Kent TN4 8HP (midkent.gov.uk)) Ref. No: 89/02011/FUL | Received: Tue 07 Nov 1989 | Validated: Thu 14 Jun 1990 | Status: Decided Council Letter 1990 - Extracts detailing the Refusal reasons:1 a) The proposed access would be likely to create unacceptable additional hazard to traffic.2 a) The sight lines are inadequate and would create unacceptable additional hazards to traffic3 a) The proposal would be undesirable in an area which is predominately rural in character, and would be detrimental both to the appearance and to the rural amenities of the locality.4 a) The proposal would be likely to be unacceptably detrimental to residential amenities of adjacent dwellings

The only change since 1990 is higher volumes of traffic on High Rocks Lane and Hungershall Park.

No known local precedents have been set for a requirement of a secondary and/or an emergency access. Example: The existing adjacent large estate has no secondary or emergency access.

Access: The suggested ‘North’ secondary and emergency access point will:

- . Destroy a Bio Diverse habitat, impacting the natural rural dynamic .
- . By default the access point becomes a tacit ‘extra access’ immediately opening onto High Rocks Lane with hazardous restricted/limited line of sight which is onto a speed de-restricted area and is a width constricted lane, plus opposite another lane entrance point; as highlighted in the council’s planning permission access refusal 1990.
- . There is a high probability for this access to become a local shortcut

Proposing a Secondary and Emergency access appears to be a leverage argument to open up the site with another access point thereby ignoring the hazards identified, refer to previous valid refusal rational.

There is a high probability for dangerous additional 'on road parking' at the lower end of Hungershall Park/ corner of High Rocks lane/ Cabbage Stalk Lane. The proposed new developments at Spratsbrook Farm and the old Plant & Tools Hire site by The West Station which is to have access directly on to Eridge Road, will both increase traffic flows along this busy stretch and force drivers to find alternative routes.

Newts and a variety of amphibian wildlife have been seen in the site North aspect / River Grom area of this location.

In traffic management terms an emergency exit would require either traffic light control, or a roundabout (taking up additional land) further eroding the natural character of the area.2. *The provision of pedestrian and cycle access to the north and improved pedestrian and cycle access into the town;*

If the access point is allowed to the north, then the suggested access is onto a hazardous speed de-restricted and width restricted lane. This was one of the reasons the previous planning for access was refused.

This would also create a safety hazard for pedestrians as there is no pavement from the suggested access secondary/emergency point towards Cabbage Stalk Lane.

- 1 *Adequate servicing and parking to serve the expanded commercial use on the site;*
- 2 *Provision of a green route through the site from east to west connecting to existing Public Rights of Way on Tunbridge Wells Common and Cabbage Stalk Lane;* Site East West access – Cabbage Stalk Lane will cause additional volume of use. This poses the following problems:1) Compromise to safety and hazard as now a designated cycle path. Several near misses have already occurred with current multi-use volumes; as the majority of cyclists appear to disregard this lane as being a shared facility with pedestrians, pedestrians and dog walkers, plus vehicular access traffic.
2) Cyclists coming out of the new development will generally turn right into Cabbage Stalk Lane, adding to the volumes of cyclists using that lane. Furthermore, this will surely add to the number of cyclists on the Common who increasingly seem to be ignoring the "no cycling" rule there.
3) For those who might turn left into High Rocks Lane, this would add to the number of cyclists on this narrow lane with blind corners and numerous potholes - adding yet further risk to themselves, pedestrians and cars.
4) This is likely to further increase the volume of cyclists coming down the hill in Hungershall Park and towards the proposed development. Residents are increasingly concerned about the number of cyclists coming around the corner at very high speed and oblivious to the blind entrance several drives. There have been near misses recently and including one cyclist who recently came off his bike near the entrance to the drive at no. 12 Hungershall.

- 1 *Development shall be located on the areas identified for mixed use on the site layout plan; Tunbridge Wells Borough Local Plan 109 Pre-Submission Local Plan Regulation 19 Consultation*
- 2 *Green infrastructure shall be provided on the areas shown indicatively in green on the site layout plan, and these shall be retained and enhanced. This shall include suitable buffering and enhancements to the River Grom corridor and to the setting of the adjacent Tunbridge Wells and Rusthall Common;* The plan shows a green space buffer running alongside Cabbage Stalk Lane. The current woodland buffer is substantial and therefore the developer is likely to bulldoze and excavate as much as is feasible subject to ground stability and the preservation of valuable and species trees etc. The trees provide cover and privacy for wildlife and seclusion for walkers and local residents but are not in themselves wonderful specimens but are nevertheless very important to the semi rural nature of the area. The retention of as much tree cover as possible is very important.

The River Grom flows along the Southern boundary of the plot alongside the railway line. The woodland and the river provide a habitat for deer and other wild animals. It would be desirable if the western end of the plot be preserved for wildlife, not be built upon and not used for vehicular access.7. *Regard will be given to existing hedgerows and mature trees on-site, with the layout and design of the development protecting those of most amenity value, as informed by an arboricultural survey and a landscape and visual impact assessment;*

The development will inevitably destroy and erode an established valuable bio-diverse habitat in a unique rural area.

Question 7

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Comment

Consultee	Robert Buckley [REDACTED]
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	Robert Buckley [REDACTED]
Comment ID	PSLP_996
Response Date	02/06/21 22:15
Consultation Point	Policy AL/RTW 14 Land at Tunbridge Wells Garden Centre (View)
Status	Processed
Submission Type	Web
Version	0.3
Question 1	
Respondent's Name and/or Organisation	Robert Buckley
Question 2	
Agent's Name and Organisation (if applicable)	N/A
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.	
5.91, 5.92, 5.93, 5.94	
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

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If the access point is allowed to the north, then the suggested access is onto a hazardous speed de-restricted and width restricted lane. This was one of the reasons the previous planning for access was refused.

This would also create a safety hazard for pedestrians as there is no pavement from the suggested access secondary/emergency point towards Cabbage Stalk Lane.

- 1 *Adequate servicing and parking to serve the expanded commercial use on the site;*
- 2 *Provision of a green route through the site from east to west connecting to existing Public Rights of Way on Tunbridge Wells Common and Cabbage Stalk Lane;* Site East West access – Cabbage Stalk Lane will cause additional volume of use. This poses the following problems:1) Compromise to safety and hazard as now a designated cycle path. Several near misses have already occurred with current multi-use volumes; as the majority of cyclists appear to disregard this lane as being a shared facility with pedestrians, pedestrians and dog walkers, plus vehicular access traffic.
2) Cyclists coming out of the new development will generally turn right into Cabbage Stalk Lane, adding to the volumes of cyclists using that lane. Furthermore, this will surely add to the number of cyclists on the Common who increasingly seem to be ignoring the "no cycling" rule there.
3) For those who might turn left into High Rocks Lane, this would add to the number of cyclists on this narrow lane with blind corners and numerous potholes - adding yet further risk to themselves, pedestrians and cars.
4) This is likely to further increase the volume of cyclists coming down the hill in Hungershall Park and towards the proposed development. Residents are increasingly concerned about the number of cyclists coming around the corner at very high speed and oblivious to the blind entrance several drives. There have been near misses recently and including one cyclist who recently came off his bike near the entrance to the drive at no. 12 Hungershall.

- 1 *Development shall be located on the areas identified for mixed use on the site layout plan; Tunbridge Wells Borough Local Plan 109 Pre-Submission Local Plan Regulation 19 Consultation*
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The River Grom flows along the Southern boundary of the plot alongside the railway line. The woodland and the river provide a habitat for deer and other wild animals. It would be desirable if the western end of the plot be preserved for wildlife, not be built upon and not used for vehicular access.7. *Regard will be given to existing hedgerows and mature trees on-site, with the layout and design of the development protecting those of most amenity value, as informed by an arboricultural survey and a landscape and visual impact assessment;*

The development will inevitably destroy and erode an established valuable bio-diverse habitat in a unique rural area.

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	marie byrne [REDACTED]
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	marie byrne [REDACTED]
Comment ID	PSLP_988
Response Date	02/06/21 20:04
Consultation Point	Policy AL/RTW 14 Land at Tunbridge Wells Garden Centre (View)
Status	Processed
Submission Type	Web
Version	0.3
Question 1	
Respondent's Name and/or Organisation	marie byrne
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.

5.91, 5.92, 5.93, 5.94

Question 4

Do you consider that the Local Plan:

Is sound No

Question 4a

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

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

- . It is not effective
- . It is not justified
- . 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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5.91 Existing vehicular access to the site is directly from the A26 Eridge Road to the south east corner of the site, close to the bend in the Eridge Road. The Spa Valley Railway Line is located south of the site, including a bridge that crosses the Eridge Road just south of the site access. The existing access from the site onto the Eridge Road is already dangerous with a steep slope onto a busy bend with restricted visibility. The proposed development will add considerably to the traffic using this access road and so will represent a much greater risk of accident.

There is no pedestrian footpath on the garden centre side of the Eridge Road and so the pedestrians from the houses on the development going into town will need to cross a busy road on a dangerous bend.

Therefore:

1) Traffic Safety and Hazard: Vehicle access point on A26 Eridge Road. Road Traffic Safety compromised due to additional vehicle movement volumes; with a traffic hazard as there is restricted line of sight (ref. also 5.94) Note: Existing access considered to be on apex of bend, not as defined above as 'close to the bend'. 2) Pedestrian Safety and hazard: No available pavement on the Common side of the A26 pedestrians will be crossing the A26 at a dangerous busy point

5.92 The site was released from the Green Belt, and the Development Strategy Topic Paper and Green Belt studies set out the exceptional circumstances and compensatory improvements to the remaining Green Belt to justify the changes to the boundary in this location. What to date have been the compensatory improvements to the remaining Green Belt?

The 2019 Plan describes the site as being part of a Biodiversity Opportunity Area where any development should demonstrate net gains for nature and biodiversity. Reference was also made to the DEFRA "MAGIC" website which described the area as suitable as woodpasture and parkland. Both these descriptions have been removed from the current plan.

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The development is in a river valley. Under present conditions High Rocks Lane regularly floods at the point where it meets Hungershall Park (and where it is presumed the proposed "emergency exit" will be for the development). As a result the road is always in a poor condition with potholes that reappear quickly after frequent repairs. The road at this point is a blind bend with no footpath so

pedestrians and cyclists often veer across the roadway to avoid the potholes and create a real danger of accidents to oncoming vehicles. This situation will only get worse once a large area of the valley floor is concreted over as a result of the development.

It was recently noticed by local residents that the site currently suffers from a sewage problem. A large manhole cover had been dislodged and was surrounded by household waste which had obviously been forced out. It is hoped that this would be resolved as part of the development, especially as the River Grom is in close proximity and there is a seasonal flooding issue in that area, as referred to above in the 2017 flooding report.

5.94 *Development would need to be sensitively designed to respect the location in proximity to the Common, the conservation area, and the topography of the site. However, it constitutes a sustainable site on the edge of the town centre and could accommodate a mix of uses, to include the retention/expansion of the existing garden centre business and the introduction of some residential development within the site. However, Kent County Council, as the local highways authority, considers that the scale of development on the site may be limited due to the current access constraints. 108 Tunbridge Wells Borough Local Plan Regulation 19 Consultation Pre-Submission Local Plan Map 14 Site Layout Plan*

Policy AL/RTW 14 Land at Tunbridge Wells Garden Centre This site, as defined on the Royal Tunbridge Wells Policies Map, is allocated for the expansion of the existing Use Class E (a) commercial use (garden centre) with an element of residential of approximately 25-30 residential dwellings, of which 30 percent shall be affordable housing. Development on the site shall accord with the following requirements:

1. *Means of access, including secondary and emergency means of access, to be informed by a transport statement; it is likely that the scale of any development may be limited by the quality of access arrangements that can be achieved within the confines of the site. An emergency access is likely to be required to the north;*

Planning consents often require provision of social/affordable housing under Section 106 Agreements, but invariably the developer comes back to the local authority later and pleads that it renders the scheme unviable. The 30% (eg) then falls away to 10% or less. The infrastructure requirements on this site will render development especially expensive. The contribution this site could make to meeting housing need is negligible.

Previous planning for access - Refused(89/02011/FUL | New vehicular access. New gate and 1.8m high chain link boundary fence | Wyevale Garden Centre Eridge Road Royal Tunbridge Wells Kent TN4 8HP (midkent.gov.uk)) Ref. No: 89/02011/FUL | Received: Tue 07 Nov 1989 | Validated: Thu 14 Jun 1990 | Status: Decided Council Letter 1990 - Extracts detailing the Refusal reasons:1 a) The proposed access would be likely to create unacceptable additional hazard to traffic.2 a) The sight lines are inadequate and would create unacceptable additional hazards to traffic3 a) The proposal would be undesirable in an area which is predominately rural in character, and would be detrimental both to the appearance and to the rural amenities of the locality.4 a) The proposal would be likely to be unacceptably detrimental to residential amenities of adjacent dwellings

The only change since 1990 is higher volumes of traffic on High Rocks Lane and Hungershall Park.

No known local precedents have been set for a requirement of a secondary and/or an emergency access. Example: The existing adjacent large estate has no secondary or emergency access.

Access: The suggested 'North' secondary and emergency access point will:

- . Destroy a Bio Diverse habitat, impacting the natural rural dynamic .
 - . By default the access point becomes a tacit 'extra access' immediately opening onto High Rocks Lane with hazardous restricted/limited line of sight which is onto a speed de-restricted area and is a width constricted lane, plus opposite another lane entrance point; as highlighted in the council's planning permission access refusal 1990.
 - . There is a high probability for this access to become a local shortcut
- Proposing a Secondary and Emergency access appears to be a leverage argument to open up the site with another access point thereby ignoring the hazards identified, refer to previous valid refusal rational.

There is a high probability for dangerous additional 'on road parking' at the lower end of Hungershall Park/ corner of High Rocks lane/ Cabbage Stalk Lane. The proposed new developments at Spratsbrook

Farm and the old Plant & Tools Hire site by The West Station which is to have access directly on to Eridge Road, will both increase traffic flows along this busy stretch and force drivers to find alternative routes.

Newts and a variety of amphibian wildlife have been seen in the site North aspect / River Grom area of this location.

In traffic management terms an emergency exit would require either traffic light control, or a roundabout (taking up additional land) further eroding the natural character of the area.² *The provision of pedestrian and cycle access to the north and improved pedestrian and cycle access into the town;*

If the access point is allowed to the north, then the suggested access is onto a hazardous speed de-restricted and width restricted lane. This was one of the reasons the previous planning for access was refused.

This would also create a safety hazard for pedestrians as there is no pavement from the suggested access secondary/emergency point towards Cabbage Stalk Lane.

3. Adequate servicing and parking to serve the expanded commercial use on the site;

4. Provision of a green route through the site from east to west connecting to existing Public Rights of Way on Tunbridge Wells Common and Cabbage Stalk Lane; Site East West access – Cabbage Stalk Lane will cause additional volume of use. This poses the following problems: 1) Compromise to safety and hazard as now a designated cycle path. Several near misses have already occurred with current multi-use volumes; as the majority of cyclists appear to disregard this lane as being a shared facility with pedestrians, pedestrians and dog walkers, plus vehicular access traffic.

2) Cyclists coming out of the new development will generally turn right into Cabbage Stalk Lane, adding to the volumes of cyclists using that lane. Furthermore, this will surely add to the number of cyclists on the Common who increasingly seem to be ignoring the “no cycling” rule there.

3) For those who might turn left into High Rocks Lane, this would add to the number of cyclists on this narrow lane with blind corners and numerous potholes - adding yet further risk to themselves, pedestrians and cars.

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5. Development shall be located on the areas identified for mixed use on the site layout plan; Tunbridge Wells Borough Local Plan 109 Pre-Submission Local Plan Regulation 19 Consultation

6. Green infrastructure shall be provided on the areas shown indicatively in green on the site layout plan, and these shall be retained and enhanced. This shall include suitable buffering and enhancements to the River Grom corridor and to the setting of the adjacent Tunbridge Wells and Rusthall Common; The plan shows a green space buffer running alongside Cabbage Stalk Lane. The current woodland buffer is substantial and therefore the developer is likely to bulldoze and excavate as much as is feasible subject to ground stability and the preservation of valuable and species trees etc. The trees provide cover and privacy for wildlife and seclusion for walkers and local residents but are not in themselves wonderful specimens but are nevertheless very important to the semi rural nature of the area. The retention of as much tree cover as possible is very important.

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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:

The proposed development at the garden centre backs directly on to our property

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	Douglas Cunningham [REDACTED]
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	Douglas Cunningham [REDACTED]
Comment ID	PSLP_1011
Response Date	03/06/21 00:12
Consultation Point	Policy AL/RTW 14 Land at Tunbridge Wells Garden Centre (View)
Status	Processed
Submission Type	Web
Version	0.3
Question 1	
Respondent's Name and/or Organisation	Douglas Cunningham
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.

"5.91, 5.92, 5.93, 5.94"

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 justified

Question 5

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 - 4) *This is likely to further increase the volume of cyclists coming down the hill in Hungershall Park and towards the proposed development. Residents are increasingly concerned about the number of cyclists coming around the corner at very high speed and oblivious to the blind entrance several drives. There have been near misses recently and including one cyclist who recently came off his bike near the entrance to the drive at no. 12 Hungershall.*

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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 am a local resident

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	Julia glasser [REDACTED]
Email Address	[REDACTED]
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Julia glasser [REDACTED]
Comment ID	PSLP_878
Response Date	02/06/21 11:00
Consultation Point	Policy AL/RTW 14 Land at Tunbridge Wells Garden Centre (View)
Status	Processed
Submission Type	Web
Version	0.1
Question 1	
Respondent's Name and/or Organisation	Julia Glasser
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.	
5.91, 5.92, 5.93, 5.94	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Don't know
Is sound	No
Complies with the Duty to Cooperate	Yes

Question 4a

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

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

- . 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.

5.91 Existing vehicular access to the site is directly from the A26 Eridge Road to the south east corner of the site, close to the bend in the Eridge Road. The Spa Valley Railway Line is located south of the site, including a bridge that crosses the Eridge Road just south of the site access. The existing access from the site onto the Eridge Road is already dangerous with a steep slope onto a busy bend with restricted visibility. The proposed development will add considerably to the traffic using this access road and so will represent a much greater risk of accident. There is no pedestrian footpath on the garden centre side of the Eridge Road and so the pedestrians from the houses on the development going into town will need to cross a busy road on a dangerous bend. Therefore: 1) Traffic Safety and Hazard: Vehicle access point on A26 Eridge Road. Road Traffic Safety compromised due to additional vehicle movement volumes; with a traffic hazard as there is restricted line of sight (ref. also 5.94) Note: Existing access considered to be on apex of bend, not as defined above as 'close to the bend'. 2) Pedestrian Safety and hazard: No available pavement on the Common side of the A26 pedestrians will be crossing the A26 at a dangerous busy point **5.92** The site was released from the Green Belt, and the Development Strategy Topic Paper and Green Belt studies set out the exceptional circumstances and compensatory improvements to the remaining Green Belt to justify the changes to the boundary in this location. What to date have been the compensatory improvements to the remaining Green Belt? The 2019 Plan describes the site as being part of a Biodiversity Opportunity Area where any development should demonstrate net gains for nature and biodiversity. Reference was also made to the DEFRA "MAGIC" website which described the area as suitable as woodpasture and parkland. Both these descriptions have been removed from the current plan. **5.93** It lies adjacent to the Royal Tunbridge Wells Conservation Area and to Tunbridge Wells Common, which is a designated Local Wildlife Site. Part of the site is also covered by the Environment Agency's Flood Zone 3. River Grom flooding Report 2017 (Currently Correct /Relevant unless structural changes have been made) – Ref pages 7-9 Extracts: (page 7 – 2.3 para 4)To the south and east of The Pantiles, much of the area has separate surface water and foul water drainage. The surface water sewers generally discharge to watercourses which ultimately flow into the River Grom. (Page 9 – 2.4.1 para 3).... There is a Combined Sewer Overflow (CSO) from the public combined sewer in the culverted section of the River Grom that allows the combined sewer in the Pantiles area of Tunbridge Wells to discharge into it if its capacity is exceeded. The development is in a river valley. Under present conditions High Rocks Lane regularly floods as the point where it meets Hungershall Park (and where it is presumed the proposed "emergency exit" will be for the development). As a result the road is always in a poor condition with potholes that reappear quickly after frequent repairs. The road at this point is a blind bend with no footpath so pedestrians and cyclists often veer across the roadway to avoid the potholes and create a real danger of accidents to oncoming vehicles. This situation will only get worse once a large area of the valley floor is concreted over as a result of the development. It was recently noticed by local residents that the site currently suffers from a sewage problem. A large manhole cover had been dislodged and was surrounded by household waste which had obviously been forced out. It is hoped

that this would be resolved as part of the development, especially as the River Grom is in close proximity and there is a seasonal flooding issue in that area, as referred to above in the 2017 flooding report. *5.94 Development would need to be sensitively designed to respect the location in proximity to the Common, the conservation area, and the topography of the site. However, it constitutes a sustainable site on the edge of the town centre and could accommodate a mix of uses, to include the retention/expansion of the existing garden centre business and the introduction of some residential development within the site. However, Kent County Council, as the local highways authority, considers that the scale of development on the site may be limited due to the current access constraints.* 108 Tunbridge Wells Borough Local Plan Regulation 19 Consultation Pre-Submission Local Plan Map 14 Site Layout Plan Policy AL/RTW 14 Land at Tunbridge Wells Garden Centre This site, as defined on the Royal Tunbridge Wells Policies Map, is allocated for the expansion of the existing Use Class E (a) commercial use (garden centre) with an element of residential of approximately 25-30 residential dwellings, of which 30 percent shall be affordable housing. Development on the site shall accord with the following requirements:

- 1 Means of access, including secondary and emergency means of access, to be informed by a transport statement; it is likely that the scale of any development may be limited by the quality of access arrangements that can be achieved within the confines of the site. An emergency access is likely to be required to the north;

Planning consents often require provision of social/affordable housing under Section 106 Agreements, but invariably the developer comes back to the local authority later and pleads that it renders the scheme unviable. The 30% (eg) then falls away to 10% or less. The infrastructure requirements on this site will render development especially expensive. The contribution this site could make to meeting housing need is negligible. Previous planning for access - Refused (89/02011/FUL | New vehicular access. New gate and 1.8m high chain link boundary fence | Wyevale Garden Centre Eridge Road Royal Tunbridge Wells Kent TN4 8HP (midkent.gov.uk) Ref. No: 89/02011/FUL | Received: Tue 07 Nov 1989 | Validated: Thu 14 Jun 1990 | Status: Decided Council Letter 1990 - Extracts detailing the Refusal reasons: 1 a) The proposed access would be likely to create unacceptable additional hazard to traffic. 2 a) The sight lines are inadequate and would create unacceptable additional hazards to traffic 3 a) The proposal would be undesirable in an area which is predominately rural in character, and would be detrimental both to the appearance and to the rural amenities of the locality. 4 a) The proposal would be likely to be unacceptably detrimental to residential amenities of adjacent dwellings The only change since 1990 is higher volumes of traffic on High Rocks Lane and Hungershall Park. No known local precedents have been set for a requirement of a secondary and/or an emergency access. Example: The existing adjacent large estate has no secondary or emergency access. Access: The suggested 'North' secondary and emergency access point will:

- . Destroy a Bio Diverse habitat, impacting the natural rural dynamic .
- . By default the access point becomes a tacit 'extra access' immediately opening onto High Rocks Lane with hazardous restricted/limited line of sight which is onto a speed de-restricted area and is a width constricted lane, plus opposite another lane entrance point; as highlighted in the council's planning permission access refusal 1990.
- . There is a high probability for this access to become a local shortcut

Proposing a Secondary and Emergency access appears to be a leverage argument to open up the site with another access point thereby ignoring the hazards identified, refer to previous valid refusal rational. There is a high probability for dangerous additional 'on road parking' at the lower end of Hungershall Park/ corner of High Rocks lane/ Cabbage Stalk Lane. The proposed new developments at Spratsbrook Farm and the old Plant & Tools Hire site by The West Station which is to have access directly on to Eridge Road, will both increase traffic flows along this busy stretch and force drivers to find alternative routes. Newts and a variety of amphibian wildlife have been seen in the site North aspect / River Grom area of this location. In traffic management terms an emergency exit would require either traffic light control, or a roundabout (taking up additional land) further eroding the natural character of the area. 2. *The provision of pedestrian and cycle access to the north and improved pedestrian and cycle access into the town;* If the access point is allowed to the north, then the suggested access is onto a hazardous speed de-restricted and width restricted lane. This was one of the reasons the previous planning for access was refused. This would also create a safety hazard for pedestrians as there is no pavement from the suggested access secondary/emergency point towards Cabbage Stalk Lane.

- 1 Adequate servicing and parking to serve the expanded commercial use on the site;
- 2 Provision of a green route through the site from east to west connecting to existing Public Rights of Way on Tunbridge Wells Common and Cabbage Stalk Lane; Site East West access – Cabbage

Stalk Lane will cause additional volume of use. This poses the following problems: 1) Compromise to safety and hazard as now a designated cycle path. Several near misses have already occurred with current multi-use volumes; as the majority of cyclists appear to disregard this lane as being a shared facility with pedestrians, pedestrians and dog walkers, plus vehicular access traffic. 2) Cyclists coming out of the new development will generally turn right into Cabbage Stalk Lane, adding to the volumes of cyclists using that lane. Furthermore, this will surely add to the number of cyclists on the Common who increasingly seem to be ignoring the "no cycling" rule there. 3) For those who might turn left into High Rocks Lane, this would add to the number of cyclists on this narrow lane with blind corners and numerous potholes - adding yet further risk to themselves, pedestrians and cars. 4) This is likely to further increase the volume of cyclists coming down the hill in Hungershall Park and towards the proposed development. Residents are increasingly concerned about the number of cyclists coming around the corner at very high speed and oblivious to the blind entrance several drives. There have been near misses recently and including one cyclist who recently came off his bike near the entrance to the drive at no. 12 Hungershall.

- 1 *Development shall be located on the areas identified for mixed use on the site layout plan; Tunbridge Wells Borough Local Plan 109 Pre-Submission Local Plan Regulation 19 Consultation*
- 2 *Green infrastructure shall be provided on the areas shown indicatively in green on the site layout plan, and these shall be retained and enhanced. This shall include suitable buffering and enhancements to the River Grom corridor and to the setting of the adjacent Tunbridge Wells and Rusthall Common; The plan shows a green space buffer running alongside Cabbage Stalk Lane. The current woodland buffer is substantial and therefore the developer is likely to bulldoze and excavate as much as is feasible subject to ground stability and the preservation of valuable and species trees etc. The trees provide cover and privacy for wildlife and seclusion for walkers and local residents but are not in themselves wonderful specimens but are nevertheless very important to the semi rural nature of the area. The retention of as much tree cover as possible is very important.*

The River Grom flows along the Southern boundary of the plot alongside the railway line. The woodland and the river provide a habitat for deer and other wild animals. It would be desirable if the western end of the plot be preserved for wildlife, not be built upon and not used for vehicular access. 7. *Regard will be given to existing hedgerows and mature trees on-site, with the layout and design of the development protecting those of most amenity value, as informed by an arboricultural survey and a landscape and visual impact assessment; The development will inevitably destroy and erode an established valuable bio-diverse habitat in a unique rural 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.

Bio-diversity is being highlighted world wide as being critical to the future of our planet and so I find it extraordinary that such a beautiful, peaceful area is being considered to be destroyed to create new housing when there are many other areas that would be more suitable. The calm and peace that many gain from walking through such delightful areas close to the town centre has been vital to the mental health of many, particularly during the past 15 months .

There have been deer , badgers, bats, foxes, bats, newts to name but a few, seen down there and to destroy that bio-diverse habitat that they have as their home, is irresponsible.

The loss of fauna would also directly affect the air and noise pollution for not only those enjoying the peace of the area, but the immediate neighbours as well.

The entrances proposed for this estate do not work either: the main entrance to the garden centre already causes traffic disruption on occasion and is hazardous to both enter and exit. The emergency exit by Cabbage Stalk Lane/ Hugershall Park would cause disruption in noise, calm and traffic should it be implemented and would probably cause major contamination to the water table which flows into the River Grom. Again, damaging immeasurable amounts of flora and fauna far beyond the immediate vicinity.

This development here would not be a wise choice as, in short, the road infrastructure cannot cope with such an increase in traffic.

There are currently many retail outlets which have shut down due to rates, the pandemic and a whole host of other reasons and it is these that I propose utilising as further residential housing. Also, there would appear to be an imbalance of new housing between the north and south of TW and maybe, the northern areas could be looked at more closely as since most traffic comes from the A21, it would help not having increased traffic flow straight through the town and historical common.

I believe the whole town structure needs to be looked at and a plan put in place that will not only increase housing, but possibly more importantly, holds on to a heritage that will encourage visitors to the area. Tunbridge Wells was a beautiful town, and we feel that we can get back to being a place that people want to visit and we are proud to live in. It wouldn't need to cost the town millions to do so either

Please consider this before irreversibly destroying such a beautiful area, which really should be protected, not built on

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)

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:

n/a

Question 8

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

I believe my comments above cover what my thoughts are

I would also comment that this form has been extremely difficult to comment on, it has deterred many from completing it

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	Patrick & Emily Goodall [REDACTED]
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	Patrick & Emily Goodall [REDACTED]
Comment ID	PSLP_288
Response Date	23/05/21 20:54
Consultation Point	Policy AL/RTW 14 Land at Tunbridge Wells Garden Centre (View)
Status	Processed
Submission Type	Web
Version	0.2
Question 1	
Respondent's Name and/or Organisation	Patrick & Emily Goodall
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.	
5.91, 5.92, 5.93, 5.94	
Question 4	
Do you consider that the Local Plan:	
Is sound	No
Question 4a	
If you consider that the Local Plan is not sound, please answer this question.	

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

Question 5

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There is no pedestrian footpath on the garden centre side of the Eridge Road and so the pedestrians from the houses on the development going into town will need to cross a busy road on a dangerous bend.

Therefore:

1) Traffic Safety and Hazard: Vehicle access point on A26 Eridge Road. Road Traffic Safety compromised due to additional vehicle movement volumes; with a traffic hazard as there is restricted line of sight (ref. also 5.94) Note: Existing access considered to be on apex of bend, not as defined above as 'close to the bend'. 2) Pedestrian Safety and hazard: No available pavement on the Common side of the A26 pedestrians will be crossing the A26 at a dangerous busy point.

5.92 The site was released from the Green Belt, and the Development Strategy Topic Paper and Green Belt studies set out the exceptional circumstances and compensatory improvements to the remaining Green Belt to justify the changes to the boundary in this location. What to date have been the compensatory improvements to the remaining Green Belt?

The 2019 Plan describes the site as being part of a Biodiversity Opportunity Area where any development should demonstrate net gains for nature and biodiversity. Reference was also made to the DEFRA "MAGIC" website which described the area as suitable as woodpasture and parkland. Both these descriptions have been removed from the current plan.

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River Grom flooding Report 2017 (Currently Correct /Relevant unless structural changes have been made)– Ref pages 7-9 Extracts:(page 7 – 2.3 para 4)To the south and east of The Pantiles, much of the area has separate surface water and foul water drainage. The surface water sewers generally discharge to watercourses which ultimately flow into the River Grom.(Page 9 – 2.4.1 para 3).... There is a Combined Sewer Overflow (CSO) from the public combined sewer in the culverted section of the River Grom that allows the combined sewer in the Pantiles area of Tunbridge Wells to discharge into it if its capacity is exceeded.

The development is in a river valley. Under present conditions High Rocks Lane regularly floods at the point where it meets Hungershall Park (and where it is presumed the proposed "emergency exit" will be for the development). As a result the road is always in a poor condition with potholes that reappear quickly after frequent repairs. The road at this point is a blind bend with no footpath so pedestrians and cyclists often veer across the roadway to avoid the potholes and create a real danger

of accidents to oncoming vehicles. This situation will only get worse once a large area of the valley floor is concreted over as a result of the development.

It was recently noticed by local residents that the site currently suffers from a sewage problem. A large manhole cover had been dislodged and was surrounded by household waste which had obviously been forced out. It is hoped that this would be resolved as part of the development, especially as the River Grom is in close proximity and there is a seasonal flooding issue in that area, as referred to above in the 2017 flooding report.

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Policy AL/RTW 14 Land at Tunbridge Wells Garden Centre This site, as defined on the Royal Tunbridge Wells Policies Map, is allocated for the expansion of the existing Use Class E (a) commercial use (garden centre) with an element of residential of approximately 25-30 residential dwellings, of which 30 percent shall be affordable housing. Development on the site shall accord with the following requirements:

1. *Means of access, including secondary and emergency means of access, to be informed by a transport statement; it is likely that the scale of any development may be limited by the quality of access arrangements that can be achieved within the confines of the site. An emergency access is likely to be required to the north;*

Planning consents often require provision of social/affordable housing under Section 106 Agreements, but invariably the developer comes back to the local authority later and pleads that it renders the scheme unviable. The 30% (eg) then falls away to 10% or less. The infrastructure requirements on this site will render development especially expensive. The contribution this site could make to meeting housing need is negligible.

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The only change since 1990 is higher volumes of traffic on High Rocks Lane and Hungershall Park.

No known local precedents have been set for a requirement of a secondary and/or an emergency access. Example: The existing adjacent large estate has no secondary or emergency access.

Access: The suggested 'North' secondary and emergency access point will:

- . Destroy a Bio Diverse habitat, impacting the natural rural dynamic.
- . By default the access point becomes a tacit 'extra access' immediately opening onto High Rocks Lane with hazardous restricted/limited line of sight which is onto a speed de-restricted area and is a width constricted lane, plus opposite another lane entrance point; as highlighted in the council's planning permission access refusal 1990.
- . There is a high probability for this access to become a local shortcut.

Proposing a Secondary and Emergency access appears to be a leverage argument to open up the site with another access point thereby ignoring the hazards identified, refer to previous valid refusal rationale.

There is a high probability for dangerous additional 'on road parking' at the lower end of Hungershall Park/ corner of High Rocks lane/ Cabbage Stalk Lane. The proposed new developments at Spratsbrook Farm and the old Plant & Tools Hire site by The West Station which is to have access directly on to

Eridge Road, will both increase traffic flows along this busy stretch and force drivers to find alternative routes.

Newts and a variety of amphibian wildlife have been seen in the site North aspect / River Grom area of this location.

In traffic management terms an emergency exit would require either traffic light control, or a roundabout (taking up additional land) further eroding the natural character of the area.² *The provision of pedestrian and cycle access to the north and improved pedestrian and cycle access into the town;*

If the access point is allowed to the north, then the suggested access is onto a hazardous speed de-restricted and width restricted lane. This was one of the reasons the previous planning for access was refused.

This would also create a safety hazard for pedestrians as there is no pavement from the suggested access secondary/emergency point towards Cabbage Stalk Lane.

3. Adequate servicing and parking to serve the expanded commercial use on the site;

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2) Cyclists coming out of the new development will generally turn right into Cabbage Stalk Lane, adding to the volumes of cyclists using that lane. Furthermore, this will surely add to the number of cyclists on the Common who increasingly seem to be ignoring the “no cycling” rule there.

3) For those who might turn left into High Rocks Lane, this would add to the number of cyclists on this narrow lane with blind corners and numerous potholes - adding yet further risk to themselves, pedestrians and cars.

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5. Development shall be located on the areas identified for mixed use on the site layout plan; Tunbridge Wells Borough Local Plan 109 Pre-Submission Local Plan Regulation 19 Consultation

6. Green infrastructure shall be provided on the areas shown indicatively in green on the site layout plan, and these shall be retained and enhanced. This shall include suitable buffering and enhancements to the River Grom corridor and to the setting of the adjacent Tunbridge Wells and Rusthall Common; The plan shows a green space buffer running alongside Cabbage Stalk Lane. The current woodland buffer is substantial and therefore the developer is likely to bulldoze and excavate as much as is feasible subject to ground stability and the preservation of valuable and species trees etc. The trees provide cover and privacy for wildlife and seclusion for walkers and local residents but are not in themselves wonderful specimens but are nevertheless very important to the semi rural nature of the area. The retention of as much tree cover as possible is very important.

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<input type="checkbox"/>	Yes, I wish to be notified of future stages of the Local Plan
<input type="checkbox"/>	No, I do not wish to be notified of future stages of the Local Plan

Comment

Consultee	Alec Johnson [REDACTED]
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	Alec Johnson [REDACTED]
Comment ID	PSLP_698
Response Date	31/05/21 09:40
Consultation Point	Policy AL/RTW 14 Land at Tunbridge Wells Garden Centre (View)
Status	Processed
Submission Type	Web
Version	0.3
Question 1	
Respondent's Name and/or Organisation	Alec Johnson
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.	
5.91, 5.92, 5.93, 5.94	
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 . It is not effective because:

Question 5

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- 1 *Means of access, including secondary and emergency means of access, to be informed by a transport statement; it is likely that the scale of any development may be limited by the quality of access arrangements that can be achieved within the confines of the site. An emergency access is likely to be required to the north;*

Planning consents often require provision of social/affordable housing under Section 106 Agreements, but invariably the developer comes back to the local authority later and pleads that it renders the scheme unviable. The 30% (eg) then falls away to 10% or less. The infrastructure requirements on this site will render development especially expensive. The contribution this site could make to meeting housing need is negligible.

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The only change since 1990 is higher volumes of traffic on High Rocks Lane and Hungershall Park.

No known local precedents have been set for a requirement of a secondary and/or an emergency access. Example: The existing adjacent large estate has no secondary or emergency access.

Access: The suggested 'North' secondary and emergency access point will:

- . Destroy a Bio Diverse habitat, impacting the natural rural dynamic .
- . By default the access point becomes a tacit 'extra access' immediately opening onto High Rocks Lane with hazardous restricted/limited line of sight which is onto a speed de-restricted area and is a width constricted lane, plus opposite another lane entrance point; as highlighted in the council's planning permission access refusal 1990.
- . There is a high probability for this access to become a local shortcut

Proposing a Secondary and Emergency access appears to be a leverage argument to open up the site with another access point thereby ignoring the hazards identified, refer to previous valid refusal rational.

There is a high probability for dangerous additional 'on road parking' at the lower end of Hungershall Park/ corner of High Rocks lane/ Cabbage Stalk Lane. The proposed new developments at Spratsbrook Farm and the old Plant & Tools Hire site by The West Station which is to have access directly on to Eridge Road, will both increase traffic flows along this busy stretch and force drivers to find alternative routes.

Newts and a variety of amphibian wildlife have been seen in the site North aspect / River Grom area of this location.

In traffic management terms an emergency exit would require either traffic light control, or a roundabout (taking up additional land) further eroding the natural character of the area.² *The provision of pedestrian and cycle access to the north and improved pedestrian and cycle access into the town;*

If the access point is allowed to the north, then the suggested access is onto a hazardous speed de-restricted and width restricted lane. This was one of the reasons the previous planning for access was refused.

This would also create a safety hazard for pedestrians as there is no pavement from the suggested access secondary/emergency point towards Cabbage Stalk Lane.

1 *Adequate servicing and parking to serve the expanded commercial use on the site;*
Provision of a green route through the site from east to west connecting to existing Public Rights of Way on Tunbridge Wells Common and Cabbage Stalk Lane; Site East West access – Cabbage Stalk Lane will cause additional volume of use. This poses the following problems:

- 1) Compromise to safety and hazard as now a designated cycle path. Several near misses have already occurred with current multi-use volumes; as the majority of cyclists appear to disregard this lane as being a shared facility with pedestrians, pedestrians and dog walkers, plus vehicular access traffic.
- 2) Cyclists coming out of the new development will generally turn right into Cabbage Stalk Lane, adding to the volumes of cyclists using that lane. Furthermore, this will surely add to the number of cyclists on the Common who increasingly seem to be ignoring the “no cycling” rule there.
- 3) For those who might turn left into High Rocks Lane, this would add to the number of cyclists on this narrow lane with blind corners and numerous potholes - adding yet further risk to themselves, pedestrians and cars.
- 4) This is likely to further increase the volume of cyclists coming down the hill in Hungershall Park and towards the proposed development. Residents are increasingly concerned about the number of cyclists coming around the corner at very high speed and oblivious to the blind entrance several drives. There have been near misses recently and including one cyclist who recently came off his bike near the entrance to the drive at no. 12 Hungershall.

- 1 *Development shall be located on the areas identified for mixed use on the site layout plan;*
Tunbridge Wells Borough Local Plan 109 Pre-Submission Local Plan Regulation 19 Consultation
- 2 *Green infrastructure shall be provided on the areas shown indicatively in green on the site layout plan, and these shall be retained and enhanced. This shall include suitable buffering and enhancements to the River Grom corridor and to the setting of the adjacent Tunbridge Wells and Rusthall Common;* The plan shows a green space buffer running alongside Cabbage Stalk Lane. The current woodland buffer is substantial and therefore the developer is likely to bulldoze and excavate as much as is feasible subject to ground stability and the preservation of valuable and species trees etc. The trees provide cover and privacy for wildlife and seclusion for walkers and local residents but are not in themselves wonderful specimens but are nevertheless very important to the semi rural nature of the area. The retention of as much tree cover as possible is very important.

The River Grom flows along the Southern boundary of the plot alongside the railway line. The woodland and the river provide a habitat for deer and other wild animals. It would be desirable if the western end of the plot be preserved for wildlife, not be built upon and not used for vehicular access.⁷ *Regard will be given to existing hedgerows and mature trees on-site, with the layout and design of the development protecting those of most amenity value, as informed by an arboricultural survey and a landscape and visual impact assessment;*

The development will inevitably destroy and erode an established valuable bio-diverse habitat in a unique rural area.

Question 6

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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.

Introduce a pedestrian footpath on the garden centre side of the Eridge Road

Make clear what been the compensatory improvements to the remaining Green Belt

Eliminate the North secondary and emergency access as there are no known local precedents have been set for a requirement of a secondary and/or an emergency access.

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	Jean Kemp [REDACTED]
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	Jean Kemp [REDACTED]
Comment ID	PSLP_244
Response Date	21/05/21 13:01
Consultation Point	Policy AL/RTW 14 Land at Tunbridge Wells Garden Centre (View)
Status	Processed
Submission Type	Web
Version	0.2
Question 1	
Respondent's Name and/or Organisation	Jean Kemp
Question 2	
Agent's Name and Organisation (if applicable)	n/a
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.	
5.91, 5.92, 5.93, 5.94	
Question 4	
Do you consider that the Local Plan:	
Is sound	No
Question 4a	

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

Do you consider that the Local Plan is not sound . It is not positively prepared 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.

5.91 Existing vehicular access to the site is directly from the A26 Eridge Road to the south east corner of the site, close to the bend in the Eridge Road. The Spa Valley Railway Line is located south of the site, including a bridge that crosses the Eridge Road just south of the site access. The existing access from the site onto the Eridge Road is already dangerous with a steep slope onto a busy bend with restricted visibility. The proposed development will add considerably to the traffic using this access road and so will represent a much greater risk of accident.

There is no pedestrian footpath on the garden centre side of the Eridge Road and so the pedestrians from the houses on the development going into town will need to cross a busy road on a dangerous bend.

Therefore:

1) Traffic Safety and Hazard: Vehicle access point on A26 Eridge Road. Road Traffic Safety compromised due to additional vehicle movement volumes; with a traffic hazard as there is restricted line of sight (ref. also 5.94) Note: Existing access is considered to be on apex of bend, not as defined above as 'close to the bend'. 2) Pedestrian Safety and hazard: No available pavement on the Common side of the A26 pedestrians will be crossing the A26 at a dangerous busy point

5.92 The site was released from the Green Belt, and the Development Strategy Topic Paper and Green Belt studies set out the exceptional circumstances and compensatory improvements to the remaining Green Belt to justify the changes to the boundary in this location. What to date have been the compensatory improvements to the remaining Green Belt?

The 2019 Plan describes the site as being part of a Biodiversity Opportunity Area where any development should demonstrate net gains for nature and biodiversity. Reference was also made to the DEFRA "MAGIC" website which described the area as suitable as woodpasture and parkland. Both these descriptions have been removed from the current plan.

5.93 It lies adjacent to the Royal Tunbridge Wells Conservation Area and to Tunbridge Wells Common, which is a designated Local Wildlife Site. Part of the site is also covered by the Environment Agency's Flood Zone 3.

River Grom flooding Report 2017 (Currently Correct /Relevant unless structural changes have been made)– Ref pages 7-9 Extracts:(page 7 – 2.3 para 4)To the south and east of The Pantiles, much of the area has separate surface water and foul water drainage. The surface water sewers generally discharge to watercourses which ultimately flow into the River Grom.(Page 9 – 2.4.1 para 3).... There is a Combined Sewer Overflow (CSO) from the public combined sewer in the culverted section of the River Grom that allows the combined sewer in the Pantiles area of Tunbridge Wells to discharge into it if its capacity is exceeded.

The development is in a river valley. Under present conditions High Rocks Lane regularly floods as the point where it meets Hungershall Park (and where it is presumed the proposed "emergency exit" will be for the development). As a result the road is always in a poor condition with potholes that

reappear quickly after frequent repairs. The road at this point is a blind bend with no footpath so pedestrians and cyclists often veer across the roadway to avoid the potholes and create a real danger of accidents to oncoming vehicles. This situation will only get worse once a large area of the valley floor is concreted over as a result of the development.

It was recently noticed by local residents that the site currently suffers from a sewage problem. A large manhole cover had been dislodged and was surrounded by household waste which had obviously been forced out. It is hoped that this would be resolved as part of the development, especially as the River Grom is in close proximity and there is a seasonal flooding issue in that area, as referred to above in the 2017 flooding report.

5.94 *Development would need to be sensitively designed to respect the location in proximity to the Common, the conservation area, and the topography of the site. However, it constitutes a sustainable site on the edge of the town centre and could accommodate a mix of uses, to include the retention/expansion of the existing garden centre business and the introduction of some residential development within the site. However, Kent County Council, as the local highways authority, considers that the scale of development on the site may be limited due to the current access constraints. 108 Tunbridge Wells Borough Local Plan Regulation 19 Consultation Pre-Submission Local Plan Map 14 Site Layout Plan*

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- 1 *Means of access, including secondary and emergency means of access, to be informed by a transport statement; it is likely that the scale of any development may be limited by the quality of access arrangements that can be achieved within the confines of the site. An emergency access is likely to be required to the north;*

Planning consents often require provision of social/affordable housing under Section 106 Agreements, but invariably the developer comes back to the local authority later and pleads that it renders the scheme unviable. The 30% (eg) then falls away to 10% or less. The infrastructure requirements on this site will render development especially expensive. The contribution this site could make to meeting housing need is negligible.

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Farm and the old Plant & Tools Hire site by The West Station which is to have access directly on to Eridge Road, will both increase traffic flows along this busy stretch and force drivers to find alternative routes.

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Question 6

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Remove the proposed Garden Centre Developement from the Local Plan for the reasons detailed in question 5

Question 7

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

Comment

Consultee	Nicholas Kemp [REDACTED]
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	Nicholas Kemp [REDACTED]
Comment ID	PSLP_240
Response Date	21/05/21 12:40
Consultation Point	Policy AL/RTW 14 Land at Tunbridge Wells Garden Centre (View)
Status	Processed
Submission Type	Web
Version	0.2
Question 1	
Respondent's Name and/or Organisation	N J Kemp
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.

5.91, 5.92, 5.93, 5.94

Question 4

Do you consider that the Local Plan:

Is sound No

Question 4a

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

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

Question 5

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The existing access from the site onto the Eridge Road is already dangerous with a steep slope onto a busy bend with restricted visibility. The proposed development will add considerably to the traffic using this access road and so will represent a much greater risk of accident. There is no pedestrian footpath on the garden centre side of the Eridge Road and so the pedestrians from the houses on the development going into town will need to cross a busy road on a dangerous bend. Therefore: 1) Traffic Safety and Hazard: Vehicle access point on A26 Eridge Road. Road Traffic Safety compromised due to additional vehicle movement volumes; with a traffic hazard as there is restricted line of sight (ref. also 5.94) Note: Existing access considered to be on apex of bend, not as defined above as 'close to the bend'. 2) Pedestrian Safety and hazard: No available pavement on the Common side of the A26 pedestrians will be crossing the A26 at a dangerous busy point 5.92 The site was released from the Green Belt, and the Development Strategy Topic Paper and Green Belt studies set out the exceptional circumstances and compensatory improvements to the remaining Green Belt to justify the changes to the boundary in this location.

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Site East West access – Cabbage Stalk Lane will cause additional volume of use. This poses the following problems: 1) Compromise to safety and hazard as now a designated cycle path. Several near misses have already occurred with current multi-use volumes; as the majority of cyclists appear to disregard this lane as being a shared facility with pedestrians, pedestrians and dog walkers, plus vehicular access traffic. 2) Cyclists coming out of the new development will generally turn right into

Cabbage Stalk Lane, adding to the volumes of cyclists using that lane. Furthermore, this will surely add to the number of cyclists on the Common who increasingly seem to be ignoring the “no cycling” rule there.3) For those who might turn left into High Rocks Lane, this would add to the number of cyclists on this narrow lane with blind corners and numerous potholes - adding yet further risk to themselves, pedestrians and cars.4) This is likely to further increase the volume of cyclists coming down the hill in Hungershall Park and towards the proposed development. Residents are increasingly concerned about the number of cyclists coming around the corner at very high speed and oblivious to the blind entrance several drives. There have been near misses recently and including one cyclist who recently came off his bike near the entrance to the drive at no. 12 Hungershall.

5. Development shall be located on the areas identified for mixed use on the site layout plan; Tunbridge Wells Borough Local Plan 109 Pre-Submission Local Plan Regulation 19 Consultation6. Green infrastructure shall be provided on the areas shown indicatively in green on the site layout plan, and these shall be retained and enhanced. This shall include suitable buffering and enhancements to the River Grom corridor and to the setting of the adjacent Tunbridge Wells and Rusthall Common;

The plan shows a green space buffer running alongside Cabbage Stalk Lane. The current woodland buffer is substantial and therefore the developer is likely to bulldoze and excavate as much as is feasible subject to ground stability and the preservation of valuable and species trees etc. The trees provide cover and privacy for wildlife and seclusion for walkers and local residents but are not in themselves wonderful specimens but are nevertheless very important to the semi rural nature of the area. The retention of as much tree cover as possible is very important. The River Grom flows along the Southern boundary of the plot alongside the railway line. The woodland and the river provide a habitat for deer and other wild animals. It would be desirable if the western end of the plot be preserved for wildlife, not be built upon and not used for vehicular access.

7. Regard will be given to existing hedgerows and mature trees on-site, with the layout and design of the development protecting those of most amenity value, as informed by an arboricultural survey and a landscape and visual impact assessment; The development will inevitably destroy and erode an established valuable bio-diverse habitat in a unique rural area.

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

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_2184
Response Date	04/06/21 16:56
Consultation Point	Policy AL/RTW 14 Land at Tunbridge Wells Garden Centre (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 AL/RTW 14 Land at Tunbridge Wells Garden Centre

[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.

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

Public Rights of Way

The County Council requests direct reference to Restricted Byway WB28 and Public Footpath WB24. The site should provide opportunities to link with the wider network through improvements to the existing PRoW network.

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.

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

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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)?

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:

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

Comment

Consultee	Deirdre Lacey [REDACTED]
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	Deirdre Lacey [REDACTED]
Comment ID	PSLP_301
Response Date	24/05/21 10:40
Consultation Point	Policy AL/RTW 14 Land at Tunbridge Wells Garden Centre (View)
Status	Processed
Submission Type	Web
Version	0.2
Question 1	
Respondent's Name and/or Organisation	Deirdre Lacey
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.

"5.91, 5.92, 5.93, 5.94"

Question 4

Do you consider that the Local Plan:

Is sound No

Question 4a

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

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

Question 5

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5.91 Existing vehicular access to the site is directly from the A26 Eridge Road to the south east corner of the site, close to the bend in the Eridge Road. The Spa Valley Railway Line is located south of the site, including a bridge that crosses the Eridge Road just south of the site access. The existing access from the site onto the Eridge Road is already dangerous with a steep slope onto a busy bend with restricted visibility. The proposed development will add considerably to the traffic using this access road and so will represent a much greater risk of accident.

There is no pedestrian footpath on the garden centre side of the Eridge Road and so the pedestrians from the houses on the development going into town will need to cross a busy road on a dangerous bend.

Therefore:

1) Traffic Safety and Hazard: Vehicle access point on A26 Eridge Road. Road Traffic Safety compromised due to additional vehicle movement volumes; with a traffic hazard as there is restricted line of sight (ref. also 5.94) Note: Existing access considered to be on apex of bend, not as defined above as 'close to the bend'. 2) Pedestrian Safety and hazard: No available pavement on the Common side of the A26 pedestrians will be crossing the A26 at a dangerous busy point

5.92 The site was released from the Green Belt, and the Development Strategy Topic Paper and Green Belt studies set out the exceptional circumstances and compensatory improvements to the remaining Green Belt to justify the changes to the boundary in this location. What to date have been the compensatory improvements to the remaining Green Belt?

The 2019 Plan describes the site as being part of a Biodiversity Opportunity Area where any development should demonstrate net gains for nature and biodiversity. Reference was also made to the DEFRA "MAGIC" website which described the area as suitable as woodpasture and parkland. Both these descriptions have been removed from the current plan.

5.93 It lies adjacent to the Royal Tunbridge Wells Conservation Area and to Tunbridge Wells Common, which is a designated Local Wildlife Site. Part of the site is also covered by the Environment Agency's Flood Zone 3.

River Grom flooding Report 2017 (Currently Correct /Relevant unless structural changes have been made)– Ref pages 7-9 Extracts:(page 7 – 2.3 para 4)To the south and east of The Pantiles, much of the area has separate surface water and foul water drainage. The surface water sewers generally discharge to watercourses which ultimately flow into the River Grom.(Page 9 – 2.4.1 para 3).... There is a Combined Sewer Overflow (CSO) from the public combined sewer in the culverted section of the River Grom that allows the combined sewer in the Pantiles area of Tunbridge Wells to discharge into it if its capacity is exceeded.

The development is in a river valley. Under present conditions High Rocks Lane regularly floods as the point where it meets Hungershall Park (and where it is presumed the proposed "emergency exit" will be for the development). As a result the road is always in a poor condition with potholes that reappear quickly after frequent repairs. The road at this point is a blind bend with no footpath so pedestrians and cyclists often veer across the roadway to avoid the potholes and create a real danger

of accidents to oncoming vehicles. This situation will only get worse once a large area of the valley floor is concreted over as a result of the development.

It was recently noticed by local residents that the site currently suffers from a sewage problem. A large manhole cover had been dislodged and was surrounded by household waste which had obviously been forced out. It is hoped that this would be resolved as part of the development, especially as the River Grom is in close proximity and there is a seasonal flooding issue in that area, as referred to above in the 2017 flooding report.

5.94 *Development would need to be sensitively designed to respect the location in proximity to the Common, the conservation area, and the topography of the site. However, it constitutes a sustainable site on the edge of the town centre and could accommodate a mix of uses, to include the retention/expansion of the existing garden centre business and the introduction of some residential development within the site. However, Kent County Council, as the local highways authority, considers that the scale of development on the site may be limited due to the current access constraints. 108 Tunbridge Wells Borough Local Plan Regulation 19 Consultation Pre-Submission Local Plan Map 14 Site Layout Plan*

Policy AL/RTW 14 Land at Tunbridge Wells Garden Centre This site, as defined on the Royal Tunbridge Wells Policies Map, is allocated for the expansion of the existing Use Class E (a) commercial use (garden centre) with an element of residential of approximately 25-30 residential dwellings, of which 30 percent shall be affordable housing. Development on the site shall accord with the following requirements:

- 1 *Means of access, including secondary and emergency means of access, to be informed by a transport statement; it is likely that the scale of any development may be limited by the quality of access arrangements that can be achieved within the confines of the site. An emergency access is likely to be required to the north;*

Planning consents often require provision of social/affordable housing under Section 106 Agreements, but invariably the developer comes back to the local authority later and pleads that it renders the scheme unviable. The 30% (eg) then falls away to 10% or less. The infrastructure requirements on this site will render development especially expensive. The contribution this site could make to meeting housing need is negligible.

Previous planning for access - Refused(89/02011/FUL | New vehicular access. New gate and 1.8m high chain link boundary fence | Wyevale Garden Centre Eridge Road Royal Tunbridge Wells Kent TN4 8HP (midkent.gov.uk)) Ref. No: 89/02011/FUL | Received: Tue 07 Nov 1989 | Validated: Thu 14 Jun 1990 | Status: Decided Council Letter 1990 - Extracts detailing the Refusal reasons:1 a) The proposed access would be likely to create unacceptable additional hazard to traffic.2 a) The sight lines are inadequate and would create unacceptable additional hazards to traffic3 a) The proposal would be undesirable in an area which is predominately rural in character, and would be detrimental both to the appearance and to the rural amenities of the locality.4 a) The proposal would be likely to be unacceptably detrimental to residential amenities of adjacent dwellings

The only change since 1990 is higher volumes of traffic on High Rocks Lane and Hungershall Park.

No known local precedents have been set for a requirement of a secondary and/or an emergency access. Example: The existing adjacent large estate has no secondary or emergency access.

Access: The suggested 'North' secondary and emergency access point will:

- . Destroy a Bio Diverse habitat, impacting the natural rural dynamic .
- . By default the access point becomes a tacit 'extra access' immediately opening onto High Rocks Lane with hazardous restricted/limited line of sight which is onto a speed de-restricted area and is a width constricted lane, plus opposite another lane entrance point; as highlighted in the council's planning permission access refusal 1990.
- . There is a high probability for this access to become a local shortcut

Proposing a Secondary and Emergency access appears to be a leverage argument to open up the site with another access point thereby ignoring the hazards identified, refer to previous valid refusal rational.

There is a high probability for dangerous additional 'on road parking' at the lower end of Hungershall Park/ corner of High Rocks lane/ Cabbage Stalk Lane. The proposed new developments at Spratsbrook Farm and the old Plant & Tools Hire site by The West Station which is to have access directly on to

Eridge Road, will both increase traffic flows along this busy stretch and force drivers to find alternative routes.

Newts and a variety of amphibian wildlife have been seen in the site North aspect / River Grom area of this location.

In traffic management terms an emergency exit would require either traffic light control, or a roundabout (taking up additional land) further eroding the natural character of the area.² *The provision of pedestrian and cycle access to the north and improved pedestrian and cycle access into the town;*

If the access point is allowed to the north, then the suggested access is onto a hazardous speed de-restricted and width restricted lane. This was one of the reasons the previous planning for access was refused.

This would also create a safety hazard for pedestrians as there is no pavement from the suggested access secondary/emergency point towards Cabbage Stalk Lane.

- 1 *Adequate servicing and parking to serve the expanded commercial use on the site;*
- 2 *Provision of a green route through the site from east to west connecting to existing Public Rights of Way on Tunbridge Wells Common and Cabbage Stalk Lane; Site East West access – Cabbage Stalk Lane will cause additional volume of use. This poses the following problems:*
 - 1) *Compromise to safety and hazard as now a designated cycle path. Several near misses have already occurred with current multi-use volumes; as the majority of cyclists appear to disregard this lane as being a shared facility with pedestrians, pedestrians and dog walkers, plus vehicular access traffic.*
 - 2) *Cyclists coming out of the new development will generally turn right into Cabbage Stalk Lane, adding to the volumes of cyclists using that lane. Furthermore, this will surely add to the number of cyclists on the Common who increasingly seem to be ignoring the “no cycling” rule there.*
 - 3) *For those who might turn left into High Rocks Lane, this would add to the number of cyclists on this narrow lane with blind corners and numerous potholes - adding yet further risk to themselves, pedestrians and cars.*
 - 4) *This is likely to further increase the volume of cyclists coming down the hill in Hungershall Park and towards the proposed development. Residents are increasingly concerned about the number of cyclists coming around the corner at very high speed and oblivious to the blind entrance several drives. There have been near misses recently and including one cyclist who recently came off his bike near the entrance to the drive at no. 12 Hungershall.*

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The River Grom flows along the Southern boundary of the plot alongside the railway line. The woodland and the river provide a habitat for deer and other wild animals. It would be desirable if the western end of the plot be preserved for wildlife, not be built upon and not used for vehicular access.⁷ *Regard will be given to existing hedgerows and mature trees on-site, with the layout and design of the development protecting those of most amenity value, as informed by an arboricultural survey and a landscape and visual impact assessment;*

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Comment

Consultee	Mr Ian Marshall [REDACTED]
Email Address	[REDACTED]
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Mr Ian Marshall [REDACTED]
Comment ID	PSLP_323
Response Date	21/05/21 16:45
Consultation Point	Policy AL/RTW 14 Land at Tunbridge Wells Garden Centre (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	Ian Marshall
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

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

Policy AL/RTW 14 Land at Tunbridge Wells Garden Centre

Question 4a

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3. Adequate servicing and parking to serve the expanded commercial use on the site;

4. Provision of a green route through the site from east to west connecting to existing Public Rights of Way on Tunbridge Wells Common and Cabbage Stalk Lane;

Site East West access – Cabbage Stalk Lane will cause additional volume of use. This poses the following problems:

1) Compromise to safety and hazard as now a designated cycle path. Several near misses have already occurred with current multi-use volumes; as the majority of cyclists appear to disregard this lane as being a shared facility with pedestrians, pedestrians and dog walkers, plus vehicular access traffic.

2) Cyclists coming out of the new development will generally turn right into Cabbage Stalk Lane, adding to the volumes of cyclists using that lane. Furthermore, this will surely add to the number of cyclists on the Common who increasingly seem to be ignoring the “no cycling” rule there.

3) For those who might turn left into High Rocks Lane, this would add to the number of cyclists on this narrow lane with blind corners and numerous potholes - adding yet further risk to themselves, pedestrians and cars.

4) This is likely to further increase the volume of cyclists coming down the hill in Hungershall Park and towards the proposed development. Residents are increasingly concerned about the number of cyclists coming around the corner at very high speed and oblivious to the blind entrance several drives. There have been near misses recently and including one cyclist who recently came off his bike near the entrance to the drive at no. 12 Hungershall.

5. Development shall be located on the areas identified for mixed use on the site layout plan; Tunbridge Wells Borough Local Plan 109 Pre-Submission Local Plan Regulation 19 Consultation

6. Green infrastructure shall be provided on the areas shown indicatively in green on the site layout plan, and these shall be retained and enhanced. This shall include suitable buffering and enhancements to the River Grom corridor and to the setting of the adjacent Tunbridge Wells and Rusthall Common;

The plan shows a green space buffer running alongside Cabbage Stalk Lane. The current woodland buffer is substantial and therefore the developer is likely to bulldoze and excavate as much as is feasible subject to ground stability and the preservation of valuable and species trees etc. The trees provide cover and privacy for wildlife and seclusion for walkers and local residents but are not in themselves wonderful specimens but are nevertheless very important to the semi rural nature of the area. The retention of as much tree cover as possible is very important.

The River Grom flows along the Southern boundary of the plot alongside the railway line. The woodland and the river provide a habitat for deer and other wild animals. It would be desirable if the western end of the plot be preserved for wildlife, not be built upon and not used for vehicular access. *7. Regard will be given to existing hedgerows and mature trees on-site, with the layout and design of the development protecting those of most amenity value, as informed by an arboricultural survey and a landscape and visual impact assessment;*

The development will inevitably destroy and erode an established valuable bio-diverse habitat in a unique rural area.

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	Caroline McAughtry ([REDACTED])
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	Caroline McAughtry ([REDACTED])
Comment ID	PSLP_1338
Response Date	04/06/21 15:35
Consultation Point	Policy AL/RTW 14 Land at Tunbridge Wells Garden Centre (View)
Status	Processed
Submission Type	Web
Version	0.2
Question 1	
Respondent's Name and/or Organisation	Caroline McAughtry
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.

5.91, 5.92, 5.93, 5.94

Question 4

Do you consider that the Local Plan:

Is sound No

Question 4a

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

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

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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5.91 Existing vehicular access to the site is directly from the A26 Eridge Road to the south east corner of the site, close to the bend in the Eridge Road. The Spa Valley Railway Line is located south of the site, including a bridge that crosses the Eridge Road just south of the site access. The existing access from the site onto the Eridge Road is already dangerous with a steep slope onto a busy bend with restricted visibility. The proposed development will add considerably to the traffic using this access road and so will represent a much greater risk of accident.

There is no pedestrian footpath on the garden centre side of the Eridge Road and so the pedestrians from the houses on the development going into town will need to cross a busy road on a dangerous bend.

Therefore:

1) Traffic Safety and Hazard: Vehicle access point on A26 Eridge Road. Road Traffic Safety compromised due to additional vehicle movement volumes; with a traffic hazard as there is restricted line of sight (ref. also 5.94) Note: Existing access considered to be on apex of bend, not as defined above as 'close to the bend'. 2) Pedestrian Safety and hazard: No available pavement on the Common side of the A26 pedestrians will be crossing the A26 at a dangerous busy point

5.92 The site was released from the Green Belt, and the Development Strategy Topic Paper and Green Belt studies set out the exceptional circumstances and compensatory improvements to the remaining Green Belt to justify the changes to the boundary in this location. What to date have been the compensatory improvements to the remaining Green Belt?

The 2019 Plan describes the site as being part of a Biodiversity Opportunity Area where any development should demonstrate net gains for nature and biodiversity. Reference was also made to the DEFRA "MAGIC" website which described the area as suitable as woodpasture and parkland. Both these descriptions have been removed from the current plan.

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River Grom flooding Report 2017 (Currently Correct /Relevant unless structural changes have been made)– Ref pages 7-9 Extracts:(page 7 – 2.3 para 4)To the south and east of The Pantiles, much of the area has separate surface water and foul water drainage. The surface water sewers generally discharge to watercourses which ultimately flow into the River Grom.(Page 9 – 2.4.1 para 3).... There is a Combined Sewer Overflow (CSO) from the public combined sewer in the culverted section of the River Grom that allows the combined sewer in the Pantiles area of Tunbridge Wells to discharge into it if its capacity is exceeded.

The development is in a river valley. Under present conditions High Rocks Lane regularly floods as the point where it meets Hungershall Park (and where it is presumed the proposed "emergency exit" will be for the development). As a result the road is always in a poor condition with potholes that reappear quickly after frequent repairs. The road at this point is a blind bend with no footpath so pedestrians and cyclists often veer across the roadway to avoid the potholes and create a real danger

of accidents to oncoming vehicles. This situation will only get worse once a large area of the valley floor is concreted over as a result of the development.

It was recently noticed by local residents that the site currently suffers from a sewage problem. A large manhole cover had been dislodged and was surrounded by household waste which had obviously been forced out. It is hoped that this would be resolved as part of the development, especially as the River Grom is in close proximity and there is a seasonal flooding issue in that area, as referred to above in the 2017 flooding report.

5.94 *Development would need to be sensitively designed to respect the location in proximity to the Common, the conservation area, and the topography of the site. However, it constitutes a sustainable site on the edge of the town centre and could accommodate a mix of uses, to include the retention/expansion of the existing garden centre business and the introduction of some residential development within the site. However, Kent County Council, as the local highways authority, considers that the scale of development on the site may be limited due to the current access constraints. 108 Tunbridge Wells Borough Local Plan Regulation 19 Consultation Pre-Submission Local Plan Map 14 Site Layout Plan*

Policy AL/RTW 14 Land at Tunbridge Wells Garden Centre This site, as defined on the Royal Tunbridge Wells Policies Map, is allocated for the expansion of the existing Use Class E (a) commercial use (garden centre) with an element of residential of approximately 25-30 residential dwellings, of which 30 percent shall be affordable housing. Development on the site shall accord with the following requirements:

- 1 *Means of access, including secondary and emergency means of access, to be informed by a transport statement; it is likely that the scale of any development may be limited by the quality of access arrangements that can be achieved within the confines of the site. An emergency access is likely to be required to the north;*

Planning consents often require provision of social/affordable housing under Section 106 Agreements, but invariably the developer comes back to the local authority later and pleads that it renders the scheme unviable. The 30% (eg) then falls away to 10% or less. The infrastructure requirements on this site will render development especially expensive. The contribution this site could make to meeting housing need is negligible.

Previous planning for access - Refused(89/02011/FUL | New vehicular access. New gate and 1.8m high chain link boundary fence | Wyevale Garden Centre Eridge Road Royal Tunbridge Wells Kent TN4 8HP (midkent.gov.uk) | Ref. No: 89/02011/FUL | Received: Tue 07 Nov 1989 | Validated: Thu 14 Jun 1990 | Status: Decided Council Letter 1990 - Extracts detailing the Refusal reasons:1 a) The proposed access would be likely to create unacceptable additional hazard to traffic.2 a) The sight lines are inadequate and would create unacceptable additional hazards to traffic.3 a) The proposal would be undesirable in an area which is predominately rural in character, and would be detrimental both to the appearance and to the rural amenities of the locality.4 a) The proposal would be likely to be unacceptably detrimental to residential amenities of adjacent dwellings

The only change since 1990 is higher volumes of traffic on High Rocks Lane and Hungershall Park.

No known local precedents have been set for a requirement of a secondary and/or an emergency access. Example: The existing adjacent large estate has no secondary or emergency access.

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- . By default the access point becomes a tacit 'extra access' immediately opening onto High Rocks Lane with hazardous restricted/limited line of sight which is onto a speed de-restricted area and is a width constricted lane, plus opposite another lane entrance point; as highlighted in the council's planning permission access refusal 1990.
- . There is a high probability for this access to become a local shortcut

Proposing a Secondary and Emergency access appears to be a leverage argument to open up the site with another access point thereby ignoring the hazards identified, refer to previous valid refusal rational.

There is a high probability for dangerous additional 'on road parking' at the lower end of Hungershall Park/ corner of High Rocks lane/ Cabbage Stalk Lane. The proposed new developments at Spratsbrook Farm and the old Plant & Tools Hire site by The West Station which is to have access directly on to

Eridge Road, will both increase traffic flows along this busy stretch and force drivers to find alternative routes.

Newts and a variety of amphibian wildlife have been seen in the site North aspect / River Grom area of this location.

In traffic management terms an emergency exit would require either traffic light control, or a roundabout (taking up additional land) further eroding the natural character of the area.² *The provision of pedestrian and cycle access to the north and improved pedestrian and cycle access into the town;*

If the access point is allowed to the north, then the suggested access is onto a hazardous speed de-restricted and width restricted lane. This was one of the reasons the previous planning for access was refused.

This would also create a safety hazard for pedestrians as there is no pavement from the suggested access secondary/emergency point towards Cabbage Stalk Lane.

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 - 1) *Compromise to safety and hazard as now a designated cycle path. Several near misses have already occurred with current multi-use volumes; as the majority of cyclists appear to disregard this lane as being a shared facility with pedestrians, pedestrians and dog walkers, plus vehicular access traffic.*
 - 2) *Cyclists coming out of the new development will generally turn right into Cabbage Stalk Lane, adding to the volumes of cyclists using that lane. Furthermore, this will surely add to the number of cyclists on the Common who increasingly seem to be ignoring the “no cycling” rule there.*
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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	Sophia Mikelis ([REDACTED])
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	Sophia Mikelis ([REDACTED])
Comment ID	PSLP_1374
Response Date	04/06/21 16:42
Consultation Point	Policy AL/RTW 14 Land at Tunbridge Wells Garden Centre (View)
Status	Processed
Submission Type	Web
Version	0.3
Question 1	
Respondent's Name and/or Organisation	Sophia Mikelis
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.

"5.91, 5.92, 5.93, 5.94"

Question 4

Do you consider that the Local Plan:

Is sound	No
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Question 4a

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

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

Question 5

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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 am a resident of the area and will be affected

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	Philip Pickard [REDACTED]
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	Philip Pickard [REDACTED]
Comment ID	PSLP_377
Response Date	25/05/21 10:57
Consultation Point	Policy AL/RTW 14 Land at Tunbridge Wells Garden Centre (View)
Status	Processed
Submission Type	Web
Version	0.4
Question 1	
Respondent's Name and/or Organisation	Philip Pickard
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 AL/RTW 14
5.91, 5.92, 5.93, 5.94

Question 4

Do you consider that the Local Plan:

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

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

Question 5

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5.94 *Development would need to be sensitively designed to respect the location in proximity to the Common, the conservation area, and the topography of the site. However, it constitutes a sustainable site on the edge of the town centre and could accommodate a mix of uses, to include the retention/expansion of the existing garden centre business and the introduction of some residential development within the site. However, Kent County Council, as the local highways authority, considers that the scale of development on the site may be limited due to the current access constraints. 108 Tunbridge Wells Borough Local Plan Regulation 19 Consultation Pre-Submission Local Plan Map 14 Site Layout Plan*

Policy AL/RTW 14 Land at Tunbridge Wells Garden Centre This site, as defined on the Royal Tunbridge Wells Policies Map, is allocated for the expansion of the existing Use Class E (a) commercial use (garden centre) with an element of residential of approximately 25-30 residential dwellings, of which 30 percent shall be affordable housing. Development on the site shall accord with the following requirements:

- 1 *Means of access, including secondary and emergency means of access, to be informed by a transport statement; it is likely that the scale of any development may be limited by the quality of access arrangements that can be achieved within the confines of the site. An emergency access is likely to be required to the north;*

Planning consents often require provision of social/affordable housing under Section 106 Agreements, but invariably the developer comes back to the local authority later and pleads that it renders the scheme unviable. The 30% (eg) then falls away to 10% or less. The infrastructure requirements on this site will render development especially expensive. The contribution this site could make to meeting housing need is negligible.

Previous planning for access - Refused(89/02011/FUL | New vehicular access. New gate and 1.8m high chain link boundary fence | Wyevale Garden Centre Eridge Road Royal Tunbridge Wells Kent TN4 8HP (midkent.gov.uk). Ref. No: 89/02011/FUL | Received: Tue 07 Nov 1989 | Validated: Thu 14 Jun 1990 | Status: Decided Council Letter 1990 - Extracts detailing the Refusal reasons:1 a) The proposed access would be likely to create unacceptable additional hazard to traffic.2 a) The sight lines are inadequate and would create unacceptable additional hazards to traffic3 a) The proposal would be undesirable in an area which is predominately rural in character, and would be detrimental both to the appearance and to the rural amenities of the locality.4 a) The proposal would be likely to be unacceptably detrimental to residential amenities of adjacent dwellings

The only change since 1990 is higher volumes of traffic on High Rocks Lane and Hungershall Park.

No known local precedents have been set for a requirement of a secondary and/or an emergency access. Example: The existing adjacent large estate has no secondary or emergency access.

Access: The suggested ‘North’ secondary and emergency access point will:

- . Destroy a Bio Diverse habitat, impacting the natural rural dynamic .
- . By default the access point becomes a tacit ‘extra access’ immediately opening onto High Rocks Lane with hazardous restricted/limited line of sight which is onto a speed de-restricted area and is a width constricted lane, plus opposite another lane entrance point; as highlighted in the council’s planning permission access refusal 1990.
- . There is a high probability for this access to become a local shortcut

Proposing a Secondary and Emergency access appears to be a leverage argument to open up the site with another access point thereby ignoring the hazards identified, refer to previous valid refusal rational.

There is a high probability for dangerous additional 'on road parking' at the lower end of Hungershall Park/ corner of High Rocks lane/ Cabbage Stalk Lane. The proposed new developments at Spratsbrook Farm and the old Plant & Tools Hire site by The West Station which is to have access directly on to Eridge Road, will both increase traffic flows along this busy stretch and force drivers to find alternative routes.

Newts and a variety of amphibian wildlife have been seen in the site North aspect / River Grom area of this location.

In traffic management terms an emergency exit would require either traffic light control, or a roundabout (taking up additional land) further eroding the natural character of the area.2. *The provision of pedestrian and cycle access to the north and improved pedestrian and cycle access into the town;*

If the access point is allowed to the north, then the suggested access is onto a hazardous speed de-restricted and width restricted lane. This was one of the reasons the previous planning for access was refused.

This would also create a safety hazard for pedestrians as there is no pavement from the suggested access secondary/emergency point towards Cabbage Stalk Lane.

- 1 *Adequate servicing and parking to serve the expanded commercial use on the site;*
- 2 *Provision of a green route through the site from east to west connecting to existing Public Rights of Way on Tunbridge Wells Common and Cabbage Stalk Lane;* Site East West access – Cabbage Stalk Lane will cause additional volume of use. This poses the following problems:1) Compromise to safety and hazard as now a designated cycle path. Several near misses have already occurred with current multi-use volumes; as the majority of cyclists appear to disregard this lane as being a shared facility with pedestrians, pedestrians and dog walkers, plus vehicular access traffic.
2) Cyclists coming out of the new development will generally turn right into Cabbage Stalk Lane, adding to the volumes of cyclists using that lane. Furthermore, this will surely add to the number of cyclists on the Common who increasingly seem to be ignoring the "no cycling" rule there.
3) For those who might turn left into High Rocks Lane, this would add to the number of cyclists on this narrow lane with blind corners and numerous potholes - adding yet further risk to themselves, pedestrians and cars.
4) This is likely to further increase the volume of cyclists coming down the hill in Hungershall Park and towards the proposed development. Residents are increasingly concerned about the number of cyclists coming around the corner at very high speed and oblivious to the blind entrance several drives. There have been near misses recently and including one cyclist who recently came off his bike near the entrance to the drive at no. 12 Hungershall.

- 1 *Development shall be located on the areas identified for mixed use on the site layout plan; Tunbridge Wells Borough Local Plan 109 Pre-Submission Local Plan Regulation 19 Consultation*
- 2 *Green infrastructure shall be provided on the areas shown indicatively in green on the site layout plan, and these shall be retained and enhanced. This shall include suitable buffering and enhancements to the River Grom corridor and to the setting of the adjacent Tunbridge Wells and Rusthall Common;* The plan shows a green space buffer running alongside Cabbage Stalk Lane. The current woodland buffer is substantial and therefore the developer is likely to bulldoze and excavate as much as is feasible subject to ground stability and the preservation of valuable and species trees etc. The trees provide cover and privacy for wildlife and seclusion for walkers and local residents but are not in themselves wonderful specimens but are nevertheless very important to the semi rural nature of the area. The retention of as much tree cover as possible is very important.

The River Grom flows along the Southern boundary of the plot alongside the railway line. The woodland and the river provide a habitat for deer and other wild animals. It would be desirable if the western end of the plot be preserved for wildlife, not be built upon and not used for vehicular access.7. *Regard will be given to existing hedgerows and mature trees on-site, with the layout and design of the development protecting those of most amenity value, as informed by an arboricultural survey and a landscape and visual impact assessment;*

The development will inevitably destroy and erode an established valuable bio-diverse habitat in a unique rural 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.

Very significant road re-engineering will need to occur both at the Eridge Rd entrance (possibly involving the railway bridge as well) and at the proposed northern 'emergency access' exit on/near the corner of Hungershall Park and High Rocks Lane, where at the very least major parking restrictions would need to be applied. I do also wonder how long the latter exit would remain emergency only (it has a 'thin end of wedge' feel about it) and what that would mean for 'rat runs' and even greater traffic issues.

Flood issues are significant as has been noted. Again for our purchase in the area, the flood risk assessment shows some risks to the area of proposed development and indeed there is a form of levee (certainly not a natural feature) in the woods at the north-western extreme of this planning proposal that would appear to be designed to prevent water flow south-eastwards. A full plan would be needed to manage this in the event of any development.

Road widening/damage on the northern exit would likely be significant and create further restrictions for householders at the bottom of Cabbage Stalk Lane and into Hungershall Park Close. It is very difficult to see how this can be mitigated in any reasonable way.

Animals in the area would be significantly affected. We recently found a deer antler on a walk through the woods from the garden centre to the proposed 'emergency exit' in High Rocks Lane. We have seen deer walking down from the fields between Nevill and Hungershall Park and across the road into the woods on the south side of High Rocks Lane. These and other wildlife would be severely affected by loss of habitat on the scale proposed. Additionally, it is likely that diversity of fauna would also be lost. Again, it is difficult to see how this can be mitigated within the plan for this area.

I totally accept the need for a mix of new housing, but this cannot be so fixed as to need a greenbelt area (until recently) to be ploughed down when there are fallow areas in town. In this regard I am not just talking about the ones detailed in this planning proposal, but the new ones that are becoming more apparent as changes, not least retail, have accelerated through the Pandemic. Repurposing and redevelopment of some central areas could help reinvigorate suffering parts of TW at the same time as preserving green areas. Retail loss could be residential gain?

Finally, as someone who has recently moved more permanently into the TW area as a result of changes in the last year, I trust a major expansion of infrastructure and services will run alongside this development, or any that is finalised. I am struggling to find a GP surgery that has availability and I strongly suspect that a dentist will be equally difficult to secure. There is no point building the houses if the breadth of services needed by families are not expanding at least in proportion. I trust that is in hand?

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:

It matters to me that a sensible balance is reached and not one that serves a limited constituency.

I believe major re-planning is necessary in the area and am not convinced the council is alert to all the opportunities (as well as risks) for our amenity of life in the Borough and in TW in particular. Having listened to a recent council meeting it was clear that some things were being pursued reasonably sensibly, but there seem to be huge longer term issues which are not really being faced, but with good planning are surmountable and would help regenerate the area.

I would like to contribute constructively if I can.

Question 8

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

I believe I have made the necessary comments above, so will not repeat here bar one further comment. As part of a planning application I recently undertook in the vicinity I had to give detailed plans for landscaping involving tree planting, hedging (where types consistent with the area were (rightly) required), hiberniculae for invertebrates and other factors to encourage and maintain the local wildlife and fauna. I wonder to what end if a major swathe of established woodland that is directly connected to the land I am landscaping and to the wider greenbelt is to be ploughed down for housing and the increased traffic that will accompany it.

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	Philip Reddy [REDACTED]
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	Philip Reddy [REDACTED]
Comment ID	PSLP_1038
Response Date	03/06/21 11:03
Consultation Point	Policy AL/RTW 14 Land at Tunbridge Wells Garden Centre (View)
Status	Processed
Submission Type	Web
Version	0.3
Question 1	
Respondent's Name and/or Organisation	Philip Reddy
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.

Garden Centre Eridge Road Tunbridge Wells - paragraph 5.90. AL/RTW 14

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 . It is not justified 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.

1. The existing access from the site onto the Eridge Road is already dangerous with a steep slope onto a busy bend with restricted visibility. The proposed development will add considerably to the traffic using this access road and so will represent a much greater risk of accident. There is no pedestrian footpath on the garden centre side of the Eridge Road and so the pedestrians from the houses on the development going into town will need to cross a busy road on a dangerous bend.

Therefore:

1) Traffic Safety and Hazard: Vehicle access point on A26 Eridge Road. Road Traffic Safety compromised due to additional vehicle movement volumes; with a traffic hazard as there is restricted line of sight (ref. also 5.94) Note: Existing access considered to be on apex of bend, not as defined above as 'close to the bend'. 2) Pedestrian Safety and hazard: No available pavement on the Common side of the A26 pedestrians will be crossing the A26 at a dangerous busy point

The site was released from the Green Belt, and the Development Strategy Topic Paper and Green Belt studies set out the exceptional circumstances and compensatory improvements to the remaining Green Belt to justify the changes to the boundary in this location. What to date have been the compensatory improvements to the remaining Green Belt? The 2019 Plan describes the site as being part of a Biodiversity Opportunity Area where any development should demonstrate net gains for nature and biodiversity. Reference was also made to the DEFRA "MAGIC" website which described the area as suitable as woodpasture and parkland. Both these descriptions have been removed from the current plan

The development is in a river valley. Under present conditions High Rocks Lane consistently floods as the point where it meets Hungershall Park (and where it is presumed the proposed "emergency exit" will be for the development). As a result the road is almost always under water and in a poor condition with potholes that reappear quickly after frequent repairs. The road at this point is a blind bend with no footpath so pedestrians and cyclists often veer across the roadway to avoid the potholes and create a real danger of accidents to oncoming vehicles. This situation will only get worse once a large area of the valley floor is concreted over as a result of the development.

Proposing a Secondary and Emergency access appears to be a leverage argument to open up the site with another access point thereby ignoring the hazards identified, refer to previous valid refusal rational.

There is a high probability for dangerous additional 'on road parking' at the lower end of Hungershall Park/ corner of High Rocks lane/ Cabbage Stalk Lane. The proposed new developments at Spratsbrook Farm and the old Plant & Tools Hire site by The West Station which is to have access directly on to Eridge Road, will both increase traffic flows along this busy stretch and force drivers to find alternative routes.

Newts and a variety of amphibian wildlife have been seen in the site North aspect / River Grom area of this location. Along with numerous bats, badgers and voles and many birds. This area of land forms a wildlife corridor from the common down to the woods and along to the bird sanctuaries towards

Groombridge. It is a unique habitat, a small area of land which has been untouched for many years that supports vast numbers of insects and the other species mentioned before.

The plan shows a green space buffer running alongside Cabbage Stalk Lane. The current woodland buffer is substantial and therefore the developer is likely to bulldoze and excavate as much as is feasible subject to ground stability and the preservation of valuable and species trees etc. The trees provide cover and privacy for wildlife and seclusion for walkers and local residents but are not in themselves wonderful specimens but are nevertheless very important to the semi rural nature of the area. The retention of as much tree cover as possible is very important.

Site East West access – Cabbage Stalk Lane will cause additional volume of use. This poses the following problems: 1) Compromise to safety and hazard as now a designated cycle path. Several near misses have already occurred with current multi-use volumes; as the majority of cyclists appear to disregard this lane as being a shared facility with pedestrians, pedestrians and dog walkers, plus vehicular access traffic.

2) Cyclists coming out of the new development will generally turn right into Cabbage Stalk Lane, adding to the volumes of cyclists using that lane. Furthermore, this will surely add to the number of cyclists on the Common who increasingly seem to be ignoring the “no cycling” rule there.

3) For those who might turn left into High Rocks Lane, this would add to the number of cyclists on this narrow lane with blind corners and numerous potholes - adding yet further risk to themselves, pedestrians and cars.

4) This is likely to further increase the volume of cyclists coming down the hill in Hungershall Park and towards the proposed development. Residents are increasingly concerned about the number of cyclists coming around the corner at very high speed and oblivious to the blind entrance several drives. There have been near misses recently and including one cyclist who recently came off his bike near the entrance to the drive at no. 12

The development will inevitably destroy and erode an established valuable bio-diverse habitat in a unique rural area.

Question 7

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

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

Comment

Consultee	Susan Reddy [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] Tunbridge Wells [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Susan Reddy [REDACTED]
Comment ID	PSLP_935
Response Date	02/06/21 13:29
Consultation Point	Policy AL/RTW 14 Land at Tunbridge Wells Garden Centre (View)
Status	Processed
Submission Type	Web
Version	0.3
Question 1	
Respondent's Name and/or Organisation	Susan Reddy
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.	
Wyedale Garden Centre - Eridge Road Tunbridge Wells. AL/RTW 14	
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 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.

The existing access from the site onto the Eridge Road is already dangerous with a steep slope onto a busy bend with restricted visibility. The proposed development will add considerably to the traffic using this access road and so will represent a much greater risk of accident. There is no pedestrian footpath on the garden centre side of the Eridge Road and so the pedestrians from the houses on the development going into town will need to cross a busy road on a dangerous bend.

erefore:

1) Traffic Safety and Hazard: Vehicle access point on A26 Eridge Road. Road Traffic Safety compromised due to additional vehicle movement volumes; with a traffic hazard as there is restricted line of sight (ref. also 5.94) Note: Existing access considered to be on apex of bend, not as defined above as 'close to the bend'. 2) Pedestrian Safety and hazard: No available pavement on the Common side of the A26 pedestrians will be crossing the A26 at a dangerous busy point

5.92 The site was released from the Green Belt, and the Development Strategy Topic Paper and Green Belt studies set out the exceptional circumstances and compensatory improvements to the remaining Green Belt to justify the changes to the boundary in this location. What to date have been the compensatory improvements to the remaining Green Belt?

The 2019 Plan describes the site as being part of a Biodiversity Opportunity Area where any development should demonstrate net gains for nature and biodiversity. Reference was also made to the DEFRA "MAGIC" website which described the area as suitable as woodpasture and parkland. Both these descriptions have been removed from the current plan. why?

The development is in a river valley. Under present conditions High Rocks Lane regularly floods as the point where it meets Hungershall Park (and where it is presumed the proposed "emergency exit" will be for the development). As a result the road is always in a poor condition with potholes that reappear quickly after frequent repairs. The road at this point is a blind bend with no footpath so pedestrians and cyclists often veer across the roadway to avoid the potholes and create a real danger of accidents to oncoming vehicles. This situation will only get worse once a large area of the valley floor is concreted over as a result of the development.

There is a seasonal flooding issue in that area, as referred to above in the 2017 flooding report.

The proposed development is in a river valley. Under present conditions High Rocks Lane almost constantly floods as the point where it meets Hungershall Park (and where it is presumed the proposed "emergency exit" will be for the development). As a result the road is often under water and always in a poor condition with potholes that reappear quickly after frequent repairs. The road at this point is a blind bend with no footpath so pedestrians and cyclists often veer across the roadway to avoid the potholes and create a real danger of accidents to oncoming vehicles. This situation will only get worse once a large area of the valley floor is concreted over as a result of the development.

The only change since 1990 is higher volumes of traffic on High Rocks Lane and Hungershall Park.

No known local precedents have been set for a requirement of a secondary and/or an emergency access. Example: The existing adjacent large estate has no secondary or emergency access.

Access: The suggested 'North' secondary and emergency access point will:

- . Destroy a Bio Diverse habitat, impacting the natural rural dynamic .
- . By default the access point becomes a tacit 'extra access' immediately opening onto High Rocks Lane with hazardous restricted/limited line of sight which is onto a speed de-restricted area and is a width constricted lane, plus opposite another lane entrance point; as highlighted in the council's planning permission access refusal 1990.
- . There is a high probability for this access to become a local shortcut

Proposing a Secondary and Emergency access appears to be a leverage argument to open up the site with another access point thereby ignoring the hazards identified, refer to previous valid refusal rational.

In traffic management terms an emergency exit in High Rocks Lane would require either traffic light control, or a roundabout (taking up additional land) further eroding the natural character of the area.

There is a high probability for dangerous additional 'on road parking' at the lower end of Hungershall Park/ corner of High Rocks lane/ Cabbage Stalk Lane. The proposed new developments at Spratsbrook Farm and the old Plant & Tools Hire site by The West Station which is to have access directly on to Eridge Road, will both increase traffic flows along this busy stretch and force drivers to find alternative routes

This is a wildlife corridor between The Common, the woodland and the RSB sanctuary running down to Groombridge. It is a unique are, undisturbed for many years. I have seen Newts and a variety of amphibian wildlife have been seen in the site North aspect / River Grom area of this location. Also badgers, bats and voles and a wide range of native birds live in this woodland and pasture. It is almost a wetland type pasture in some spots.

The plan shows a green space buffer running alongside Cabbage Stalk Lane. The current woodland buffer is substantial and therefore the developer is likely to bulldoze and excavate as much as is feasible subject to ground stability and the preservation of valuable and species trees etc. The trees provide cover and privacy for wildlife and seclusion for walkers and local residents but are not in themselves wonderful specimens but are nevertheless very important to the semi rural nature of the area and its diverse wildlife.

The River Grom flows along the Southern boundary of the plot alongside the railway line. The woodland and the river provide a habitat for deer and other wild animals. It would be desirable if the western end of the plot be preserved for wildlife, not be built upon and not used for vehicular access.

If the access point is allowed to the north, then the suggested access is onto a hazardous speed de-restricted and width restricted lane. This was one of the reasons the previous planning for access was refused. This would also create a safety hazard for pedestrians as there is no pavement from the suggested access secondary/emergency point towards Cabbage Stalk Lane.

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:

In order that local residents are heard

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	Livia Rurarz-Huygens [REDACTED]
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	Livia Rurarz-Huygens [REDACTED]
Comment ID	PSLP_233
Response Date	25/05/21 13:23
Consultation Point	Policy AL/RTW 14 Land at Tunbridge Wells Garden Centre (View)
Status	Processed
Submission Type	Web
Version	0.2
Question 1	
Respondent's Name and/or Organisation	Livia Rurarz-Huygens
Question 2	
Agent's Name and Organisation (if applicable)	Private resident
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.	
5.91, 5.92, 5.93, 5.94	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Don't know
Is sound	No

Complies with the Duty to Cooperate

Don't know

Question 4a

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

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

Question 5

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

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

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

5.91 Existing vehicular access to the site is directly from the A26 Eridge Road to the south east corner of the site, close to the bend in the Eridge Road. The Spa Valley Railway Line is located south of the site, including a bridge that crosses the Eridge Road just south of the site access. The existing access from the site onto the Eridge Road is already dangerous with a steep slope onto a busy bend with restricted visibility. The proposed development will add considerably to the traffic using this access road and so will represent a much greater risk of accident.

There is no pedestrian footpath on the garden centre side of the A 26 Eridge Road and so the pedestrians from the houses on the development going into town will need to cross a busy road on a dangerous bend.

5.92 The site was released from the Green Belt, and the Development Strategy Topic Paper and Green Belt studies set out the exceptional circumstances and compensatory improvements to the remaining Green Belt to justify the changes to the boundary in this location. What to date have been the compensatory improvements to the remaining Green Belt?

The 2019 Plan describes the site as being part of a Biodiversity Opportunity Area where any development should demonstrate net gains for nature and biodiversity. Reference was also made to the DEFRA "MAGIC" website which described the area as suitable as woodpasture and parkland. Both these descriptions have been removed from the current plan.

5.93 It lies adjacent to the Royal Tunbridge Wells Conservation Area and to Tunbridge Wells Common, which is a designated Local Wildlife Site. Part of the site is also covered by the Environment Agency's Flood Zone 3.

River Grom flooding Report 2017 (Currently Correct /Relevant unless structural changes have been made)– Ref pages 7-9 Extracts:(page 7 – 2.3 para 4)To the south and east of The Pantiles, much of the area has separate surface water and foul water drainage. The surface water sewers generally discharge to watercourses which ultimately flow into the River Grom.(Page 9 – 2.4.1 para 3).... There is a Combined Sewer Overflow (CSO) from the public combined sewer in the culverted section of the River Grom that allows the combined sewer in the Pantiles area of Tunbridge Wells to discharge into it if its capacity is exceeded.

The development is in a river valley. Under present conditions High Rocks Lane regularly floods as the point where it meets Hungershall Park (and where it is presumed the proposed "emergency exit" will be for the development). As a result the road is always in a poor condition with potholes that reappear quickly after frequent repairs. The road at this point is a blind bend with no footpath so pedestrians and cyclists often veer across the roadway to avoid the potholes and create a real danger

of accidents to oncoming vehicles. This situation will only get worse once a large area of the valley floor is concreted over as a result of the development.

It was recently noticed by local residents that the site currently suffers from a sewage problem. A large manhole cover had been dislodged and was surrounded by household waste which had obviously been forced out. It is hoped that this would be resolved as part of the development, especially as the River Grom is in close proximity and there is a seasonal flooding issue in that area, as referred to above in the 2017 flooding report.

5.94 *Development would need to be sensitively designed to respect the location in proximity to the Common, the conservation area, and the topography of the site. However, it constitutes a sustainable site on the edge of the town centre and could accommodate a mix of uses, to include the retention/expansion of the existing garden centre business and the introduction of some residential development within the site. However, Kent County Council, as the local highways authority, considers that the scale of development on the site may be limited due to the current access constraints. 108 Tunbridge Wells Borough Local Plan Regulation 19 Consultation Pre-Submission Local Plan Map 14 Site Layout Plan*

Policy AL/RTW 14 Land at Tunbridge Wells Garden Centre This site, as defined on the Royal Tunbridge Wells Policies Map, is allocated for the expansion of the existing Use Class E (a) commercial use (garden centre) with an element of residential of approximately 25-30 residential dwellings, of which 30 percent shall be affordable housing. Development on the site shall accord with the following requirements:

- 1 *Means of access, including secondary and emergency means of access, to be informed by a transport statement; it is likely that the scale of any development may be limited by the quality of access arrangements that can be achieved within the confines of the site. An emergency access is likely to be required to the north;*

Planning consents often require provision of social/affordable housing under Section 106 Agreements, but invariably the developer comes back to the local authority later and pleads that it renders the scheme unviable. The 30% (eg) then falls away to 10% or less. The infrastructure requirements on this site will render development especially expensive. The contribution this site could make to meeting housing need is negligible.

Previous planning for access - Refused(89/02011/FUL | New vehicular access. New gate and 1.8m high chain link boundary fence | Wyevale Garden Centre Eridge Road Royal Tunbridge Wells Kent TN4 8HP (midkent.gov.uk)) Ref. No: 89/02011/FUL | Received: Tue 07 Nov 1989 | Validated: Thu 14 Jun 1990 | Status: Decided Council Letter 1990 - Extracts detailing the Refusal reasons:1 a) The proposed access would be likely to create unacceptable additional hazard to traffic.2 a) The sight lines are inadequate and would create unacceptable additional hazards to traffic.3 a) The proposal would be undesirable in an area which is predominately rural in character, and would be detrimental both to the appearance and to the rural amenities of the locality.4 a) The proposal would be likely to be unacceptably detrimental to residential amenities of adjacent dwellings

The only change since 1990 is higher volumes of traffic on High Rocks Lane and Hungershall Park.

No known local precedents have been set for a requirement of a secondary and/or an emergency access. Example: The existing adjacent large estate has no secondary or emergency access.

Access: The suggested 'North' secondary and emergency access point will:

- . Destroy a Bio Diverse habitat, impacting the natural rural dynamic .
- . By default the access point becomes a tacit 'extra access' immediately opening onto High Rocks Lane with hazardous restricted/limited line of sight which is onto a speed de-restricted area and is a width constricted lane, plus opposite another lane entrance point; as highlighted in the council's planning permission access refusal 1990.
- . There is a high probability for this access to become a local shortcut

Proposing a Secondary and Emergency access appears to be a leverage argument to open up the site with another access point thereby ignoring the hazards identified, refer to previous valid refusal rational.

There is a high probability for dangerous additional 'on road parking' at the lower end of Hungershall Park/ corner of High Rocks lane/ Cabbage Stalk Lane. The proposed new developments at Spratsbrook Farm and the old Plant & Tools Hire site by The West Station which is to have access directly on to

Eridge Road, will both increase traffic flows along this busy stretch and force drivers to find alternative routes.

Newts and a variety of amphibian wildlife have been seen in the site North aspect / River Grom area of this location.

In traffic management terms an emergency exit would require either traffic light control, or a roundabout (taking up additional land) further eroding the natural character of the area.² *The provision of pedestrian and cycle access to the north and improved pedestrian and cycle access into the town;*

If the access point is allowed to the north, then the suggested access is onto a hazardous speed de-restricted and width restricted lane. This was one of the reasons the previous planning for access was refused.

This would also create a safety hazard for pedestrians as there is no pavement from the suggested access secondary/emergency point towards Cabbage Stalk Lane.

- 1 *Adequate servicing and parking to serve the expanded commercial use on the site;*
- 2 *Provision of a green route through the site from east to west connecting to existing Public Rights of Way on Tunbridge Wells Common and Cabbage Stalk Lane; Site East West access – Cabbage Stalk Lane will cause additional volume of use. This poses the following problems:*

1) Compromise to safety and hazard as now a designated cycle path. Several near misses have already occurred with current multi-use volumes; as the majority of cyclists appear to disregard this lane as being a shared facility with pedestrians, pedestrians and dog walkers, plus vehicular access traffic.

2) Cyclists coming out of the new development will generally turn right into Cabbage Stalk Lane, adding to the volumes of cyclists using that lane. Furthermore, this will surely add to the number of cyclists on the Common who increasingly seem to be ignoring the “no cycling” rule there.

3) For those who might turn left into High Rocks Lane, this would add to the number of cyclists on this narrow lane with blind corners and numerous potholes - adding yet further risk to themselves, pedestrians and cars.

4) This is likely to further increase the volume of cyclists coming down the hill in Hungershall Park and towards the proposed development. Residents are increasingly concerned about the number of cyclists coming around the corner at very high speed and oblivious to the blind entrance several drives. There have been near misses recently and including one cyclist who recently came off his bike near the entrance to the drive at no. 12 Hungershall.

- 1 *Development shall be located on the areas identified for mixed use on the site layout plan; Tunbridge Wells Borough Local Plan 109 Pre-Submission Local Plan Regulation 19 Consultation*
- 2 *Green infrastructure shall be provided on the areas shown indicatively in green on the site layout plan, and these shall be retained and enhanced. This shall include suitable buffering and enhancements to the River Grom corridor and to the setting of the adjacent Tunbridge Wells and Rusthall Common; The plan shows a green space buffer running alongside Cabbage Stalk Lane. The current woodland buffer is substantial and therefore the developer is likely to bulldoze and excavate as much as is feasible subject to ground stability and the preservation of valuable and species trees etc. The trees provide cover and privacy for wildlife and seclusion for walkers and local residents but are not in themselves wonderful specimens but are nevertheless very important to the semi rural nature of the area. The retention of as much tree cover as possible is very important.*

The River Grom flows along the Southern boundary of the plot alongside the railway line. The woodland and the river provide a habitat for deer and other wild animals. It would be desirable if the western end of the plot be preserved for wildlife, not be built upon and not used for vehicular access.⁷ *Regard will be given to existing hedgerows and mature trees on-site, with the layout and design of the development protecting those of most amenity value, as informed by an arboricultural survey and a landscape and visual impact assessment;*

The development will inevitably destroy and erode an established valuable bio-diverse habitat in a unique rural area.

Question 6

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

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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.

Provide pavement on the Common side of the A26 Eridge road as pedestrians will be crossing the A26 at a dangerous busy point.

Make clear what have been the compensatory improvements to the remaining Green Belt as a result of the removal of this section of the Green belt. Additionally, make clear how the biodiversity of the area will be safeguarded given shrinking habitat.

Remove the planned North exit that would lead onto Hungershall as no known local precedents have been set for a requirement of a secondary and/or an emergency access.

Ensure that onroad parking on Hungershall is limited.

Remove the planned cycle access to town along Cabbage Stalk Lane.

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	Livia Rurarz-Huygens [REDACTED]
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	Livia Rurarz-Huygens [REDACTED]
Comment ID	PSLP_347
Response Date	24/05/21 21:23
Consultation Point	Policy AL/RTW 14 Land at Tunbridge Wells Garden Centre (View)
Status	Processed
Submission Type	Web
Version	0.3
Question 1	
Respondent's Name and/or Organisation	Livia Rurarz-Huygens
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.	
5.91, 5.92, 5.93, 5.94	
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 . It is not effective 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.

5.91 Existing vehicular access to the site is directly from the A26 Eridge Road to the south east corner of the site, close to the bend in the Eridge Road. The Spa Valley Railway Line is located south of the site, including a bridge that crosses the Eridge Road just south of the site access. The existing access from the site onto the Eridge Road is already dangerous with a steep slope onto a busy bend with restricted visibility. The proposed development will add considerably to the traffic using this access road and so will represent a much greater risk of accident.

There is no pedestrian footpath on the garden centre side of the Eridge Road and so the pedestrians from the houses on the development going into town will need to cross a busy road on a dangerous bend.

Therefore:

1) Traffic Safety and Hazard: Vehicle access point on A26 Eridge Road. Road Traffic Safety compromised due to additional vehicle movement volumes; with a traffic hazard as there is restricted line of sight (ref. also 5.94) Note: Existing access considered to be on apex of bend, not as defined above as 'close to the bend'. 2) Pedestrian Safety and hazard: No available pavement on the Common side of the A26 pedestrians will be crossing the A26 at a dangerous busy point

5.92 The site was released from the Green Belt, and the Development Strategy Topic Paper and Green Belt studies set out the exceptional circumstances and compensatory improvements to the remaining Green Belt to justify the changes to the boundary in this location. What to date have been the compensatory improvements to the remaining Green Belt?

The 2019 Plan describes the site as being part of a Biodiversity Opportunity Area where any development should demonstrate net gains for nature and biodiversity. Reference was also made to the DEFRA "MAGIC" website which described the area as suitable as woodpasture and parkland. Both these descriptions have been removed from the current plan.

5.93 It lies adjacent to the Royal Tunbridge Wells Conservation Area and to Tunbridge Wells Common, which is a designated Local Wildlife Site. Part of the site is also covered by the Environment Agency's Flood Zone 3.

River Grom flooding Report 2017 (Currently Correct /Relevant unless structural changes have been made)– Ref pages 7-9 Extracts:(page 7 – 2.3 para 4)To the south and east of The Pantiles, much of the area has separate surface water and foul water drainage. The surface water sewers generally discharge to watercourses which ultimately flow into the River Grom.(Page 9 – 2.4.1 para 3).... There is a Combined Sewer Overflow (CSO) from the public combined sewer in the culverted section of the River Grom that allows the combined sewer in the Pantiles area of Tunbridge Wells to discharge into it if its capacity is exceeded.

The development is in a river valley. Under present conditions High Rocks Lane regularly floods as the point where it meets Hungershall Park (and where it is presumed the proposed "emergency exit" will be for the development). As a result the road is always in a poor condition with potholes that

reappear quickly after frequent repairs. The road at this point is a blind bend with no footpath so pedestrians and cyclists often veer across the roadway to avoid the potholes and create a real danger of accidents to oncoming vehicles. This situation will only get worse once a large area of the valley floor is concreted over as a result of the development.

It was recently noticed by local residents that the site currently suffers from a sewage problem. A large manhole cover had been dislodged and was surrounded by household waste which had obviously been forced out. It is hoped that this would be resolved as part of the development, especially as the River Grom is in close proximity and there is a seasonal flooding issue in that area, as referred to above in the 2017 flooding report.

5.94 *Development would need to be sensitively designed to respect the location in proximity to the Common, the conservation area, and the topography of the site. However, it constitutes a sustainable site on the edge of the town centre and could accommodate a mix of uses, to include the retention/expansion of the existing garden centre business and the introduction of some residential development within the site. However, Kent County Council, as the local highways authority, considers that the scale of development on the site may be limited due to the current access constraints. 108 Tunbridge Wells Borough Local Plan Regulation 19 Consultation Pre-Submission Local Plan Map 14 Site Layout Plan*

Policy AL/RTW 14 Land at Tunbridge Wells Garden Centre This site, as defined on the Royal Tunbridge Wells Policies Map, is allocated for the expansion of the existing Use Class E (a) commercial use (garden centre) with an element of residential of approximately 25-30 residential dwellings, of which 30 percent shall be affordable housing. Development on the site shall accord with the following requirements:

- 1 *Means of access, including secondary and emergency means of access, to be informed by a transport statement; it is likely that the scale of any development may be limited by the quality of access arrangements that can be achieved within the confines of the site. An emergency access is likely to be required to the north;*

Planning consents often require provision of social/affordable housing under Section 106 Agreements, but invariably the developer comes back to the local authority later and pleads that it renders the scheme unviable. The 30% (eg) then falls away to 10% or less. The infrastructure requirements on this site will render development especially expensive. The contribution this site could make to meeting housing need is negligible.

Previous planning for access - Refused(89/02011/FUL | New vehicular access. New gate and 1.8m high chain link boundary fence | Wyevale Garden Centre Eridge Road Royal Tunbridge Wells Kent TN4 8HP (midkent.gov.uk)) Ref. No: 89/02011/FUL | Received: Tue 07 Nov 1989 | Validated: Thu 14 Jun 1990 | Status: Decided Council Letter 1990 - Extracts detailing the Refusal reasons:1 a) The proposed access would be likely to create unacceptable additional hazard to traffic.2 a) The sight lines are inadequate and would create unacceptable additional hazards to traffic3 a) The proposal would be undesirable in an area which is predominately rural in character, and would be detrimental both to the appearance and to the rural amenities of the locality.4 a) The proposal would be likely to be unacceptably detrimental to residential amenities of adjacent dwellings

The only change since 1990 is higher volumes of traffic on High Rocks Lane and Hungershall Park.

No known local precedents have been set for a requirement of a secondary and/or an emergency access. Example: The existing adjacent large estate has no secondary or emergency access.

Access: The suggested 'North' secondary and emergency access point will:

- . Destroy a Bio Diverse habitat, impacting the natural rural dynamic .
- . By default the access point becomes a tacit 'extra access' immediately opening onto High Rocks Lane with hazardous restricted/limited line of sight which is onto a speed de-restricted area and is a width constricted lane, plus opposite another lane entrance point; as highlighted in the council's planning permission access refusal 1990.
- . There is a high probability for this access to become a local shortcut

Proposing a Secondary and Emergency access appears to be a leverage argument to open up the site with another access point thereby ignoring the hazards identified, refer to previous valid refusal rational.

There is a high probability for dangerous additional 'on road parking' at the lower end of Hungershall Park/ corner of High Rocks lane/ Cabbage Stalk Lane. The proposed new developments at Spratsbrook

Farm and the old Plant & Tools Hire site by The West Station which is to have access directly on to Eridge Road, will both increase traffic flows along this busy stretch and force drivers to find alternative routes.

Newts and a variety of amphibian wildlife have been seen in the site North aspect / River Grom area of this location.

In traffic management terms an emergency exit would require either traffic light control, or a roundabout (taking up additional land) further eroding the natural character of the area.² *The provision of pedestrian and cycle access to the north and improved pedestrian and cycle access into the town;*

If the access point is allowed to the north, then the suggested access is onto a hazardous speed de-restricted and width restricted lane. This was one of the reasons the previous planning for access was refused.

This would also create a safety hazard for pedestrians as there is no pavement from the suggested access secondary/emergency point towards Cabbage Stalk Lane.

- 1 *Adequate servicing and parking to serve the expanded commercial use on the site;*
- 2 *Provision of a green route through the site from east to west connecting to existing Public Rights of Way on Tunbridge Wells Common and Cabbage Stalk Lane; Site East West access – Cabbage Stalk Lane will cause additional volume of use. This poses the following problems:*
 - 1) *Compromise to safety and hazard as now a designated cycle path. Several near misses have already occurred with current multi-use volumes; as the majority of cyclists appear to disregard this lane as being a shared facility with pedestrians, pedestrians and dog walkers, plus vehicular access traffic.*
 - 2) *Cyclists coming out of the new development will generally turn right into Cabbage Stalk Lane, adding to the volumes of cyclists using that lane. Furthermore, this will surely add to the number of cyclists on the Common who increasingly seem to be ignoring the “no cycling” rule there.*
 - 3) *For those who might turn left into High Rocks Lane, this would add to the number of cyclists on this narrow lane with blind corners and numerous potholes - adding yet further risk to themselves, pedestrians and cars.*
 - 4) *This is likely to further increase the volume of cyclists coming down the hill in Hungershall Park and towards the proposed development. Residents are increasingly concerned about the number of cyclists coming around the corner at very high speed and oblivious to the blind entrances of several drives. There have been near misses recently and including one cyclist who recently came off his bike near the entrance to the drive at no. 12 Hungershall.*

- 1 *Development shall be located on the areas identified for mixed use on the site layout plan; Tunbridge Wells Borough Local Plan 109 Pre-Submission Local Plan Regulation 19 Consultation*
- 2 *Green infrastructure shall be provided on the areas shown indicatively in green on the site layout plan, and these shall be retained and enhanced. This shall include suitable buffering and enhancements to the River Grom corridor and to the setting of the adjacent Tunbridge Wells and Rusthall Common; The plan shows a green space buffer running alongside Cabbage Stalk Lane. The current woodland buffer is substantial and therefore the developer is likely to bulldoze and excavate as much as is feasible subject to ground stability and the preservation of valuable and species trees etc. The trees provide cover and privacy for wildlife and seclusion for walkers and local residents but are not in themselves wonderful specimens but are nevertheless very important to the semi rural nature of the area. The retention of as much tree cover as possible is very important.*

The River Grom flows along the Southern boundary of the plot alongside the railway line. The woodland and the river provide a habitat for deer and other wild animals. It would be desirable if the western end of the plot be preserved for wildlife, not be built upon and not used for vehicular access.⁷ *Regard will be given to existing hedgerows and mature trees on-site, with the layout and design of the development protecting those of most amenity value, as informed by an arboricultural survey and a landscape and visual impact assessment;*

The development will inevitably destroy and erode an established valuable bio-diverse habitat in a unique rural 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.

Establish a pedestrian footpath on the garden centre side of the Eridge Road.

Make clear what to date have been the compensatory improvements to the remaining Green Belt

It is hoped that flooding issues would be resolved as part of the development.

Consider eliminating the North access emergency exit.

Consider eliminating the cycle route on Cabbage Stalk Lane.

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	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Southern Water Services Plc
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Southern Water Services Plc [REDACTED]
Comment ID	PSLP_1197
Response Date	03/06/21 15:31
Consultation Point	Policy AL/RTW 14 Land at Tunbridge Wells Garden Centre (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	Southern Water
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy AL/RTW 14 Land at Tunbridge Wells Garden Centre	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes

Is sound	Yes
Complies with the Duty to Cooperate	Yes

Question 4a

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

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

Question 5

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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.

Southern Water is the statutory wastewater undertaker for Tunbridge Wells. Our assessment has revealed that Southern Water's underground infrastructure crosses this site. This needs to be taken into account when designing the site layout. Easements would be required, which may affect the site layout or require diversion. Easements should be clear of all proposed buildings and substantial tree planting.

Question 6

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In consideration of the above, we recommend the following criterion for Policy AL/RTW 14

Layout is planned to ensure future access to existing wastewater infrastructure for maintenance and upsizing purposes.

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	Mark Taylor [REDACTED]
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	Mark Taylor [REDACTED]
Comment ID	PSLP_253
Response Date	21/05/21 14:16
Consultation Point	Policy AL/RTW 14 Land at Tunbridge Wells Garden Centre (View)
Status	Processed
Submission Type	Web
Version	0.4
Question 1	
Respondent's Name and/or Organisation	Mark Taylor
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.	
"5.91, 5.92, 5.93, 5.94"	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes
Is sound	No
Complies with the Duty to Cooperate	Yes
Question 4a	

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

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

Question 5

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[TWBC: non-working link has been removed with permission of responder].

5.91 Existing vehicular access to the site is directly from the A26 Eridge Road to the south east corner of the site, close to the bend in the Eridge Road. The Spa Valley Railway Line is located south of the site, including a bridge that crosses the Eridge Road just south of the site access. The existing access from the site onto the Eridge Road is already dangerous with a steep slope onto a busy bend with restricted visibility. The proposed development will add considerably to the traffic using this access road and so will represent a much greater risk of accident.

There is no pedestrian footpath on the garden centre side of the Eridge Road and so the pedestrians from the houses on the development going into town will need to cross a busy road on a dangerous bend.

Therefore:

1) Traffic Safety and Hazard: Vehicle access point on A26 Eridge Road. Road Traffic Safety compromised due to additional vehicle movement volumes; with a traffic hazard as there is restricted line of sight (ref. also 5.94) Note: Existing access considered to be on apex of bend, not as defined above as 'close to the bend'. 2) Pedestrian Safety and hazard: No available pavement on the Common side of the A26 pedestrians will be crossing the A26 at a dangerous busy point

5.92 The site was released from the Green Belt, and the Development Strategy Topic Paper and Green Belt studies set out the exceptional circumstances and compensatory improvements to the remaining Green Belt to justify the changes to the boundary in this location. What to date have been the compensatory improvements to the remaining Green Belt?

The 2019 Plan describes the site as being part of a Biodiversity Opportunity Area where any development should demonstrate net gains for nature and biodiversity. Reference was also made to the DEFRA "MAGIC" website which described the area as suitable as woodpasture and parkland. Both these descriptions have been removed from the current plan.

5.93 It lies adjacent to the Royal Tunbridge Wells Conservation Area and to Tunbridge Wells Common, which is a designated Local Wildlife Site. Part of the site is also covered by the Environment Agency's Flood Zone 3.

River Grom flooding Report 2017 (Currently Correct /Relevant unless structural changes have been made) – Ref pages 7-9 Extracts: (page 7 – 2.3 para 4)To the south and east of The Pantiles, much of the area has separate surface water and foul water drainage. The surface water sewers generally discharge to watercourses which ultimately flow into the River Grom. (Page 9 – 2.4.1 para 3).... There is a Combined Sewer Overflow (CSO) from the public combined sewer in the culverted section of the River Grom that allows the combined sewer in the Pantiles area of Tunbridge Wells to discharge into it if its capacity is exceeded.

The development is in a river valley. Under present conditions High Rocks Lane regularly floods as the point where it meets Hungershall Park (and where it is presumed the proposed “emergency exit” will be for the development). As a result the road is always in a poor condition with potholes that reappear quickly after frequent repairs. The road at this point is a blind bend with no footpath so pedestrians and cyclists often veer across the roadway to avoid the potholes and create a real danger of accidents to oncoming vehicles. This situation will only get worse once a large area of the valley floor is concreted over as a result of the development.

It was recently noticed by local residents that the site currently suffers from a sewage problem. A large manhole cover had been dislodged and was surrounded by household waste which had obviously been forced out. It is hoped that this would be resolved as part of the development, especially as the River Grom is in close proximity and there is a seasonal flooding issue in that area, as referred to above in the 2017 flooding report.

5.94 Development would need to be sensitively designed to respect the location in proximity to the Common, the conservation area, and the topography of the site. However, it constitutes a sustainable site on the edge of the town centre and could accommodate a mix of uses, to include the retention/expansion of the existing garden centre business and the introduction of some residential development within the site. However, Kent County Council, as the local highways authority, considers that the scale of development on the site may be limited due to the current access constraints. 108 Tunbridge Wells Borough Local Plan Regulation 19 Consultation Pre-Submission Local Plan Map 14 Site Layout Plan

Policy AL/RTW 14 Land at Tunbridge Wells Garden Centre This site, as defined on the Royal Tunbridge Wells Policies Map, is allocated for the expansion of the existing Use Class E (a) commercial use (garden centre) with an element of residential of approximately 25-30 residential dwellings, of which 30 percent shall be affordable housing. Development on the site shall accord with the following requirements:

1. Means of access, including secondary and emergency means of access, to be informed by a transport statement; it is likely that the scale of any development may be limited by the quality of access arrangements that can be achieved within the confines of the site. An emergency access is likely to be required to the north;

Planning consents often require provision of social/affordable housing under Section 106 Agreements, but invariably the developer comes back to the local authority later and pleads that it renders the scheme unviable. The 30% (eg) then falls away to 10% or less. The infrastructure requirements on this site will render development especially expensive. The contribution this site could make to meeting housing need is negligible.

Previous planning for access - Refused (89/02011/FUL | New vehicular access. New gate and 1.8m high chain link boundary fence | Wyevale Garden Centre Eridge Road Royal Tunbridge Wells Kent TN4 8HP (midkent.gov.uk)) Ref. No: 89/02011/FUL | Received: Tue 07 Nov 1989 | Validated: Thu 14 Jun 1990 | Status: Decided Council Letter 1990 - Extracts detailing the Refusal reasons: 1 a) The proposed access would be likely to create unacceptable additional hazard to traffic. 2 a) The sight lines are inadequate and would create unacceptable additional hazards to traffic 3 a) The proposal would be undesirable in an area which is predominately rural in character, and would be detrimental both to the appearance and to the rural amenities of the locality. 4 a) The proposal would be likely to be unacceptably detrimental to residential amenities of adjacent dwellings

The only change since 1990 is higher volumes of traffic on High Rocks Lane and Hungershall Park.

No known local precedents have been set for a requirement of a secondary and/or an emergency access. Example: The existing adjacent large estate has no secondary or emergency access.

Access: The suggested ‘North’ secondary and emergency access point will:

- . Destroy a Bio Diverse habitat, impacting the natural rural dynamic .
- . By default the access point becomes a tacit ‘extra access’ immediately opening onto High Rocks Lane with hazardous restricted/limited line of sight which is onto a speed de-restricted area and is a width constricted lane, plus opposite another lane entrance point; as highlighted in the council’s planning permission access refusal 1990.
- . There is a high probability for this access to become a local shortcut

Proposing a Secondary and Emergency access appears to be a leverage argument to open up the site with another access point thereby ignoring the hazards identified, refer to previous valid refusal rational.

There is a high probability for dangerous additional 'on road parking' at the lower end of Hungershall Park/ corner of High Rocks lane/ Cabbage Stalk Lane. The proposed new developments at Spratsbrook Farm and the old Plant & Tools Hire site by The West Station which is to have access directly on to Eridge Road, will both increase traffic flows along this busy stretch and force drivers to find alternative routes.

Newts and a variety of amphibian wildlife have been seen in the site North aspect / River Grom area of this location.

In traffic management terms an emergency exit would require either traffic light control, or a roundabout (taking up additional land) further eroding the natural character of the area. 2. The provision of pedestrian and cycle access to the north and improved pedestrian and cycle access into the town;

If the access point is allowed to the north, then the suggested access is onto a hazardous speed de-restricted and width restricted lane. This was one of the reasons the previous planning for access was refused.

This would also create a safety hazard for pedestrians as there is no pavement from the suggested access secondary/emergency point towards Cabbage Stalk Lane.

3. Adequate servicing and parking to serve the expanded commercial use on the site;

4. Provision of a green route through the site from east to west connecting to existing Public Rights of Way on Tunbridge Wells Common and Cabbage Stalk Lane; Site East West access – Cabbage Stalk Lane will cause additional volume of use. This poses the following problems: 1) Compromise to safety and hazard as now a designated cycle path. Several near misses have already occurred with current multi-use volumes; as the majority of cyclists appear to disregard this lane as being a shared facility with pedestrians, pedestrians and dog walkers, plus vehicular access traffic.

2) Cyclists coming out of the new development will generally turn right into Cabbage Stalk Lane, adding to the volumes of cyclists using that lane. Furthermore, this will surely add to the number of cyclists on the Common who increasingly seem to be ignoring the "no cycling" rule there.

3) For those who might turn left into High Rocks Lane, this would add to the number of cyclists on this narrow lane with blind corners and numerous potholes - adding yet further risk to themselves, pedestrians and cars.

4) This is likely to further increase the volume of cyclists coming down the hill in Hungershall Park and towards the proposed development. Residents are increasingly concerned about the number of cyclists coming around the corner at very high speed and oblivious to the blind entrance several drives. There have been near misses recently and including one cyclist who recently came off his bike near the entrance to the drive at no. 12 Hungershall.

5. Development shall be located on the areas identified for mixed use on the site layout plan; Tunbridge Wells Borough Local Plan 109 Pre-Submission Local Plan Regulation 19 Consultation

6. Green infrastructure shall be provided on the areas shown indicatively in green on the site layout plan, and these shall be retained and enhanced. This shall include suitable buffering and enhancements to the River Grom corridor and to the setting of the adjacent Tunbridge Wells and Rusthall Common;

The plan shows a green space buffer running alongside Cabbage Stalk Lane. The current woodland buffer is substantial and therefore the developer is likely to bulldoze and excavate as much as is feasible subject to ground stability and the preservation of valuable and species trees etc. The trees provide cover and privacy for wildlife and seclusion for walkers and local residents but are not in themselves wonderful specimens but are nevertheless very important to the semi rural nature of the area. The retention of as much tree cover as possible is very important.

The River Grom flows along the Southern boundary of the plot alongside the railway line. The woodland and the river provide a habitat for deer and other wild animals. It would be desirable if the western end of the plot be preserved for wildlife, not be built upon and not used for vehicular access. 7. Regard will be given to existing hedgerows and mature trees on-site, with the layout and design of the

development protecting those of most amenity value, as informed by an arboricultural survey and a landscape and visual impact assessment;

The development will inevitably destroy and erode an established valuable bio-diverse habitat in a unique rural 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 Local Plan is sound with removal of development of Wyevale site

Question 7

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

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

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box:	<input type="checkbox"/> Yes, I wish to be notified of future stages of the Local Plan
--	--

Comment

Consultee	Mike Traill [REDACTED]
Email Address	[REDACTED]
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Mike Traill [REDACTED]
Comment ID	PSLP_982
Response Date	02/06/21 19:56
Consultation Point	Policy AL/RTW 14 Land at Tunbridge Wells Garden Centre (View)
Status	Processed
Submission Type	Web
Version	0.1
Question 1	
Respondent's Name and/or Organisation	Mike Traill
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.

5.91, 5.92, 5.93, 5.94

Question 4

Do you consider that the Local Plan:

Is sound No

Question 4a

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

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

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

5.91 Existing vehicular access to the site is directly from the A26 Eridge Road to the south east corner of the site, close to the bend in the Eridge Road. The Spa Valley Railway Line is located south of the site, including a bridge that crosses the Eridge Road just south of the site access. The existing access from the site onto the Eridge Road is already dangerous with a steep slope onto a busy bend with restricted visibility. The proposed development will add considerably to the traffic using this access road and so will represent a much greater risk of accident.

There is no pedestrian footpath on the garden centre side of the Eridge Road and so the pedestrians from the houses on the development going into town will need to cross a busy road on a dangerous bend.

Therefore:

1) Traffic Safety and Hazard: Vehicle access point on A26 Eridge Road. Road Traffic Safety compromised due to additional vehicle movement volumes; with a traffic hazard as there is restricted line of sight (ref. also 5.94) Note: Existing access considered to be on apex of bend, not as defined above as 'close to the bend'. 2) Pedestrian Safety and hazard: No available pavement on the Common side of the A26 pedestrians will be crossing the A26 at a dangerous busy point

5.92 The site was released from the Green Belt, and the Development Strategy Topic Paper and Green Belt studies set out the exceptional circumstances and compensatory improvements to the remaining Green Belt to justify the changes to the boundary in this location. What to date have been the compensatory improvements to the remaining Green Belt?

The 2019 Plan describes the site as being part of a Biodiversity Opportunity Area where any development should demonstrate net gains for nature and biodiversity. Reference was also made to the DEFRA "MAGIC" website which described the area as suitable as woodpasture and parkland. Both these descriptions have been removed from the current plan.

5.93 It lies adjacent to the Royal Tunbridge Wells Conservation Area and to Tunbridge Wells Common, which is a designated Local Wildlife Site. Part of the site is also covered by the Environment Agency's Flood Zone 3.

River Grom flooding Report 2017 (Currently Correct /Relevant unless structural changes have been made)– Ref pages 7-9 Extracts:(page 7 – 2.3 para 4)To the south and east of The Pantiles, much of the area has separate surface water and foul water drainage. The surface water sewers generally discharge to watercourses which ultimately flow into the River Grom.(Page 9 – 2.4.1 para 3).... There is a Combined Sewer Overflow (CSO) from the public combined sewer in the culverted section of the River Grom that allows the combined sewer in the Pantiles area of Tunbridge Wells to discharge into it if its capacity is exceeded.

The development is in a river valley. Under present conditions High Rocks Lane regularly floods at the point where it meets Hungershall Park (and where it is presumed the proposed "emergency exit" will be for the development). As a result the road is always in a poor condition with potholes that reappear quickly after frequent repairs. The road at this point is a blind bend with no footpath so

pedestrians and cyclists often veer across the roadway to avoid the potholes and create a real danger of accidents to oncoming vehicles. This situation will only get worse once a large area of the valley floor is concreted over as a result of the development.

It was recently noticed by local residents that the site currently suffers from a sewage problem. A large manhole cover had been dislodged and was surrounded by household waste which had obviously been forced out. It is hoped that this would be resolved as part of the development, especially as the River Grom is in close proximity and there is a seasonal flooding issue in that area, as referred to above in the 2017 flooding report.

5.94 *Development would need to be sensitively designed to respect the location in proximity to the Common, the conservation area, and the topography of the site. However, it constitutes a sustainable site on the edge of the town centre and could accommodate a mix of uses, to include the retention/expansion of the existing garden centre business and the introduction of some residential development within the site. However, Kent County Council, as the local highways authority, considers that the scale of development on the site may be limited due to the current access constraints. 108 Tunbridge Wells Borough Local Plan Regulation 19 Consultation Pre-Submission Local Plan Map 14 Site Layout Plan*

Policy AL/RTW 14 Land at Tunbridge Wells Garden Centre This site, as defined on the Royal Tunbridge Wells Policies Map, is allocated for the expansion of the existing Use Class E (a) commercial use (garden centre) with an element of residential of approximately 25-30 residential dwellings, of which 30 percent shall be affordable housing. Development on the site shall accord with the following requirements:

1. *Means of access, including secondary and emergency means of access, to be informed by a transport statement; it is likely that the scale of any development may be limited by the quality of access arrangements that can be achieved within the confines of the site. An emergency access is likely to be required to the north;*

Planning consents often require provision of social/affordable housing under Section 106 Agreements, but invariably the developer comes back to the local authority later and pleads that it renders the scheme unviable. The 30% (eg) then falls away to 10% or less. The infrastructure requirements on this site will render development especially expensive. The contribution this site could make to meeting housing need is negligible.

Previous planning for access - Refused(89/02011/FUL | New vehicular access. New gate and 1.8m high chain link boundary fence | Wyevale Garden Centre Eridge Road Royal Tunbridge Wells Kent TN4 8HP (midkent.gov.uk)) Ref. No: 89/02011/FUL | Received: Tue 07 Nov 1989 | Validated: Thu 14 Jun 1990 | Status: Decided Council Letter 1990 - Extracts detailing the Refusal reasons:1 a) The proposed access would be likely to create unacceptable additional hazard to traffic.2 a) The sight lines are inadequate and would create unacceptable additional hazards to traffic3 a) The proposal would be undesirable in an area which is predominately rural in character, and would be detrimental both to the appearance and to the rural amenities of the locality.4 a) The proposal would be likely to be unacceptably detrimental to residential amenities of adjacent dwellings

The only change since 1990 is higher volumes of traffic on High Rocks Lane and Hungershall Park.

No known local precedents have been set for a requirement of a secondary and/or an emergency access. Example: The existing adjacent large estate has no secondary or emergency access.

Access: The suggested 'North' secondary and emergency access point will:

- . Destroy a Bio Diverse habitat, impacting the natural rural dynamic .
 - . By default the access point becomes a tacit 'extra access' immediately opening onto High Rocks Lane with hazardous restricted/limited line of sight which is onto a speed de-restricted area and is a width constricted lane, plus opposite another lane entrance point; as highlighted in the council's planning permission access refusal 1990.
 - . There is a high probability for this access to become a local shortcut
- Proposing a Secondary and Emergency access appears to be a leverage argument to open up the site with another access point thereby ignoring the hazards identified, refer to previous valid refusal rational.

There is a high probability for dangerous additional 'on road parking' at the lower end of Hungershall Park/ corner of High Rocks lane/ Cabbage Stalk Lane. The proposed new developments at Spratsbrook

Farm and the old Plant & Tools Hire site by The West Station which is to have access directly on to Eridge Road, will both increase traffic flows along this busy stretch and force drivers to find alternative routes.

Newts and a variety of amphibian wildlife have been seen in the site North aspect / River Grom area of this location.

In traffic management terms an emergency exit would require either traffic light control, or a roundabout (taking up additional land) further eroding the natural character of the area.² *The provision of pedestrian and cycle access to the north and improved pedestrian and cycle access into the town;*

If the access point is allowed to the north, then the suggested access is onto a hazardous speed de-restricted and width restricted lane. This was one of the reasons the previous planning for access was refused.

This would also create a safety hazard for pedestrians as there is no pavement from the suggested access secondary/emergency point towards Cabbage Stalk Lane.

3. Adequate servicing and parking to serve the expanded commercial use on the site;

4. Provision of a green route through the site from east to west connecting to existing Public Rights of Way on Tunbridge Wells Common and Cabbage Stalk Lane; Site East West access – Cabbage Stalk Lane will cause additional volume of use. This poses the following problems: 1) Compromise to safety and hazard as now a designated cycle path. Several near misses have already occurred with current multi-use volumes; as the majority of cyclists appear to disregard this lane as being a shared facility with pedestrians, pedestrians and dog walkers, plus vehicular access traffic.

2) Cyclists coming out of the new development will generally turn right into Cabbage Stalk Lane, adding to the volumes of cyclists using that lane. Furthermore, this will surely add to the number of cyclists on the Common who increasingly seem to be ignoring the “no cycling” rule there.

3) For those who might turn left into High Rocks Lane, this would add to the number of cyclists on this narrow lane with blind corners and numerous potholes - adding yet further risk to themselves, pedestrians and cars.

4) This is likely to further increase the volume of cyclists coming down the hill in Hungershall Park and towards the proposed development. Residents are increasingly concerned about the number of cyclists coming around the corner at very high speed and oblivious to the blind entrance several drives. There have been near misses recently and including one cyclist who recently came off his bike near the entrance to the drive at no. 12 Hungershall.

5. Development shall be located on the areas identified for mixed use on the site layout plan; Tunbridge Wells Borough Local Plan 109 Pre-Submission Local Plan Regulation 19 Consultation

6. Green infrastructure shall be provided on the areas shown indicatively in green on the site layout plan, and these shall be retained and enhanced. This shall include suitable buffering and enhancements to the River Grom corridor and to the setting of the adjacent Tunbridge Wells and Rusthall Common; The plan shows a green space buffer running alongside Cabbage Stalk Lane. The current woodland buffer is substantial and therefore the developer is likely to bulldoze and excavate as much as is feasible subject to ground stability and the preservation of valuable and species trees etc. The trees provide cover and privacy for wildlife and seclusion for walkers and local residents but are not in themselves wonderful specimens but are nevertheless very important to the semi rural nature of the area. The retention of as much tree cover as possible is very important.

The River Grom flows along the Southern boundary of the plot alongside the railway line. The woodland and the river provide a habitat for deer and other wild animals. It would be desirable if the western end of the plot be preserved for wildlife, not be built upon and not used for vehicular access.⁷ *Regard will be given to existing hedgerows and mature trees on-site, with the layout and design of the development protecting those of most amenity value, as informed by an arboricultural survey and a landscape and visual impact assessment;*

The development will inevitably destroy and erode an established valuable bio-diverse habitat in a unique rural area.

Question 7

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

If your representation is seeking a modification to the Plan, do you consider it necessary to participate in examination hearing session(s)? . 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 proposed development adjoins our property so we will be directly and adversely affected by the development

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: Royal Tunbridge
Wells: Policy AL/RTW 15: Land at
Showfields Road and Rowan Tree
Road**

Comment

Consultee	Ms Alison Burchell [REDACTED]
Email Address	[REDACTED]
Company / Organisation	NHS Kent and Medway Clinical Commissioning Group
Address	[REDACTED] [REDACTED] Ashford [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	NHS Kent and Medway Clinical Commissioning Group [REDACTED]
Comment ID	PSLP_1551
Response Date	04/06/21 09:16
Consultation Point	Policy AL/RTW 15 Land at Showfields Road and Rowan Tree Road (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	NHS Kent and Medway Clinical Commissioning Group
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

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

Policy AL/RTW 15 Land at Showfields Road and Rowan Tree Road

[TWBC: this representation has been input against Policies AL/RTW 8, AL/RTW 15, STR/CRS 1, AL/HA 5, STR/SS 3, PSTR/HO 1, PSTR/BM 1, STR/SS 1, PSTR/GO 1 and AL/HO 3– see Comment

Numbers PSLP_1550, PSLP_1551, PSLP_1552, PSLP_1553, PSLP_1556, PSLP_1568 PSLP_1570, PSLP_1554, PSLP_1559 and PSLP_1569]

Question 4

Do you consider that the Local Plan:

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

Question 4a

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

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

Question 5

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

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

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

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

Policy AL/RTW 15 - Land at Showfields Road and Rowan Tree Road

This site, as defined on the Royal Tunbridge Wells Policies Map, is allocated for residential providing approximately 155 additional dwellings and health and community uses. As this development would comprise the redevelopment of an estate, affordable housing provision should be in accordance with Policy H 4: Estate Regeneration.

Development on the site shall accord with the following requirements:

1. A comprehensive redevelopment of the site to include the re-provision and enhancement of the existing residential dwellings alongside enhanced and improved community facilities, to include a new medical centre. The community and health facilities to be provided in accordance with an agreed timetable, relative to the phasing of the residential element of the development;

Comment: The statement regarding a new medical centre in Policy AL/RTW 15 is noted as an opportunity to inform the planning for primary medical care services in Tunbridge Wells.

Question 7

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

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

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

Future Notifications

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

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

Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Southern Water Services Plc
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Southern Water Services Plc [REDACTED]
Comment ID	PSLP_1221
Response Date	03/06/21 15:31
Consultation Point	Policy AL/RTW 15 Land at Showfields Road and Rowan Tree Road (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	Southern Water
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy AL/RTW 15 Land at Showfields Road and Rowan Tree Road	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes

Is sound	Yes
Complies with the Duty to Cooperate	Yes

Question 4a

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

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

Question 5

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

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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.

Southern Water is the statutory wastewater undertaker for Tunbridge Wells. As such, we have undertaken a preliminary assessment of the capacity of our existing infrastructure and its ability to meet the forecast demand for this proposal. Our previous assessment of the site was only valid for 12 months due to our sewer network constantly evolving as new development connects upstream which will affect the available capacity downstream. The assessment reveals that existing local sewerage infrastructure to the site has limited capacity to accommodate the proposed development. Limited capacity is not a constraint to development provided that planning policy and subsequent conditions ensure that occupation of the development is phased to align with the delivery of new wastewater infrastructure.

Proposals for 155 dwellings at this site will generate a need for reinforcement of the wastewater network in order to provide additional capacity to serve the development. This reinforcement will be provided through the New Infrastructure charge to developers, and Southern Water will need to work with site promoters to understand the development program and to review whether the delivery of network reinforcement aligns with the occupation of the development. Connection of new development at this site ahead of new infrastructure delivery could lead to an increased risk of flooding unless the requisite works are implemented in advance of occupation.

Southern Water has limited powers to prevent connections to the sewerage network, even when capacity is limited. Planning policies and conditions, therefore, play an important role in ensuring that development is coordinated with the provision of necessary infrastructure, and does not contribute to pollution of the environment, in line with paragraph 170(e) of the revised National Planning Policy Framework (NPPF) (2019).

Our assessment has revealed that Southern Water's underground infrastructure crosses this site. This needs to be taken into account when designing the site layout. Easements would be required, which may affect the site layout or require diversion. Easements should be clear of all proposed buildings and substantial tree planting.

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.

In consideration of the above, we recommend the following criterion for Policy AL/RTW 15

Occupation of development will be phased to align with the delivery of sewerage infrastructure, in liaison with the service provider.

Layout is planned to ensure future access to existing wastewater infrastructure for maintenance and upsizing purposes.

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

Supporting Information File Ref No: SI_61

Comment

Agent	Susanna Sanlon [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Evolution Town Planning
Address	Opus House Elm Farm Park Bury St Edmunds IP31 3SH
Consultee	[REDACTED]
Company / Organisation	The Number One Community Trust
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	The Number One Community Trust [REDACTED]
Comment ID	PSLP_1032
Response Date	02/06/21 21:41
Consultation Point	Policy AL/RTW 15 Land at Showfields Road and Rowan Tree Road (View)
Status	Processed
Submission Type	Email
Version	0.7
Files	PSLP_1032_Evolution Planning for Number One Community Trust_SI_Representation.pdf
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Number One Community Trust
Question 2	
Agent's Name and Organisation (if applicable)	Evolution Town 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 AL/RTW 15 Land at Showfields Road and Rowan Tree Road

Paragraph No(s) 5.95-5.98

Policies Map (Inset Map No) 15

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.

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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.

Whilst the trustees have welcomed the opportunity to discuss the proposals for redevelopment with Town and Country and the other stakeholders, the Trustees remain concerned at the current proposed wording of Policy AL/RTW 15, which allocates land and facilities within the ownership of the Number One Community Trust for development, without sufficient safeguards to truly enhance and protect the community facilities.

Since the Trust's previous objections have not been adequately incorporated into any amendments to this policy, as a land owner, we consider there to have been a failure to comply with the **Duty to Cooperate**. Moreover, we consider that the policy is rendered **unsound**, because it has not overcome fundamental concerns of a landowning stakeholder. We therefore consider that the policy is not **positively prepared**, is not **effective** and is not **justified**.

The Trust therefore **objects** to the current wording of this policy. The reasons for the objection are set out below.

Potential for loss in flexibility, amplification and freedoms of uses

Policy AL/RTW15 includes as a central and key proposal that the land is allocated for the redevelopment of the whole area, to include *'residential development providing approximately **155 additional dwellings and health and community uses***'.

Given the relatively small area being allocated, this is a substantial increase in residential uses, and this is in addition to the dwellings already present in the area. Given that this part of Tunbridge wells is already an area which is predominantly flats and maisonettes, some of which are in private ownership, an **additional 155** new homes will lead to a very high residential density in this area, which is far in excess of all neighbouring residential densities. It is clear that this intensification of uses can only be achieved if the redevelopment of community uses includes residential living space above it, and if the existing residential units are redeveloped to be smaller and more cramped. We have concerns about this and the impacts of this on residential amenity and the freedoms our community trust currently benefits from.

It has been confirmed to us in consultation meetings that such a development would seek to intensify residential use, so as to make the proposal viable. Whilst there are residences above part of the Trust's Centre, those elements of the Trust's landholding which have the potential for greatest noise (the hall and large D2 space occupied by a library, toddler group and church) have the benefit of being completely free from residential uses above. This is a situation which the Trust wish to maintain for community uses within its freehold ownership.

These spaces have high ceilings, a flexible format operate without any noise or hours of operational restrictions. Both spaces are used flexibly by the community and have the potential to accommodate a range of noisy uses, free from conflict with noise sensitive uses. Whilst the proposed developers have suggested mitigation measures and potentially putting office uses between the community uses and residential uses, we remain concerned that this will still represent an infringement upon the trust's current freedoms and we remain concerned that the LPA will be under pressure to condition the use of the Community Facilities. The Trustees would strongly oppose such restrictions, since the community centre (and the hall especially) currently enjoy freedom from noise sensitive uses and any restrictions on their operations. This freedom has been crucial to the Trust's success over the last 30 years. **We therefore continue to resist the provision of replacement community facilities with any uses located above them.**

Potential for loss in quality and flexibility in spaces

Policy AL/RTW15 states 'Development on the site shall accord with the following requirements: (1.) *'A comprehensive redevelopment of the site to include the re-provision and enhancement of the existing residential dwellings alongside enhanced and improved community facilities, to include a new medical centre. The community and health facilities to be provided in accordance with an agreed timetable, relative to the phasing of the residential element of the development'*.

As currently worded, the Trustees of the Number One Community Trust cannot support this policy, since it does not adequately protect the flexibility of the facilities or make clear what 'improved' community facilities will mean.

We have concern that this policy, as drafted, does not adequately protect the Trust from what it would consider to be an erosion of its facilities. Whilst the policy states that any development would be required to provide 'enhanced community facilities', these would need to be quantified and qualified for the Trustees to consider offering support to this policy. The Trustees comments on the previous version of the Local Plan have not been taken into consideration, and this represents a failure of the duty to cooperate, given that the Number One Community Trust are freehold owners on this site.

The Trust currently owns/leases/uses the following facilities, and has reviewed the quantitatively and qualitative benefits of its existing provision:

[TWBC: for table, please see full representation attached as a supporting document]

The Trust would need to be satisfied that every element of both qualitative and quantitative provision would be protected and significantly enhanced in order to support this policy. The policy has not been revised since the previous submission, which demonstrates that the Trust's concerns have not been considered. The policy continues to need to be much more specific with regard to what enhancements will look like, without encroaching on or eroding the Trust's existing facilities and freedoms.

Naturally, as landowners, the Trust will also want to ensure continued ownership of their facilities.

Residential Ownership

In addition to the community facilities which the Trust owns, the Trust also owns a number of flats in the residential offer at the site. These let very well, and are an attractive offer on the housing market. The Trustees would be unwilling to lose any ownership of their flats, and would need to be satisfied that any replacement provision was an enhancement on their existing flats. It is important to the Trust that they own the income-earning flats within the complex, and as such, they would be unwilling to accept a purchase of their flats to enable development, without such guarantees.

The trustees are concerned that redeveloping existing housing, whilst seeking to deliver at least 155 additional houses, is likely to lead to replacement dwellings being cramped and at a much higher density than other surrounding areas. Since this area is already the highest density area of the three 'social housing estates' in Tunbridge Wells, it is considered inappropriate to seek to increase the density of this area so substantially. The trust is concerned that any proposed replacement dwellings would be at too high a density to be considered an adequate replacement for the existing dwellings.

Disruption during construction / loss of street frontage location

Finally, we object to this policy on the grounds that we are not convinced that a redevelopment could be accommodated without the Trust losing either access to their facilities for significant lengths of time, or being permanently located in a non-street frontage location: both would be entirely unacceptable to the Trustees.

The success of this Trust's Centre, compared with any other community centre run by a charitable trust within Tunbridge Wells, is based on its visibility on the street and the continued availability of its facilities to the community, without disruption.

Temporarily sending occupiers and groups to other locations may mean that they never return. Likewise, inadequately housing occupiers in portacabins may mean that the Trust (and the community) loses valuable groups and community assets. Similarly, providing a permanent replacement building, whilst the existing buildings are remaining in use would lead to the community buildings relinquishing their street frontage, which will undermine their long-term viability. We do not see how any temporary relocation could enable us to keep employing all the local staff that we offer work to. As such neither development option is supported by the Trustees. We therefore have strong reservations that such a major redevelopment could be accommodated without potentially fatal implications for this valuable community resource and as such, we oppose the redevelopment and the allocation of the trusts buildings in policy AL/RTW15. As trustees we have agreed that a better way forward for us as a significant land owner in this site would be to begin improving and investing in the properties we own.

We object to this policy on the basis that:

- . The trust's previous comments have been ignored, and therefore there has been a **failure to cooperate** with a major stake holder and land owner.
- . It is **not sound**, since 155 new residential uses cannot be delivered without serious infringement on the freedoms and flexibility of use the community centre currently enjoys.
- . As such, this policy is **not positively prepared, ineffective and unjustified**.

See attached report for a full explanation of these reasons.

[TWBC: for full representation please see supporting documents]

Question 6

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

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

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Policy AL/RTW 15 Land at Showfields Road and Rowan Tree Road The Showfields Estate

This site, as defined on the Royal Tunbridge Wells Policies Map, is allocated for residential development providing approximately **no more than 155 additional dwellings (spread throughout the estate and not centred upon one small area) and health uses and quantitatively and qualifiedly enhanced community uses**. As this development would comprise the redevelopment of an estate, affordable housing provision should be in accordance with Policy H 4: Estate Regeneration. Development on the site shall accord with the following requirements:

1. A comprehensive redevelopment of the site to include the re-provision and enhancement of the existing residential dwellings alongside enhanced and improved **quantitatively and qualifiedly enhanced** community facilities, to include a new medical centre. The community and health facilities to be provided in accordance with an agreed timetable, relative to the phasing of the residential element of the development. **In order for community uses to be genuinely quantitatively and qualifiedly enhanced, the community provision must comply with the following:**

a) Freehold ownership for the Number One Community Trust must be assured.

b) The community uses must include a genuine like for like replacement (or increased) floorspace for each of the following uses – multi-use library space, café, pre-school, lobby and offices, hall, community garden and playground area. Where these are indoor facilities they must continue to benefit from the same ceiling heights, unrestricted use and hours of operation, and those uses which do not currently have any uses above them must be replaced without any other uses above them.

c) The Number One Community Centre must retain its prime street front location and integrated position with the play space and the village green.

d) During the redevelopment, there must be no disruption to the ongoing activities which run at the Number One Community Centre.

e) If the residential density of the area increases as a result of the proposals, enhancements to the Number One Community Centre will be sought through S106 measures in order to provide for the new households.

2. The design and layout to take the form of a Low Traffic Neighbourhood, ensuring pedestrian and cycle permeability through the site, both to retain existing routes and to provide new routes, including pedestrian and cycle linkages with the surrounding area;

3. Any proposals should take account of the designated Village Green status of the open space within the site and **must not encroach upon it in any way**;

4. Provision of on-site amenity/natural green space and children's and youth play space;

5. Contributions are to be provided to mitigate the impact of the development in accordance with Policy STR/RTW 1.

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:

The Number One Community Trust is a stake holder and land owner, and our views need to be considered and incorporated, as without the agreement of the Trust this policy is undeliverable.

If you would like to attach a file in support of your comments, please upload it here. [PSLP 1032 Evolution Planning for Number One Community Trust SI Represenation.pdf](#)

Future Notifications

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

Comment

Agent	Catherine Stephens [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Frankham Projects
Address	- - -
Consultee	Mr Colin Lissenden [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Town & Country Housing Group
Address	[REDACTED] [REDACTED] ROYAL TUNBRIDGE WELLS [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Town & Country Housing Group [REDACTED] [REDACTED]
Comment ID	PSLP_1740
Response Date	04/06/21 09:42
Consultation Point	Policy AL/RTW 15 Land at Showfields Road and Rowan Tree Road (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	Town & Country Housing Group
Question 2	
Agent's Name and Organisation (if applicable)	Frankham Projects
Question 3	

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

Policy

Question 3a

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

Policy AL/RTW 15 Land at Showfields Road and Rowan Tree Road

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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RE: Tunbridge Wells Borough Council Local Plan Pre-Submission (Regulation 19 Version)

We write on behalf of Town and Country Housing (TCH) in respect of the Pre-Submission (Regulation 19 Version) of the Tunbridge Wells Local Plan. TCH is a major land owner on the estate.

CH support the inclusion of the Showfields Estate within draft policy AL/RTW 15 (Land at Showfields Road and Rowan Tree Road). TCH note that the extent of the policy allocation has changed since the previous version of the local plan and this is welcomed.

The condition of some of the flats and houses on the Showfields Estate is a concern for TCH and the useable life of some of the buildings is limited without significant intervention and investment.

The Showfields Estate is in a highly sustainable location with excellent public transport links and opportunities for walking and cycling. It is well placed for residents to access local shops and services including those in Tunbridge Wells town centre. TCH is excited about the future regeneration of the Showfields Estate and the potential to create long lasting change for existing and future residents.

Whilst TCH support the allocation, it is considered that there are a number of issues which should be recognised by policy AL/RTW 15 including:

- **Fragmented Ownership** – the estate is in multiple ownership and whilst TCH support comprehensive regeneration, any future development will be constrained by land ownership issues which are outside of the control of TCH. Specifically, it is considered important that the policy recognises that the community uses are in separate ownership with a range of different interests. It is noted that within the draft policy AL/RTW 15, point 1 states that ‘*development on the site shall accord with a number of requirements including 1) a comprehensive redevelopment of the site to include the re-provision and enhancement of the existing residential dwellings alongside enhanced and improved community facilities to include a new medical centre. The community and health facilities to be provided in accordance with an agreed timetable, relative to the phasing of the residential element of the development*’.

TCH request that this part of the draft policy is amended to account for the fact that the delivery of the enhanced community facilities will be subject to phasing, land ownership and operator requirements.

- **Phasing** – given the scale of the existing estate, which is currently in full occupation, the policy should recognise that any future redevelopment will need to be phased appropriately to allow decanting to take place.
- **Housing** – regeneration of the Showfields Estate offers the potential to provide better quality private and affordable homes including family housing with a mix of unit types and tenures to meet demand. The draft policy currently refers to providing approximately 155 additional dwellings. It is considered that the reference to 155 dwellings is removed and that the policy provides an indicative range of a suitable number of new dwellings to allow maximum flexibility, recognising that the number of new units will be subject to a range of design issues and constraints including building heights and car parking requirements.
- **Community Uses** – TCH fully acknowledge the importance of the community uses on the estate and are committed to working in partnership with the relevant stakeholders to deliver improved community use provision. TCH would welcome a reference to retail, food and drink (café) and leisure uses within policy AL/RTW 15 to reflect the diverse range of uses which serve the community both now and in the future. TCH also support the desire within the policy to maintain the designated Village Green.
- **Design and Layout** – the design of any future regeneration scheme will need to address a number of significant shortcomings in terms of the existing design of the estate. The policy should recognise the potential to reconfigure the design and layout of the estate to improve natural surveillance, public realm, landscaping and environmental credentials.
- **Low Traffic Neighbourhood** – Point 2 of draft policy AL/RTW 15 notes that the design and layout of future development is to take the form of a Low Traffic Neighbourhood. Given that the design and layout of any redevelopment proposals will need to address a range of different aspects, including those noted in the bullet points above, it is considered that the reference to a Low Traffic Neighbourhood is deleted from the policy. Instead, the wording of the policy should focus on the requirement to provide safe and convenient access to modes of transport other than the private car, to encourage walking and cycling and promote active travel within a safe environment for existing and future residents. Furthermore, the Showfields Estate is primarily a residential area with very limited through traffic. Any future regeneration proposals are unlikely to change this and the requirement to introduce a Low Traffic Neighbourhood to reduce the impact of through-vehicular traffic on local streets is not considered necessary for the Showfields Estate.
- **Contributions to mitigate impact of development** – Point 5 of the draft policy AL/RTW 15 states that ‘contributions are to be provided to mitigate the impact of the development in accordance with Policy STR/RTW 1’. Whilst TCH recognise the need for the Council to ensure that the impacts of development are mitigated, it is considered that Point 5 should acknowledge that any redevelopment at Showfields is likely to provide significant benefits for the estate and such benefits should be recognised and taken into account when considering developer contributions. The level of contributions sought should also take into account the requirement of the draft policy AL/RTW 15 to provide a level of affordable housing in accordance with draft policy H4 (Estate Regeneration).

TCH also make the following comments in respect of other policies in the draft plan:

- Point 14 of draft policy STR/RTW 1 (The Strategy for Royal Tunbridge Wells) notes the strategic requirement to allocate land at Showfields and Rowan Tree Road for a new medical centre. The requirement for a new medical centre is also referenced in draft policy AL/RTW 15. TCH is concerned that the reference to provide a new medical centre as part of the regeneration proposals for Showfields is aspirational and that the specific requirements of potential operators has not been sought and there may not be an end user willing to operate a new medical practice in this location, which would impact on its delivery. This is of concern to TCH and TCH would urge the Council to consider this requirement in more detail.

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

Local Plan Regulation 19 representations in document order

**Comments on Section 5: Place
Shaping Policies: Royal Tunbridge
Wells: Policy AL/RTW 16: Land to the
west of Eridge Road at Spratsbrook
Farm**

Comment

Consultee	Jennifer Ashwood [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] Dorchester [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Jennifer Ashwood [REDACTED]
Comment ID	PSLP_1662
Response Date	03/06/21 17:47
Consultation Point	Policy AL/RTW 16 Land to the west of Eridge Road at Spratsbrook Farm (View)
Status	Processed
Submission Type	Email
Version	0.7
Data inputter to enter their initials here	KJ
Question 1	
Respondent's Name and/or Organisation	Jennifer Ashwood and Christopher Oliver
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

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

Policy AL/RTW 16 Land to the west of Eridge Road at Spratsbrook Farm

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 wish to add my objection to the above.

My family were residents in Ramslye Old Farmhouse when the Ramslye estate was built in the late 1940's and can recall picking mushrooms on the fields prior to the building. I was born in the house in 1949 and both my brother and myself attended Ramslye school on the 50's, gaining access to the school across the field and through the rear garden of one of the houses on Ramslye Road.

The farm gave up a substantial amount of land for the Ramslye estate development and feel strongly that even more of the ancient land should not be diminished and would respectfully ask that you look at other potential sites within 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)?

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_158a-b

Comment

Consultee	Jacqui Avery ([REDACTED])
Email Address	[REDACTED]
Address	[REDACTED] Tunbridge Wells TN4 [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Jacqui Avery ([REDACTED])
Comment ID	PSLP_2269
Response Date	04/06/21 09:31
Consultation Point	Policy AL/RTW 16 Land to the west of Eridge Road at Spratsbrook Farm (View)
Status	Processed
Submission Type	Email
Version	0.5
Files	Residents Against Ramslye Development whole submission redacted.pdf PSLP 945 RARD spreadsheet SI.pdf
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Jacqui Avery
Question 3	
To which part of the Local Plan does this representation relate?	Policy

Question 3a

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

Policy AL/RTW 16 Land to the west of Eridge Road at Spratsbrook Farm

[TWBC: see also further comments on individual sections and policies - PSLP_2272-2279. The whole representation form (personal details redacted) has also been attached as it contains plans and images]

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

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This response is made on behalf of the 669 signatories on the petition submitted in response to Regulation 18 which was delivered to TWBC Planning Services in 2019 and the Facebook group 'Residents Against Ramslye Development' whose membership is currently 247 (names can be provided if required). We have noted guidance 4.3 and have encouraged the people opposed to the development of site 137/ Policy AL/RTW 16 'Land to the west of Eridge Road at Spratsbrook Farm' not to make separate responses repeating the same points as those made here; some however will no doubt have submitted individual responses.

Introduction

We consider this Policy to be unsound as it is not effective, justified or consistent with national policy. Specifically, while we welcome the decision to reduce the size of the site allocated to development from 15ha to 6ha, we consider the remaining site should be deemed unsuitable for the following reasons:

- . The case for exceptional circumstances required to remove the land from the Green Belt has not been made;
- . The site's contribution to the purposes of Green Belt has been incorrectly assessed and its contribution is far greater and thus the harm caused by its removal is far greater;
- . Insufficient weight has been given to the infrastructure implications of developing the site including but not limited to the capacity of the road network to support it and the availability of adequate primary healthcare services;
- . The landscape and visual value of the site is significantly greater than the Pre-Submission Local Plan attaches to it;
- . The development of the site would directly contravene many of the policies we support as set out in the Pre-Submission Local Plan including but not limited to STR 1, 2, 4, 5 and 8 and EN 4, 5, 9, 10, 12, 13, 18, 19, 20 and 21;
- . There are material errors and inconsistencies in the sustainability appraisal that makes the appraisal unsound and therefore the decision to make it a suitable site for development unsound; and

- . The Broadwater ward is disproportionately impacted accounting for c.500 of the c.1500 houses planned for RTW.

We set out below in more detail why we have come to the view that this Policy is unsound. We have drawn our evidence from a variety of sources and we show where there are errors and inconsistencies between the various supporting documents and assessments. We want to register our strong objection to any development on this site and we make the following points in support of our objection:

1 Green Belt designation: The land is Green Belt and it must not be released for development

The decision to declassify any Green Belt must meet the criteria set out in the National Planning Policy Framework (NPPF). In addition, the decision to declassify should be subject to significant analysis and challenge given the permanence of the decision – i.e. once it's gone it's gone. The expectation set out by government in the NPPF is that new Green Belt will not be designated, therefore the barriers to declassifying should be as high as they are for classifying new Green Belt.

Paragraph 136 of the NPPF says:

“Once established, Green Belt boundaries should only be altered where exceptional circumstances are fully evidenced and justified, through the preparation or updating of plans. Strategic policies should establish the need for any changes to Green Belt boundaries, having regard to their intended permanence in the long term, so they can endure beyond the plan period.”

Paragraphs 143 to 144 go on to say:

“Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. ‘Very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.”

We do not consider the local plan meets the thresholds set in the NPPF to release the site from the Green Belt. Section 5.101 states “The Development Strategy Topic Paper and Green Belt studies set out the exceptional circumstances and compensatory improvements to the remaining Green Belt to justify the changes to the boundary in this location”.

We do not consider that the case for the exceptional circumstances has been made to release the site from the Green Belt. We set out our reasons below covering:

- . a demonstrably incorrect Green Belt Study assessment of the harm;
- . the value the site makes to the setting of the High Weald AONB, High Rocks Hill Fort and Broadwater Down Conservation area has not been adequately reflected;
- . a planned excess of house building over and above the objectively assessed need; and
- . the release would be incompatible with several of the Pre-Submission Local Plan's policies.

Incorrect Green Belt Study assessment

The Development Strategy Topic Paper states in conclusion that this site is a “Sustainable location on edge of main settlement with connections to town and rural landscape. Can improve landscape approach to RTW”.

We do not agree with the assessment of the site as set out in the Green Belt Study 3. In particular we consider there is a clear and strong connection of the site to the rural landscape and countryside. Our conclusion is supported by the assessment made in the Green Belt Study 2 which concluded “The parcel is adjacent to the large built-up area but relates more strongly to the wider countryside”, and the conclusion of the visual impact assessment that states “The site has a strong rural character despite it's (sic) location adjacent to the settlement edge of Royal Tunbridge Wells.” We consider the assessment made in Green Belt Study 3 is incorrect and should be changed. There has been no explanation or justification as to why it departs from the assessment made in the Green Belt Study 2 which concluded that releasing the site from the Green Belt would have a high detrimental impact rather than moderate to low as set out in Green Belt Study 3.

The Tunbridge Wells Green Belt Study Stage Two (TWGBSST) prepared in July 2017 assesses the degree of harm caused by the potential loss of this site (referenced as TW10 in the TWGBSST) as high (the second highest rating). It also assesses the contribution of this site to the NPPF criteria for Green Belt as relatively strong (the second highest rating) in three out of the four criteria assessed. The TWGBSST presents a strong evidence base to retain this site in the Green Belt. It seems to us

that Green Belt Study 3 has merely sought to confirm a more convenient answer for the purposes of the local plan and cannot be justified rationally. On that basis we consider the removal of any of site AL/RTW 16 from the Green Belt cannot be justified and therefore the plan is unsound with respect to that aspect.

Using the published methodology, we consider this site's (RTW18 in the Green Belt study) contribution to purposes 1, 3 and 4 should be reassessed to "Strong". The site's contribution to "checking the sprawl of the built-up area" is clearly strong. The argument that because the boundary with the built urban area is defined mainly by gardens makes it more connected to the urban than the countryside does not bear serious scrutiny. It is clear (and the Green Belt Study 2 agrees) the site is much more connected with the countryside.

The site's contribution to purpose 3 "Assist in safeguarding the countryside from encroachment" is clearly greater than moderate because it is connected with the countryside and it is undeveloped.

The site's contribution to purpose 4 "Preserve the setting and special character of historic towns" should also be amended to reflect its visual prominence and is characteristic of medieval assart as well as contributing to the setting of the Scheduled Monument in the north west corner of the site and to the conservation area of Broadwater Down.

We also challenge the impact assessment as set out Green Belt Study 3 as we consider the methodology to be flawed. If we have understood the methodology correctly, most weight is given to the impact on adjacent Green Belt. In the case of this site, the adjacent land that is clearly connected to the countryside while being in the High Weald AONB is not Green Belt. If this methodology is taken to its logical conclusion, over the years the effect will be to continue to chip away at the remaining Green Belt until there is none left. We have set out above that the land at this site is clearly more connected to the countryside and the adjoining open fields and its loss will have a much greater impact than negligible.

The policy objective of Green Belt designation is to keep the land open. Any common-sense assessment of the land at this site will see that it is open, and in this case as set out in the visual impact assessment, the land has been open since the medieval period and as such must therefore make a strong contribution to the purposes of Green Belt. We therefore consider the overall harm of releasing this site from the Green Belt should be amended from Low-Moderate to Moderate-High.

Incorrect assessment of the landscape value of the site with respect to the High Weald AONB, Hill Fort and Broadwater Down Conservation Area

The Landscape and Visual Impact Assessment states the following in respect of this site "The site has a strong rural character despite its location adjacent to the settlement edge of Royal Tunbridge Wells. The undulating topography creates visual interest and affords some long, panoramic views from within the site, framed by woodland. These views include the settlement and spires of Royal Tunbridge Wells to the north and east, set within a wooded landscape. Views to the south are rural in character. The historic field pattern remains visible within the landscape and there is contrast between the open fields and the enclosure of the adjacent woodland." We agree with this assessment and do not consider the case has been adequately made that the removal of the southern part of the site can be justified given its contribution to the visual landscape. For example, the majority of the "undulation" is in the southern half of the site and its impact would be lost if it were developed.

In addition, we note that the Broadwater Down Conservation Area Assessment (CAA) states that "The Junction of Broadwater Down and Eridge Road is the west entry point into Tunbridge Wells. It makes the boundary between Kent and Sussex, and between town and country. Hargate Forest limits the southward expansion of development, and establishes a character of thickly wooded approaches to the town. As the ridge of Broadwater Down meets the Eridge Road views open out across the Grom River valley to Nevill Park and beyond to the common at Bishops Down. The 1950s suburb of Ramslye lies almost unnoticed in the valley." It would seem this assessment of both landscape value and the limit of the urban environment is at odds with the other assessments made. We consider the assessment made in the CAA to be more accurate and plausible than that made in Green Belt Study 3 and indeed more consistent with that made in Green Belt Study 2.

Excess building over and above the objectively assessed need

We do not consider that the case for exceptional circumstances can be made when the plan allows for building more dwellings than the objectively assessed need requires (notwithstanding our view that the methodology is deeply flawed). The decision to support some authorities (Sevenoaks) who have

not met their objectively assessed need is laudable but when so much Green Belt in the TW Borough is being sacrificed, it merely moves the problem from one district's Green Belt to another.

Incompatibility with other policies

We consider the release of this site from the Green Belt is inconsistent with policy STR8 (Conserving and enhancing the natural, built, and historic environment). In particular, it has not been demonstrated how its release would be consistent with clauses 1, 2 and 5 of that policy. If we as local citizens are to be able to rely on these policies, it is of the utmost importance that the council adheres to all of its policies and manages the inevitable tensions in a transparent and robust way. We do not consider that given the high degree of harm to the Green Belt that would be caused by its release, that this site can ever be released in a way that is consistent with this policy and we therefore urge the council to withdraw this site from further consideration.

We also consider the release of the site would be incompatible with the following policies:

STR 2 Place Shaping and Design

STR 6 Transport and Parking

STR 7 Climate Change

STR 8 Conserving and Enhancing the Natural, Built, and Historic Environment

STR 9 Green Belt

EN 3 Climate Change Mitigation and Adaptation

EN 4 Historic Environment

EN 5 Heritage Assets

EN 9 Biodiversity Net Gain

EN 10 Protection of Designated Sites and Habitats

EN 11 Ashdown Forest Special Protection Area and Special Area 359 of Conservation

EN 12 Trees, Woodland, Hedges, and Development

EN 13 Ancient Woodland and Veteran Trees

EN 16 Landscape within the Built Environment

EN 18 Rural Landscape

EN19 The High Weald Area of Outstanding Natural Beauty

EN 20 Agricultural Land

EN 26 Sustainable Drainage Systems

some of which we consider in more detail in our comments on those policies, but most importantly they do not appear to have been adequately (or in some cases at all) considered in the proposal to remove the site from the Green Belt.

- 1 Heritage matters (adjacent to Conservation Area): additionally, the site includes a Scheduled Monument (with archaeological potential), and is adjacent to listed buildings and a historic farmstead.**

Historic England lists Scheduled Monument references 1002280 (prehistoric rock shelters and a multivallate hillfort at High Rocks, 309m ESE of High Rocks Inn) and 1003816 (prehistoric rock shelters and a multivallate hillfort at High Rocks, 309m ESE of High Rocks Inn) and consequently the prescribed processes must be followed in relation to any development which might affect it. The Schedule of Monuments has only 19,854 entries (2016) and TWBC is urged to continue to support the protection of this site.

While we welcome the changes made from the draft local plan and acknowledge that the Pre-Submission Local Plan affords more protection to the Scheduled Monument and its setting, we consider the remainder of the site should also be considered as contributing to its setting. The plan as it stands does not adequately address the requirements set out in sections 189-202 of the National Planning Policy Framework regarding heritage assets. In particular, the requirement to take account of the contribution made by their setting and that any adverse impact on a Scheduled Monument should only

be sanctioned in “wholly exceptional circumstances”. With respect to the northern part of the site there is however one issue that should be clarified: the usage of the undeveloped area. Para 5.103 of the Plan suggests that it should be used for ‘informal open space/recreation’, yet Requirement 5 talks of ‘an approved scheme of agriculture with public access’, which could be very different things. Both land use and access are important considerations in assessing the impact on the setting of the Hillfort.

In addition, section 187 b requires authorities to “predict the likelihood that currently unidentified heritage assets, particularly sites of historic and archaeological interest, will be discovered in the future.” It seems clear given the overall scale of the Hill Fort it would be very likely that there lies a wealth of so far unidentified historically significant archaeology in the fields surrounding the Hill Fort and they should all therefore be conserved in accordance with section 187 b. We do not consider the assessment or SHELAA has given sufficient weight to the likely undiscovered heritage value of the rest of the site. There is evidence from previous excavations for example that an historic routeway runs through the site ‘On the conclusion of the partial excavations of the Hillfort in 1961 James Money wrote, “*The Period II entrance was realigned and it appears to join up with an old trackway which leads away from the fort, through Ramslye Farm and over to Broadwater Down*”.

We also understand that where the site narrows between west and east halves of the site, there is evidence of flint and other artefacts from amateur finds.

Additionally, the site is adjacent to two listed buildings (Ramslye Old Farmhouse and Ramslye Farmhouse), and Ramslye Old Farmhouse is an historic farmstead adjacent to the same Mesolithic and Neolithic rock formations as the High Rocks at Ramslye Farm. In James Money’s book **Excavations at High Rock Hillfort 1954-1956** he concludes that “*outcrops of Sandstone in nearby areas including Ramslye Farm were once occupied by man due to its proximity to a watercourse, however on many sites the overhanging’s are no longer visible*”. We note the site constraints include a buffer for the listed Farmstead but nothing for the other listed building; we do not consider the current mitigations to be adequate in preserving their settings.

1 Highway matters: The existing road network cannot support a development of the size and nature proposed

We do not consider any development on this site can be consistent with Policy STR 6 Transport and Parking. The proposal to develop the site will add an unsustainable level of traffic to Eridge Road.

Data from the Tunbridge Wells Park and Ride Feasibility Study shows Eridge Road supports almost the same amount of traffic as Pembury Road, which are both significantly busier than other access roads (see table 2a below reproduced). We note that the Transport Strategy document uses different and older data as its evidence base than that used in the Regulation 18 consultation (see table 2 below reproduced). It is not at all clear why the plan would use this data which we understand is based on 2014 data from the DfT when the draft plan used data from 2016. This is particularly relevant when considering any site on the south side of RTW. The 2014 data shows an 8% differential between the A264 Pembury Road and the A26 Eridge Road, whereas the 2016 data shows a differential of only 3% (see table 2a).

Examination of the change in daily traffic flow from 2014 to 2016 would lead to the reasonable conclusion that the flow on the A26 Eridge Road is growing at a faster rate than the A264 Pembury Road and notwithstanding the exceptional circumstances of 2020. The estimate is that between 2014 and 2016 traffic on the A26 Eridge Road grew by 3%, whereas it declined by 1.8% on the A264 Pembury Road. On that basis, taking a simple extrapolation, the A26 Eridge Road could easily now have the highest traffic flow of all of the major Tunbridge Wells access roads.

Table 2: DfT Estimated Daily Traffic Flows, 2014 (used for Regulation 19 consultation)

[TWBC: our underlined indicates red font in attached full representation]

Road

Link

Cars, Taxis

All Motor Vehicles

A264 Pembury Road

B2023 to Blackhurst Lane

20,233

24,669 (8% more than A26 Eridge Road)

A267 Frant Road

B2169 to A26

11,071

13,428

A26 Eridge Road

LA Boundary to A267

19,220

22,822

A264 Langton Road

A264 Mount Ephraim to A26

7,523

8,593

A26 London Road

A26 Mount Ephraim to Birchwood Avenue, Southborough

14,797

18,359

Table 2a: DfT Estimated Daily Traffic Flows, 2016 (used for Regulation 18 consultation)

Road

Link

Cars, Taxis

All Motor Vehicles

A264 Pembury Road

B2023 to Blackhurst Lane

19,408

24,215 (3% more than A26)

(-1.8% since 2014)

A26 Eridge Road

LA Boundary to A267

19,746

23,496 (+3% since 2014)

The scale of development in the Broadwater ward (sites AL/RTW 11, 12, 13, 14, 15 and 16 totalling c.500 new dwellings) will put additional pressure on both the A26 and A267. The transport strategy document states at 3.20 "East Sussex County Council (ESCC) has prepared a Local Transport Plan 3 2011-2026 (adopted 2012). The A26 and A267 connect Wealden District and the rest of East Sussex to Tunbridge Wells. These roads are heavily used by residents travelling to and from Tunbridge Wells to access jobs, services, healthcare and education. The roads have poor accident records". However, we note that neither the transport strategy document nor the infrastructure delivery plan make any proposed improvements or traffic calming measures on either of those roads.

The RAC reports that in the Tunbridge Wells Borough, car ownership is 560 per 1000 population. On that basis, the c.500 new dwellings proposed in the ward, with the same occupancy rate as the current TW average (2.35 people) would add c.658 cars to the current traffic flow. In addition, we are aware

of proposals for significant development in Crowborough which would further likely add to the daily traffic on the A26.

We do not consider the plan to be sound in respect of the development of this site when considered against transport and infrastructure policies. The data used is not the most up to date and given the poor accident rate on the road reported by East Sussex highways, the plan significantly overdevelops the area taking account of the existing road network and usage. Given this site is Green Belt and greenfield and many of the other sites in the Broadwater ward are not, we consider the site should be removed from the draft plan.

There is **no** existing road access to the site, only a private driveway to two houses, which is in fact in Wealden - we believe the Pre-Submission Local Plan is incorrect on this point - and a new access road would be required creating additional road safety issues on an already very busy road with poor visibility. The introduction of a roundabout for example (if indeed there is space without using Wealden land), would adversely affect the flow of traffic on the A26, creating the sorts of tailbacks already experienced on Pembury Road. We are disappointed by the lack of detailed consideration of the issues relating to the road and access. We consider the vague "TBC" for junction improvement schemes shows insufficient consideration has been given to this aspect of developing the site.

When considered against the evidence set out above, it is clear that the current road and parking infrastructure cannot support the level of intensive development proposed without some drastic form of intervention to divert existing and additional through traffic from the A26 to the A21 to the south of Tunbridge Wells.

Further consideration should also be given to the impact on the existing residents of the Ramslye estate. The estate is currently a relatively quiet, green environment. It benefits from public open spaces that are used by the community, which adds to its character and general feel. This has been amplified by the COVID-19 lockdown which has seen residents rely on the area for relaxation and exercise. The impacts of being able to access green space are being increasingly recognised, more so since this plan was started. <https://pubmed.ncbi.nlm.nih.gov/28882650/>

<https://post.parliament.uk/research-briefings/post-pn-0538/>

There is no firm policy to reduce car use from any new development, it is merely aspirational and based on the status of the site as urban as opposed to rural when in fact the site will be in excess of 1.5 miles from the retail centre of the town. As is the case with many semi-rural and suburban areas, many people are reliant on their cars even for short journeys.

1 Agricultural Land Classification: Grade 4, Urban

As noted in our response to the Regulation 18 draft local plan consultation the SHELAA has incorrectly graded the land as Grade 4, Urban when the correct classification is Grade 3a (in respect of the North West part of the site) and Grade 3b (in respect of the South East part of the site). We also note this error has been continued into the site assessment sheet and other documents. Had the site been correctly graded we consider the site would have been deemed unsuitable.

This Policy confirms the site consists of managed agricultural land and the site is an assart field.

[TWBC: for plan and legend see full representation attached].

An ALC of land at Ramslye Farm undertaken in October 2014 by Vaughan Redfern Agricultural and Rural Development on behalf of TWBC stated the site is a mix of subgrade 3a[1] and 3b. Grade 3a means it should be protected under the "Best and Most Versatile" (BMV) rules.

Note, this plan covering an area of 24.5 hectares extends beyond site 137, across the county border into Wealden.

[1] Subgrade 3a - good quality agricultural land

Land capable of consistently producing moderate to high yields of a narrow range of arable crops, especially cereals, or moderate yields of crops including: cereals; grass; oilseed rape; potatoes; sugar beet; less demanding horticultural crops.

FarmingUK recently reported:

"The government has been told to prioritise food security as new figures show Britain's self-sufficiency sits at just 64% - a number which has remained stagnant for years.

Today (Friday 21 August) marks the notional date in the calendar that would see the country run out of food if it relied solely on domestic produce.

The UK is only 18% self-sufficient in fruit, 55% in fresh vegetables and 71% in potatoes, according to new figures released."

We consider it highly undesirable to release productive land such as this site to development in view of these facts and indeed contrary to the national interest.

If the correct classification had been used then we consider that developing this site would have been deemed unsuitable and clearly contravening policy EN 20 Agricultural land which states "Where development of agricultural land is required, applicants should seek to use areas of poorer quality agricultural land in preference to that of higher quality, except where this would be inconsistent with other sustainability objectives." We do not consider it is appropriate to build on this actively farmed land, which has been ploughed and sown and looks to be providing a useful cereal crop, whereas sites such as AL/RTW 99, AL/RTW 114 and AL/RTW 166 have been graded as 3 and yet have not had a crop in living memory and are disconnected from the surrounding countryside and farmland by the road network. We consider there are other greenfield sites available that are not as productive and do not contribute to the land use objectives as much this site. We consider the assessment to release this agricultural land to be unsound as it cannot be justified especially given the error in classification.

1 Cross boundary

The sustainability appraisal concluded there are no cross boundary issues with Wealden District Council. We dispute this conclusion. In the TWBC FOI (ref: FO08223) response supplied in respect of this site it makes reference to "likely cross boundary issues" and we understand discussions with Wealden have taken place although conveniently it would appear no notes were taken.

1 Noise – road and air

We welcome the recognition of road noise as an issue to consider. The A26 already experiences high levels of road noise.

Noise from road traffic is the second most harmful environmental pollutant in Europe behind air pollution according to the World Health Organisation.

Noise and disturbance from flights arriving at and leaving from Gatwick is a known problem affecting the local area. Organisations such as Gatwick Area Conservation Campaign (GACC), Tunbridge Wells Anti-Aircraft Noise Group (TWAANG), Communities Against Gatwick Noise Emissions (CAGNE), Gatwick Obviously NOT (GON) and Plane Wrong have been working for many years to try to minimise Gatwick's impact. Flight paths were changed in 2014 (without consultation) and complaint numbers have risen significantly and consequently new groups have been established. Gatwick plans to substantially increase traffic by bringing its standby runway into daily use.

TWBC must fully consider the current problem as seen by residents and the scale of the problem if Gatwick is allowed to grow as planned taking account of any post pandemic structural changes to air travel. Notwithstanding the decline in air travel associated with the Covid pandemic we consider it sound to assume air traffic numbers will recover in the future and the problem will return.

From 24 hour Webtrak videos of planes crossing within audible distance of Ramslye (3km), it is calculated any new houses would be exposed to an average of 221 overflights a day, half of Gatwick traffic. From DOT calculations, World Health Organisation night noise limits would be exceeded for those living there. It would be dishonest to offer houses for sale in a location which is severely impacted by Gatwick, and will be even more so if Gatwick traffic increases by 40% as per the airport's plan.

[TWBC: see full representation attached for image of information taken from WEBTRAK website]

Landscape and Biodiversity Officer's assessment

Set out below is an excerpt from an email from TWBC's Landscape and Biodiversity Officer, obtained via TWBC FOI ref: FO08223. This email dated April 2019 details far more issues than the SHELAA for site 137 dated July 2019. Examples: "High Rocks to the north west is a Scheduled Ancient Monument and a SSSI (Site of Special Scientific Interest) [see Draft Local Plan Appendix 1: Biodiversity/ geodiversity sites within TW borough]]. A Public Right of Way extends east west just south of the site and Friezland Wood [see Appendix 1: Biodiversity/ geodiversity sites, Local Wildlife Sites (LWS) TW23] to the north is used for informal recreation...".

As the SHELAA was incomplete, either the site must be rejected as not suitable or it must be compared again to the SHELAA's for the sites listed above. The Policy made reference to many of the issues, but this cannot be relied upon as other sites had already been discounted based on the information documented on the SHELAA and therefore an accurate comparison had not been made.

[TWBC: see full representation for excerpt from TWBC's Landscape and Biodiversity Officer].

We note that Wealden District Council has carried out a thorough ecology survey of sites in its District. We are disappointed that TWBC has not commissioned its own survey given the obvious sensitivity of the site. Absent its own survey TWBC should put more weight than it has done on the Wealden survey to inform its evidence base.

Name of site

It is not clear why this site is named Spratsbrook Farm, as when an Ordnance Survey map is consulted, the name Spratsbrook Farm appears on the east of the A26, on the south side of Strawberry Hill Farm. There are buildings on the west of the A26, opposite the name Spratsbrook Farm, but this site borders Ramslye and can much more accurately be described as Ramslye Farm. The absence of 'Ramslye' from the site name means local people might have overlooked it when considering the draft local plan.

Conclusion

This site was concluded to be suitable because "it lies adjacent to the main urban area and is likely to be sustainable in this context. It is also adjacent to the A26 Eridge Road a key distributor road". We have provided much evidence to challenge the sustainability assessment which is too positive and TWBC's 2014 study shows the A26 is already a very busy road with only 3% less traffic than Pembury Road but the A26 could easily now have the highest traffic flow of all of the major Tunbridge Wells access roads.

Several sites large enough to accommodate significant housing were concluded to be unsuitable because they are in the High Weald AONB/Green Belt/there is a landscape impact, there is heritage impact and there is high traffic. Some of these sites have been incorrectly classified as AONB and rated too highly in terms of Green Belt value. This site has a Scheduled Ancient Monument and contributes to the setting of the Broadwater Down conservation area, yet other sites were dismissed for less significant heritage reasons. Traffic is already a major issue for the A26.

This site has been scored inconsistently and more favourably than other development sites. By failing to include sites not in the AONB, TWBC's policy in respect of RTW16 is unsound as it does not comply with the NPPF requirements to demonstrate the exceptional circumstances required to develop this site. We have set out a compelling and reasoned case to remove this site from the Pre-Submission Local Plan.

Section 6: Development Management Policies

We set out below some more detailed concerns where we consider the development of this site would be in direct conflict of the policies proposed in the Pre-Submission Local Plan.

As can be seen there are many policies (12 by our count but we accept there could be more). On that basis, given the seriousness and number of conflicts, we consider the plan to be unsound with respect to the proposal to develop on this site.

Policy EN 3 Climate Change Mitigation and Adaptation

No carbon audit for the plan has been carried out and TWBC has confirmed there is no intention to carry out any audit.

TWBC declared a climate emergency in 2019 with one of the aims being to achieve net-zero carbon emissions by the year 2030. Net-zero emissions have been stated as a priority at international, national and local government levels.

Given a lack of audit it is unclear how the council intends to mitigate and prevent large carbon expenditure. Given the importance of the subject, no plan should go ahead without solutions in place. The plan is aspirational but not deliverable (NPPF 16b), as the scale of the carbon problem has not been properly considered. It conflicts with the needs and wishes of the town in its declaration of a climate emergency (NPPF 16c, 25).

Policy EN 5 – Heritage Assets

We support this policy. We note the policy states “Proposals that affect a designated or non-designated heritage asset, or its setting, will only be permitted where the development conserves or enhances the character, appearance, amenity, and setting of the asset”. We do not consider any reasonable case has been made that explains how the development of site AL/RTW16 can comply with this policy given the existence of the Scheduled Monument on the site and the likely archaeological value of the surrounding area, as well as the adjacent conservation area, the historic farmstead and other listed properties.

Policy EN 9 - Biodiversity Net Gain

The policy states that development will only be permitted where it can be demonstrated that there will be a measurable long term net gain for biodiversity. The Biodiversity evidence base sets out a species list taken from the Kent and Medway Biological Records Centre (KMBRC) but it is woefully out of date and totally inadequate for site AL/RTW16. One notable omission on the KMBRC's list for this site is the skylark. Skylarks, which are on the International Union for Conservation of Nature's Red List of Threatened Species, nest every year on this site. They are ground-nesting birds, so developing the eastern part of the site and turning the western part of the site into an amenity area would result in the destruction of their habitat. No reliable assessment of net gain can be made by TWBC. TWBC ought to be consulting sources such as the RSPB (particularly given its nearby Broadwater Warren reserve) and its results from its Garden Birdwatch scheme and iRecord which allows local people to record wildlife sightings. Species missing from the KMBRC list include the following examples:

- Kingfisher
- Heron
- Sparrow Hawk
- Red and black lesser spotted Woodpecker
- Red and Green common Woodpecker
- Lapwing
- Buzzard
- Greenfinch
- Bullfinch
- Pheasants
- Mallard Ducks
- Moorhens
- Mandarin Ducks
- Swifts
- Swallows
- Coal tit
- Marsh tit
- Chaffinch
- Goldfinch
- Brambling
- Yellow hammer
- Dormice
- Deer

RSPB Broadwater Warren website sightings in April and May included:

- ring ousels
- wood warbler
- tree pipit

blackcaps
garden warblers
willow warblers
chiffchaffs
peregrine falcon
ravens
spotted flycatcher
common toad
common frog
smooth newts
comma butterfly
brimstone
orange tip
Holly blue
green hairstreak
peacock
small tortoiseshell
Beautiful Demoiselle
Azure Damselfly
Large Red Damselfly
Blue-tailed Damselfly
Emperor Dragonfly
Hairy Dragonfly
Downy Emerald
Broad Bodied Chaser
Four Spotted Chaser

Given its proximity to this site, it is likely many of these species will be present

We note also an absence of consideration of the flora on the site which includes bluebells that are protected and the common twayblade, a rare type of wild orchid.

Policy EN 10 - Protection of designated sites and Habitats

Natural environment: we consider any development of site AL/RTW16 is incompatible because of its proximity to Ashdown Forest SPA and SPAC. The site is only just outside of the 7km special protection zone at approximately 8km and therefore before any decision on its suitability can be made the requisite studies should be undertaken as per paragraph 6.166 of the Pre-Submission Local Plan. In addition, any development of this site would compromise the accessibility to important geological sites.

Policy EN 12 - Trees, Woodland, Hedges, and Development;

Policy EN 13 - Ancient Woodland and Veteran Trees

Any development of site AL/RTW16 would not be compatible with these policies because it would result in the loss of veteran trees which are outside of protected ancient woodland. On investigation, we identified at least two 'valuable' oaks i.e. >4.7m girth, and at least seven 'potentially interesting' oaks i.e. >3.2m girth. The policy says "development proposals shall not be allowed unless there are wholly exceptional reasons". No case has been made for the exceptional circumstances that necessitate their loss.

We do not consider the mitigation plan as set out in clause 6 of the place shaping policy to be sufficiently robust: “Regard shall be given to existing hedgerows and mature trees on-site, with the layout and design of the development protecting those of most amenity value, as informed by an arboricultural survey and landscape and visual impact assessment. The retention and enhancement of the trees along the Eridge Road is a priority”. In order to give effect to the clause a clear system of penalties needs to be articulated that are punitive so as to ensure sufficient incentive to preserve the trees and hedgerows.

Consideration is not given to long term drainage issues and the effects of any change in soil water levels to the surrounding ancient woods and Scheduled Monument. It is likely that there will be increased water flow to these areas.

Policy EN 18 – Rural Landscape

Point 2 says “The development will be required to:… not cause significant harm to the landscape setting”. We consider any development of this site would cause irreparable harm to the landscape as site AL/RTW16 is visually prominent. Our assessment of the harm is supported by the sustainability assessment and therefore development of this site cannot be compatible with this policy.

Policy EN 19 – The High Weald Area of Outstanding Natural Beauty

While we note and welcome the decision to reduce the size of the development on site AL/RTW16 and exclude the portion that is in the High Weald AONB, we are still of the view that any development of this site would not be compatible with this policy because it simply cannot “conserve and enhance its landscape and scenic beauty”. The site allocated for development contributes to the setting of the AONB and is visually prominent in the landscape.

Policy EN 20 – Agricultural Land

This policy requires a presumption of development in favour of poorer land. As we have set out elsewhere in these representations, site AL/RTW16 has been misclassified as Urban 4 when it is a mix of ALC 3a and 3b and therefore its development would not be compatible with this policy.

Policy EN 21 – Air Quality

Any development of site AL/RTW16, will result in significant additional traffic along an already very busy road, likely further reducing the air quality to unacceptable levels in that area.

It should be noted that the nearest air quality management station is 3 miles away. It is unclear how TWBC intends to measure and cope with any decrease in air quality before residents suffer both physical and mental health damage

Policy TP 1 - Transport Assessments/Statements, Travel Plans, and Mitigation

Transport and Parking

Any development of site AL/RTW16 cannot demonstrate “that the impacts of trips generated to and from the development are accommodated, remedied or mitigated to prevent significant residue impacts” because of the volume of traffic already using the A26 Eridge Road.

Transport Strategy Review: Context and Way Forward

See comments above:

- . Section 5: 4. Highway matters: The existing road network cannot support a development of the size and nature proposed
- . Section 6: Policy TP 1 – Transport Assessments, Travel Plans and Mitigation
“Policy Implementation: Ensure provision of new infrastructure through working with developers, submit bids for funding (e.g. Local Growth Fund) for infrastructure improvements to deliver growth, take balanced approach to parking standards in new development and parking provision in town centres, public realm improvements in town and village centres, work with businesses to reduce travel footprint grants to businesses to support active travel.”

Nobody is likely to disagree with these policy implementation statements, but they don't really offer tangible solutions.

The detail provided for each proposed development site should include specifics. Policy AL/RTW 16 simply says “Development shall accord with the following requirements: Vehicular access to be provided into the site from the A26 Eridge Road; 2. Pedestrian links from the site to be provided and improved

to connect to the existing Public Rights of Way network in the vicinity of the site and to formally designate the informal footways as Public Rights of Way to increase and improve accessibility and informal recreation within and around this area; 3. The design and layout to take the form of a Low Traffic Neighbourhood, and shall ensure pedestrian and cycle permeability through the site, including the provision of cycle and pedestrian links into the adjacent Ramslye Estate and into the town centre and to the train station; 4. Improved public transport links are required to serve the development; TWBC has published thousands of pages of plans, reports and appendices, but we don't know what is proposed in terms of access roads for this site. TWBC's most recent attempt to promote active travel during the COVID-19 lockdown resulted in a failed attempt at a new cycle lane being installed along St John's Road. The installed bollards were eventually removed. The council has a history of failing to deliver active travel infrastructure.

We regret that taken together the site policy and the transport policy are neither precise enough nor prescriptive enough to ensure appropriate transport infrastructure will be put in place and funded by developers.

The footpath adjacent to the A26 Eridge Road is a very unpleasant place to walk, until the location of the speed camera is reached. HGVs thunder past, so it is not a footpath for the faint hearted. The 'best' time to walk is when traffic is queuing to get into TW (although of course you then have to contend with poor air quality/increased emissions created by stop-start traffic). There have almost certainly been more accidents on Eridge Road than reported and it is acknowledged that the road has poor safety record. It is semi-regular occurrence for large HGVs to get stuck under the Spa Valley railway bridge causing congestion on the Eridge Road.

Question 6

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

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.

Remove site 137/ AL/RTW 16 'Land to the west of Eridge Road at Spratsbrook Farm' from the plan.

Question 7

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

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

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

Question 8

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

These comments are made primarily in respect of site 137 / AL/RTW 16 but they relate additionally to sites:

24 Land at Tunbridge Wells Garden Centre;
73 Land at Pembury Road South;

99 Land at Pembury Road;
114 Land at Sandown Park west of A21;
116 Land South of Pembury Road;
145 Turners Pie Factory;
146 Tunbridge Wells golf club Langton Road;
176 Former Plant and Tool Hire;
198 Land at Tunbridge Wells Telephone Engineering Centre;
267 Land at Showfields Road and Rowan Tree Road;
280 Land at The Midway Nevill Court;
384 Land at Great Bayhall;
411 Land at Sandown Park between Pembury Grange & A21; &
434 Tutty's Farm Hawkenbury.

(underlined sites are in Broadwater ward)

(also see Appendix: Submitted sites not included in the Pre-Submission Local Plan)

We wish to challenge the 'unsuitable' decisions for the sites listed above, either because the sustainability scores are inconsistent (sites 73, 99, 114, 116, 146, 411 and 434) or because no sustainability appraisal was even completed (sites 280 and 384).

We wish to challenge the content and conclusions contained within the Sustainability Appraisal, which as a consequence we consider will change the 'suitable' conclusion contained in the SHELAA in respect of site 137 / AL/RTW 16 to 'unsuitable'.

We consider many of the scores in the sustainability appraisal understate the negative impact of the development of this site. In addition, we do not consider the appraisal has been consistently carried out when compared to sites in similar positions with a similar level of sensitivity. On reading the detail, some other sites appear to have been appraised as unsuitable because a developer is no longer interested in the site (e.g. 459), whereas this site is considered suitable because a developer is still interested. This is not an appropriate way to develop a plan of this magnitude and developer interest should not be a contributory factor to making the case for exceptional circumstances required to release Green Belt or to develop adjacent to AONB designated land.

We attach a spreadsheet (below) which we submitted in response to Regulation 18 which compared the sustainability objective scores and issues to consider across a selection of sites which TWBC had deemed unsuitable. The spreadsheet showed there were number of unexplainable inconsistencies.

As part of our response to Regulation 19, we have reviewed the new site assessment sheets for the sites listed above and note some changes have been made e.g. the incorrect AONB classification has been 'reduced' to AONB setting but the corresponding Landscape score has however not been adjusted down. These site assessment sheets cannot be relied upon and used to determine the suitability of these sites either individually or when compared to this site.

We have not updated the spreadsheet but its message still stands (and the number of changes was minimal anyway). In terms of inconsistencies, we would draw your attention to the scores for:

Air: It is not clear how this score has been arrived at for this site. "Air quality is scored as negative overall because of the large size of the development and likelihood that new vehicles will utilise the A26 as a through route". "There is also a need to meet nitrogen dioxide reduction targets along the A26 in Royal Tunbridge Wells, which is identified as an Air Quality Management Area." We can see no reason why the score should not be --/--- because of the substantial use of private vehicles in the location and its proximity to the A26.

Biodiversity: It is not clear why this site is not scored at – rather 0/-. The site has protected species such as bats, dormice, adders and great crested newts. We note the draft local plan made reference to this site being a Biodiversity Opportunity Area and this reference appears to have been removed. It is not clear why that would be the case other than to justify the lower harm score. As well as providing habitat itself (through the presence of trees and hedgerows, the site provides wildlife corridors between Hargate Forest, Frieze Wood & Broadwater Warren. In addition, the site is only just outside the Ashdown forest 7km protection zone and we would expect a proper impact assessment to be carried out given the negative air quality score.

Education/Employment/Equality: It is not clear why these criteria have been more positively assessed than for sites 24, 73, 99, 116 and 176 for example. These sites are examples of a mix of sites that are either very close to this site (24 and 176) or have similar characteristics of being greenfield adjacent to the LBD (73, 99 and 116). This list of sites is not intended to be exhaustive, but illustrative of the inconsistent scoring. If anything we consider the site should be scored net negative for employment given the loss of very local employers at the Turners Pie Factory and Telephone Engineering sites (which we nonetheless support as Brownfield development sites).

Heritage: this score is too low. It does not adequately take account of the Scheduled Monument (Historic England) that is in part in the site and the role played in its setting, nor does it adequately reflect the role in the setting of the Broadwater Down conservation area as set out in the Conservation Area Assessment, along with other heritage constraints (listed buildings and historic farmstead).

Land use: as set out in our Regulation 18 response this site has been misclassified as Urban grade 4 when it is ALC Grade 3a and 3b and therefore its land use score should reflect this we consider it should be scored as --/- - - . We note site 114 (not allocated) for example is assessed as --/--- and that site is at best unused pasture land. Site 146 (not allocated) has already been developed as a golf course so it should score 0 or maybe - as loss of green space.

Landscape: For the reasons set out above we consider the landscape value of the site (including that part outside of the AONB) to be undervalued. It should therefore be scored consistently with other sites (30, 99 & 116) at - - - .

Services and facilities: It is not clear why this has been scored positively. We consider there will be an obvious increase in pressure on existing services and facilities that are already stretched, especially when considered with the other five sites identified for development in the Broadwater ward which will result in an additional c.500 dwellings.

Travel: It is not clear why this has been scored so positively in comparison to other sites, for example 24 and 176 (which are very close to this site) and 73, 99 and 116 (which are greenfield adjacent to the LBD). The site is on the borough/county boundary. Increased traffic is acknowledged, as is the borough's low bus usage, and the existing cycle lanes on other sites are listed as issues not positive factors in relation to active travel. Site 146 is on the A264 which gets 62% less traffic (9,034 vehicles per day based on 2016 data) than the A26 (23,496 vehicles per day based on 2016 data). Development here would give a fairer distribution of traffic and less congestion; this should score ++. Site 146 also has good existing access as it's to a golf course. There is some overlap here with services and facilities. [TWBC: see attached supporting information].

In our previous Regulation 18 representation we made reference to factual errors, some of which appear to still be present in the reissued SHELAA for site 137 / AL/RTW 16. Firstly, the size of the site is not 55.79 ha; c.15 ha is available in the borough (with the remaining area in Wealden (with no defined boundary on the site) which has deemed it unsuitable for development). Given the conclusion of the sustainability assessment and SHELAA, the land available to the borough for development is the eastern end only which is c.6.2 ha. The 'issues to consider' section still incorrectly grades the land as ALC Grade 4, Urban, when in fact the land is agricultural grade 3a and 3b – an assart field which is actively farmed.

We consider the proposal to remove this site from the Green Belt and to develop the land is misguided, and any objective and consistent assessment of the site with the corrections we have highlighted, coupled with the appropriate sustainability scores as set out above will result in the SHELAA assessment concluding the site is unsuitable.

Furthermore, the spreadsheet we have included shows a small selection of sites with reasonable scale which have been excluded. While all of these sites appear to have been excluded at least in part because they are in the Greenbelt and in the setting of the AONB they appear to be no more sensitive to development than this site and in some cases, as we have demonstrated, have fewer constraints. That being the case we consider that TWBC has failed in its duty to carry out an objective and thorough assessment and failed to demonstrate that all other sites have been exhausted before including this site in the Pre-Submission Local Plan (Regulation 18) and as such has not met the requirements of the NPPF.

This site does not meet the sustainability requirements and is therefore unsuitable for development.

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	Andrew Best ([REDACTED])
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	Andrew Best ([REDACTED])
Comment ID	PSLP_1285
Response Date	04/06/21 13:33
Consultation Point	Policy AL/RTW 16 Land to the west of Eridge Road at Spratsbrook Farm (View)
Status	Processed
Submission Type	Web
Version	0.4
Question 1	
Respondent's Name and/or Organisation	Andrew Best
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
AL/RTW 16 and in particular re Policy EN18 and EN19 relating to AONB and Rural Landscape	
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 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.

in breach of Policies EN 19 and EN18 with regard to protection of AONB and Rural Landscape

Question 6

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

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The proposed development impacts the AONB as it is on high ground which dominates the approaches to Tunbridge Wells and within one mile of the RSPB Nature Reserve at Broadwater Warren

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 AONB is a critical designation and should be protected from inappropriate development

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	Giny Best ([REDACTED])
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	Giny Best ([REDACTED])
Comment ID	PSLP_1348
Response Date	04/06/21 15:59
Consultation Point	Policy AL/RTW 16 Land to the west of Eridge Road at Spratsbrook Farm (View)
Status	Processed
Submission Type	Web
Version	0.3
Question 1	
Respondent's Name and/or Organisation	Giny Best
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

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

Policy AL/RTW 16 Land to the west of Eridge Road at Spratsbrook Farm

Question 4

Do you consider that the Local Plan:

Is sound	No
----------	----

Question 4a

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

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

- . It is not justified
- . 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.

I refer to the proposal for developing the Area of Outstanding Natural Beauty AONB to the South of Tunbridge Wells, on Spratsbrook Farm which would be in contravention of National Planning Policy as AONB is a designation to protect the landscape of this area of the High Weald. Any development on this site would be very visible and so have a detrimental effect. In addition the lighting from such a development is in contravention to the "dark skies" policy for rural areas.

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)

Future Notifications

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

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

Comment

Consultee	Julie Davies [REDACTED]
Email Address	[REDACTED]
Company / Organisation	CPRE Kent
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	CPRE Kent [REDACTED]
Comment ID	PSLP_520
Response Date	27/05/21 16:03
Consultation Point	Policy AL/RTW 16 Land to the west of Eridge Road at Spratsbrook Farm (View)
Status	Processed
Submission Type	Web
Version	0.1
Question 1	
Respondent's Name and/or Organisation	CPRE Kent
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
AL/RTW16	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes
Is sound	No

Complies with the Duty to Cooperate

Don't know

Question 4a

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

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

- . It is not effective
- . 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 land identified as AL/RTW16, serves, and is recognised to serve the following purposes, for which the Green Belt is established:

- . it prevents unrestricted sprawl of the large built up area of Tunbridge Wells;
- . it assists in safeguarding the countryside from encroachment and adjoins AONB to the south and north west;
- . it contributes to preserving the unique setting and special character of the towns; and
- . its existence acts as an incentive to urban regeneration in the town centre where substantial opportunities exist for increased residential development beyond present allocations.

The negative consequences of the proposed allocation in terms of substantial light and noise pollution, disruption to wildlife in the nearby Local Wildlife Site and Biodiversity Opportunity Area would add to the harm which would accrue from development at this site.

The Stage 2 Green Belt Review considered the site as parcel TW10 and found that harm from its removal from the green belt would be high. The Stage 3 Green Belt Review, based on retention of the north western two thirds of the parcel within the Green Belt, modified the perceived harm from release from moderate to low/moderate. The negative consequences of the proposed allocation in terms of substantial light and noise pollution, disruption to wildlife in the nearby Local Wildlife Site and Biodiversity Opportunity Area would add to the harm which would accrue from development at this site.

The proposed allocation has not been shown to be subject to exceptional circumstances which override its purpose in remaining part of the Green Belt and the harm which would be caused by its removal. Its removal from the Green Belt for allocation is therefore considered unjustified.

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.

CPRE Kent believes the plan could be made sound by deletion of allocation AL/RTW 16 at Spratsbrook Farm for the reasons set out above.

However, if the Inspector is not minded to recommend that this allocation be deleted, CPRE Kent would like to see the following:

- 1 There being in our opinion insufficient evidenced to justify for the current allocation at Spratsbrook, our first preference would be to invite the Inspector to be mindful of paragraph 139 of the NPPF and recommend that areas of safeguarded land be identified between the urban area and the green belt equivalent to the parts identified as developable at AL/RTW16, in order to meet potential longer-term development needs stretching well beyond the plan period and once maximum intensification has been achieved within the existing LBD. The Inspector should make clear that the safeguarded land is not allocated for development at the present time and that planning permission for the permanent development of the safeguarded land should only be granted following an update to the local plan which proposes the development.
- 1 Should the Inspector nonetheless be minded not to safeguard rather than allocate land at RTW16, our second preference would be for the Inspector to recommend that the proposed densities on the allocations be modified in accordance with paragraphs 123 and 137 of the NPPF which we consider to have been disregarded in the draft plan.

The projected densities of approximately 20 dwellings per hectare on both sites are far too low for sites which are immediately adjacent to Limits to Built Development. CPRE Kent would therefore like to see a much higher density. Besides bringing the allocations into conformity with national policy, significantly higher density would also be far more compatible with meeting the actually identified housing need in the borough for social and affordable housing than is likely to be the case under the current proposed densities.

- 1 As these densities would produce a number of dwellings significantly greater than said to be required during the plan period, this might alternatively allow the Inspector to recommend the reduction in loss of green belt by reducing the allocated area on both sites and maintaining the remainder as green belt.
- 2 Higher density housing does not need to be ugly. Some of the most desirable properties in Royal Tunbridge Wells 'village area' are terraces and other clustered dwellings – the now valued high density housing of the past. Even in modern developments, a village atmosphere can be successfully created with terraces, maisonettes and other three to four storey developments forming an attractive part of the development.
- 3 If the Inspector should confirm removal of land from the green belt, paragraph 138 of the NPPF states that a Plan should set out "ways in which the impact of removing land from the Green Belt can be offset through compensatory improvements to the environmental quality and accessibility of remaining Green Belt land". Paragraph 141 of the NPPF states: "Once Green Belts have been defined, local planning authorities should plan positively to enhance their beneficial use, such as looking for opportunities to provide access; to provide opportunities for outdoor sport and recreation; to retain and enhance landscapes, visual amenity and biodiversity; or to improve damaged and derelict land."

The Regulation 19 Pre-submission Plan reads as though the land at Spratsbrook has *already* been removed from the green belt prior to its allocation. That being its approach, CPRE Kent would expect to see specific detailed mapped proposals in both the allocations as to how the provisions of paragraphs 138 and 141 of the NPPF will be given effect.

Mitigation and enhancement seems to be limited to land within the sites to be allocated although it is understood that the prospective developers own adjacent additional land. In the case of Spratsbrook Farm, an area of the allocation nearly twice the developable area is to remain open with public access.

There are insufficiently specific details as to how the provisions of paragraphs 138 and 141 of the NPPF are to be given effect. CPRE Kent strongly urges the Inspector to remedy this by recommending that the Council identify within the plan the specific mitigation and enhancement within the remaining green belt which will be provided as compensation for the loss of the parts removed from it. Without concrete provisions within the plan, it is highly likely that the significant obligations placed by the NPPF will not be honoured in practice.

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:

CPRE Kent would wish to participate at the examination hearings to explore the reasons for the allocation of land at AL/RTW16, which is a key part of the green belt in the immediate environs of Royal Tunbridge Wells, and because so many issues arise concerning compliance with the NPPF in relation to their allocation, as we have set out above.

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

Agent	Mr David Maher ([REDACTED])
Email Address	[REDACTED]
Company / Organisation	Barton Willmore LLP
Address	- Ebbsfleet -
Consultee	([REDACTED])
Email Address	[REDACTED]
Company / Organisation	Dandara Ltd
Address	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Dandara Ltd (- [REDACTED])
Comment ID	PSLP_1873
Response Date	04/06/21 11:10
Consultation Point	Policy AL/RTW 16 Land to the west of Eridge Road at Spratsbrook Farm (View)
Status	Processed
Submission Type	Email
Version	0.7
Files	PSLP_1873 Barton Willmore for Dandara SI.pdf
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Dandara
Question 2	
Agent's Name and Organisation (if applicable)	Barton Willmore
Question 3	

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

Policy

Question 3a

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

Policy AL/RTW 16 Land to the west of Eridge Road at Spratsbrook Farm

Question 4

Do you consider that the Local Plan:

Is sound

No

Question 4a

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

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

Question 5

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

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

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

1.0 INTRODUCTION

1.1 These representations are submitted on behalf of Dandara Ltd in response to the Tunbridge Wells Borough Local Plan - Regulation 19 Consultation. The Consultation (26 March – 04 June 2021) comprises a “Pre-Submission” consultation document as part of the Local Plan process. It follows the earlier Reg 18 “Issues and Options” (May – June 2017) and Reg 18 “Draft Local Plan” (Sept – Nov 2019) stages of the Local Plan to which Dandara has made previously made representations to.

1.2 Dandara is a privately owned property developer with experience in delivering high quality and bespoke residential led and mixed-use schemes across the UK. Dandara has interests at land along the southern edge of Tunbridge Wells, namely known as “Spratsbrook Farm” (the “site”). The site forms land as allocated within the emerging Local Plan (ref. AL/RTW 16) for development of approximately 120no. new homes. Whilst Dandara supports the allocation of the site, it considers that the proposed quantum of development should be uplifted to 170no. new dwellings. Accordingly, this will ensure that the allocation secures the efficient and effective use of the land at Spratsbrook Farm in line with the National Planning Policy Framework (para 122).

1.3 We set out within these representations our reasoning for the proposed uplift in unit numbers. This approach is supported through landscape and masterplanning evidence being provided by Dandara and which is also addressed in these representations.

1.4 This report should be read in-conjunction with other representations being prepared by CBRE (on behalf of Dandara) concerning other site interests. The CBRE representations will address other allocations and policies of the Local Plan including more detailed development management policies.

1.5 Notwithstanding our client's interests, these representations have been prepared in objective terms and assesses the Local Plan against the National Planning Policy Framework (NPPF) and National Planning Practice Guidance (NPPG).

1.6 These representations address the main aspects of the Local Plan/site allocation and in summary confirm the following:

1) Local Plan Strategy – Meeting Housing Need:

- The Local Plan seeks to meet the Government's Objectively Assessed Standard Method for new homes (678dpa) over an 18-year Plan period (2020 – 2038);- This entails a need for 12,204 units over 18 years;- The Local Plan seeks to provide 13,069 – 13,444 dwellings during the Plan period;- Taking the mid-point of the above, this provides a buffer of 8.6%;- We consider that a buffer closer to 20% would address previous shortfalls, affordability issues in the Borough, as well as the potential for unmet needs arising from neighbouring authorities, including from Sevenoaks and Wealden;- We consider that the range of dwellings proposed provides uncertainty as to the extent of housing need being met;- Our client's proposals at Spratsbrook Farm, including our proposed uplift to the allocation quantum, provides certainty to units being delivered from the site. An uplift in the allocation would assist in meeting the wider housing needs of the area.

2) Land at Spratsbrook Farm, Tunbridge Wells:

- The site forms a proposed allocation in the Local Plan for development of approximately 120no. new homes;- As above, we consider that the site should be allocated for a greater quantum of development (i.e. 170no. homes) than currently proposed by the Local Plan– this will ensure an efficient and effective use of the land;- The site is identified for anticipated delivery in the long-term (2035/36 – 2036/37);- We do not support the trajectory on this basis and consider that the site can be delivered by Dandara in the shorter-term (i.e. from 2023/24 – 2025/26).- Development of the Site will secure appropriate "green", "grey" and "blue" infrastructure, as including open space and landscape provision, as well as access and on-site drainage infrastructure.

1.7 In summary, we support the Local Plan in broad terms. However, these representations conclude that the Local Plan could be considered "Sound" in accordance with the NPPF, subject to changes identified in these representations.

1.8 They further support the identification of the site for development and enclose further technical work to support its allocation.

2.0 LOCAL PLAN STRATEGY – MEETING HOUSING NEEDS

2.1 This section sets out our representations on the Local Plan spatial strategy with regard to meeting housing need. ***This has particular reference to Policy STR1 (The Development Strategy)*** and its supporting paragraphs.

a) Housing Need

2.2 In line with the Government's Standard Method for housing need, the Local Plan needs to plan for the delivery of 12,204 new homes during the Plan period 2020 – 2038. This amounts to 678 dwellings per annum.

2.3 The emerging Local Plan is seeking to provide for a "lower" and "upper" range in the quantum of development, as extending from 13,059 – 13,444 dwellings. This is made up of existing committed sites and proposed allocations as follows:

Table 1: Local Plan housing strategy

Housing Strategy

Lower Provision

Upper Provision

Existing commitments/allocations

4,983

4,983

Proposed allocations

8,076
8,461
Total
13,059
13,444
Requirement
12,204
12,204
Buffer
855 (7%)
1,240 (10%)

2.4 We support the ability of the Plan to seek to meet its own needs in full. However, the use of “lower” and “upper” ranges, as above, provides uncertainty in terms of the quantum of development to be achieved by the Local Plan. In this context, we note that the Local Plan seeks to achieve a 7 – 10% buffer and this range entails a difference 385 dwellings.

2.5 We consider that the Plan should be seeking to achieve a greater buffer of up to 20%. There are a number of factors underpinning this objective as set out under items b) – d) as follows.

b) Delivering a sufficient supply of homes

2.6 Tunbridge Wells Borough Council has not been able to demonstrate a 5-year supply of housing land for a number of years (c. 5 years+). TWBC’s stated supply currently stands at 4.83 years.

2.7 Equally, the Housing Delivery Test Measurement (2020) amounts to 85% delivery in Tunbridge Wells in the previous three measurement years as follows:

Table 2: Housing Delivery Test Measurement 2020 (as at Feb 2021)

2017-18
2018-19
2019-20
Total
No. of homes required
494
688
624
1,807
No. of homes delivered
519
553
474
1,540
Shortfall/Surplus

85%

Action required

Action Plan

2.8 It is evident from the above that there has been recent and continued under delivery of homes in TWBC. The NPPF (footnote 39) is clear in-so-far as a 20% buffer should be applied whereby the HDT falls below 85%. The objective of this is to redress previous shortages in supply and in this light, we consider that up to/in the region of a 20% buffer should be applied for the Local Plan. This will ensure that flexibility in supply is provided as well as securing choice and competition in the market for new homes.

c) Addressing Affordability

2.9 The ability to afford a home is a problematic issue in TWBC. This is the result of many socioeconomic factors; one of which relates to housing demand and the shortfall in supply. Delivery over the past 10 years (2010/11 – 2019/20) has averaged 330dpa in TWBC. This is **half** the housing need determined by the Council's Objective Assessment of Housing Need (OAN) determined under the policies of the 2012 NPPF (648dpa). The 2019 NPPF introduced the 'Standard Method' for calculating **minimum** local housing need, replacing the OAN. The **minimum** need calculated by this method is higher than the OAN at 678dpa for Tunbridge Wells. However, it is important to note how this figure is 'capped' due to the acute affordability problems in the Borough. If the Standard Method were uncapped, it shows need of 764dpa in Tunbridge Wells. As the PPG (ID2a-007) states, "*The cap is applied to help ensure that the minimum local housing need figure calculated using the standard method is as deliverable as possible*" however it also states that "*The cap reduces the minimum number generated by the standard method, **but does not reduce housing need itself***" (our emphasis). The minimum that should be targeted by the Council is delivery of 678dpa, as **actual** housing need in Tunbridge Wells is higher at 764dpa.

2.10 To put the affordability issues in context, the median affordability ratio is used for the purposes of calculating the Standard Method minimum. The ratio in Tunbridge Wells is currently 13.27. This means a household earning a median salary would require 13.27 times that salary to afford a median priced home in the Borough. A median priced home costs £390,000 as of 2020. The median ratio compares to an average of only 7.84 nationally, 9.92 in the south-east, and 10.06 across Kent. This means the ratio in Tunbridge Wells is 69% higher than the national average, 34% higher than the regional average, and 32% higher than the Kent average. The ratio also increased most from the previous 2019 ratio in Kent, and is the 12th highest in the country outside of London.

2.11 It is clear that additional housing is required in the Borough to address the acute affordability problems inherent there, which have only been exacerbated by the lack of delivery over the past decade. This is needed to address both supply and demand, thereby driving down price. A 20% buffer is therefore considered appropriate having regard to the above market signals and the need to address affordability concerns. Such a buffer has been accepted at Examinations for other nearby local authority areas (with similar/lower affordability ratios) including Canterbury (2017), Mid Sussex (2017/18) and Guildford (2018). It is thereby recommended that the planned supply of homes is increased in the Plan in order to secure a 20% buffer.

d) Responding to potential unmet needs from neighbouring authorities

Sevenoaks Unmet Need

2.12 TWBC shares a number of functional relationships with adjacent local authority areas. This includes migratory patterns for school, work, etc. with other authorities including Sevenoaks, Tonbridge and Malling, Maidstone, Ashford, Rother and Wealden. These authority areas are shown on Figure 2 of the Local Plan.

2.13 Tunbridge Wells shares the “West Kent Housing Market Area” with Sevenoaks and Tonbridge and Malling. Para 4.12 of the Local Plan refers to potential/“unknown” unmet needs (c. 1,900 dwellings) arising from Sevenoaks. TWBC’s Duty-to-Cooperate Statement (March 2021) goes on to refer to a formal request from Sevenoaks (April 2019) in terms of assisting with unmet need. The issue of Sevenoaks unmet needs was also the subject of lengthy discussions at the recent (Oct 2020) Examination of the Tonbridge and Malling Local Plan.

2.14 The DtC Statement recognises the current uncertainty regarding the progress of the emerging SDC and TMBC Local Plans. It is therefore considered that the Tunbridge Wells Local Plan should provide the appropriate flexibility in seeking to positively grapple with the unmet needs arising from Sevenoaks.

2.15 This can be achieved through an uplifted buffer to 20% and it is considered that the uplift in need can be addressed in Tunbridge Wells. In this context, we note that Tunbridge Wells has direct functional relationships to Sevenoaks, including the shared mainline train services to London. It is therefore a good location for unmet needs arising from Sevenoaks to be met.

Potential for unmet needs from Wealden

2.16 Wealden District is situated to the south of Tunbridge Wells. The latest Wealden Core Strategy (2013) is predicated on the need to deliver 9,440 homes (2006 – 2027). This averages at 450dpa.

2.17 WDC has embarked upon work on its new Local Plan. The WDC Reg 18 Draft Local Plan is due for consultation early in 2022.

2.18 The Government’s current Standard Method amounts to 1,225dpa for Wealden. This would equate to 24,500 new dwellings over a 20-year Plan period, as being proposed by WDC. This represents a significant uplift on the current Core Strategy requirement.

2.19 The signed Statement of Common Ground (WDC and TWBC - 08 Feb 2021) recognises that WDC’s housing figure as above, represents an “unconstrained”/“policy-off” figure. This does not have regard to constraints in WDC including the South Downs National Park to the south as well as the implications of the Pevensey Levels RAMSAR site.

2.20 Given the above, it is not anticipated that WDC is going to be able to meet its needs in full. It is therefore recommended that flexibility is built in to the TWBC Local Plan to accommodate potential for unmet needs arising from WDC. This can be achieved by increasing the housing provision in TWBC through the application of a 20% buffer.

e) Summary

2.21 The Local Plan currently seeks to provide a buffer of 7 – 10% above the identified need for new homes. A buffer in the Plan is welcomed, however, the current proposals provide uncertainty as to what can be achieved. This is important given the context set out above (items b – d) and it is considered that the Plan should be seeking to secure a definitive buffer of up to 20%. This can be achieved by two means:

i. Identifying and allocating further sites in the Local Plan – this can have regard to sites previously identified in the Reg 18 Draft Local Plan consultation; and ii. Where feasible, increasing the development quantum on allocated sites.

2.22 In the next section, we address our client’s site at Spratsbrook Farm in the context of item ii above and the ability of the site to deliver an increased quantum of development above that as allocated in the Local Plan.

3.0 RESPONSE TO POLICY AL/RTW16 - LAND AT SPRATSBROOK FARM

3.1 In this section, we address the main issues for the site, having regard to the Local Plan allocation for the site (ref. AL/RTW16) and the evidence base underpinning it. In the first instance we provide a site overview.

a) Site Overview

3.2 The site forms undeveloped greenfield land situated on the southern edge of Tunbridge Wells. The site has the following characteristics:

- It broadly comprises two land parcels in the eastern and western element of the site;
- The western element of the site forms part of the High Weald AONB;
- The entire site forms Green Belt with the eastern element proposed for Green Belt release in the Local Plan;
- Part of the western element forms land and abuts land in connection with a Scheduled Ancient Monument – Iron Age Hill Fort associated with the High Rocks;
- Listed building of Ramslye Farmhouse is set in a wooded setting to the south of the Site;
- The western element of the site contains woodland boundaries including Ancient Woodland;
- Access is deliverable from the A26 – this provides the main access route to the nearby Town Centre;
- A Public Right of Way runs parallel to the southern boundary providing access from the A26 to the wider countryside;
- The site is in close proximity to the Town Centre and thereby forms a suitable urban extension;
- Land abutting the southern boundary forms land also in Dandara's control and is located within the administrative area of Wealden. Dandara is promoting this area (to the WDC Local Plan), to form a wider urban extension.

b) Policy AL/RTW16 – Land at Spratsbrook Farm

3.3 The Site is allocated for development under Policy AL/RW16 for the following scope of development:

The site, as defined on the Royal Tunbridge Wells Policies Map, is allocated for residential development providing approximately 120 dwellings, of which 40% shall be affordable housing, and a minimum of five percent to be delivered as serviced self-build and custom housebuilding plots, together with enhanced informal open space and recreation areas as part of a landscape buffer.

3.4 The Local Plan (refer to Map 16 – Site Layout Plan) proposes that built development occurs in the eastern element of the site only with the western parcel being secured as “Open Space and Landscape Buffer”. Dandara supports this aspect of the Local Plan and we will comment on the proposals for the western area of the site further below.

Quantum of development

3.5 Dandara has undertaken architectural and feasibility work for the identified eastern development parcel for the site. This work is enclosed at **Appendix 1** and identifies that the site is able to achieve and deliver approximately **170 dwellings**. This is deliverable whilst securing appropriate densities at the site as well as encompassing suitable “green” and “blue” infrastructure and a sensitive design response in an AONB setting. This would include open space linkages through the site connecting to the western open space parcel. Children's play space could also be secured as well as SuDs provision, with access being provided from the A26.

3.6 In line with the NPPF, the proposed uplift in the development will make efficient use of the site. Furthermore, it can contribute towards achieving a secure buffer in the Local Plan and as set out in the earlier section, we consider that an uplifted buffer (to up to 20%) should be pursued in the Local Plan.

Self/Custom Build

3.7 Policy AL/RTW16 seeks to secure 5% of the development proposals for self/custom build provision. Dandara does not support this element of the policy.

3.8 Para 6.381 of the Local Plan notes that since 01 April 2016, there has been an average of 1.96 registrations for a self/custom build property per month. Utilising this data, TWBC has therefore projected a need for 518 self/custom build dwellings over the Plan period (up to 2038). This is considered to be too simplistic a forecast and does not reflect actual demand.

3.9 Para 6.381 goes on to (correctly) note that self/custom build predominantly comes forward via windfall schemes, mainly as single dwelling schemes. Accordingly, TWBC considers that 77% of provision (401 dwellings) will come forward via windfall, leaving 115 – 120 dwellings to be identified in the Plan.

3.10 **Policy H8 (Self and Custom Build Housing)** goes on to seek to secure the residual self/custom build provision at 3 no. allocated sites – Caenwood Farm (AL/RTW5), Spratsbrook Farm (AL/RTW16), and Tudeley Village (STR/SS3). The Local Plan (including Sustainability Appraisal) however, does not set out the rationale as to why these sites were chosen over other sites in the Local Plan.

3.11 Ultimately, the selection of self/custom build sites will depend on consumer choice on where individual households seek to build their own home. As above, this predominantly occurs on single dwelling/windfall schemes and can also be locationally dependent including village and countryside settings.

3.12 For when build out occurs on the Dandara/Spratsbrook scheme (TWBC anticipates this to occur from 2035/36), the need for self/custom build may have been met through windfall. Meeting the demand will largely be based on consumer choice at the time as well as the locational options for those on the Council's self/custom build register.

3.13 Furthermore, the ability of the site to deliver self/custom build plots will depend on viability considerations as balanced against the need to meet full affordable housing requirements. We therefore suggest flexibility in the policy provision below to cater for the demand at the time the scheme is at the planning application stage. This should also have regard to other viability considerations for the scheme. We also recommend that the provisions/sites in policy H8 are deleted in that self/custom build can come forward as based on the demand for suitable locations at build out.

3.14 In the light of the preceding paragraphs, we recommend that policy AL/RTW16 is amended as follows:

The site, as defined on the Royal Tunbridge Wells Policies Map, is allocated for residential development providing approximately 120 170 dwellings, of which 40% shall be affordable housing, and if required (subject to need), feasible and viable a minimum of five percent to be delivered as serviced self-build and custom housebuilding plots, together with enhanced informal open space and recreation areas as part of a landscape buffer.

3.15 Following the above, policy AL/RTW16 includes 12 no. development requirements. We comment on these below with recommended modifications in some instances.

Table 3: Dandara response to Policy AL/ RTW16 requirements

[TWBC: Table removed for formatting purposes - contents only below - full table in supporting information]

Policy AL/RTW16 Requirements / Dandara comments

No. 1 - Vehicular access to be provided into the site from the A26 Eridge Road. **Comments on No. 1** – Dandara supports this requirement.

No. 2 - Pedestrian links from the site to be provided and improved to connect to the existing Public Rights of Way network in the vicinity of the site and to formally designate the informal footways as Public Rights of Way to increase and improve accessibility and informal recreation within and around this area. **Comments on No. 2** – Dandara supports this requirement.

No. 3 - The design and layout to take the form of a Low Traffic Neighbourhood, and shall ensure pedestrian and cycle permeability through the site, including the provision of cycle and pedestrian links into the adjacent Ramslye Estate and into the town centre and to the train station. **Comments on No. 3** – Dandara broadly supports this requirement, however the delivery of cycle and pedestrian links into the town centre and to the train station would occur on land Dandara does not control. It is therefore recommended that “**where feasible and viable**” is inserted to the end of the requirement.

No. 4 - Improved public transport links are required to serve the development. **Comments on No. 4** – Dandara supports this requirement.

No. 5 - Development shall be located on the areas identified for residential use on the site layout plan. The open space shown in green on the site layout plan is to be managed under an approved scheme of agriculture with public access. **Comments on No. 5** – Dandara broadly supports this requirement, however, it is unknown as to what the requirements are for the open space area (western element of the site) to be “**managed under an approved scheme of agriculture with public access**”. The subject land is not proposed to be retained for agriculture use. Instead, it is proposed for “**open/ in formal space provision**” and it is recommended that the policy is modified accordingly.

No. 6 - Regard shall be given to existing hedgerows and mature trees on-site, with the layout and design of the development protecting those of most amenity value, as informed by an arboricultural survey and landscape and visual impact assessment. The retention and enhancement of the trees along the Eridge Road is a priority. **Comments on No. 6** – Dandara broadly supports this requirement, however there is likely to be a need for an element of tree clearance to occur along Eridge Road to

accommodate the access provision, with mitigation provided for loss of any trees elsewhere on the site. This is recognised within TWBC's landscape evidence base and accordingly, it is recommended that the text "**Where feasible**" is introduced at the beginning of thesecond sentence.

No. 7 - *The layout, form, design and mass of built development on-site to have regard to the topography, ancient woodland and buffers, and impact on the setting of the High Weald AONB. It shall include a landscape buffer along the south-western boundary, including to protect the amenity of the adjacent farmhouse.***Comments on No. 7** – Dandara supports this requirement.

No. 8 - *Detailed historic landscape and archaeological assessment to be provided as part of any proposals coming forward to assess the impact on heritage assets, including on the High Rocks Hill Fort, a Scheduled Ancient Monument.***Comments on No. 8** – Dandara supports this requirement.

No. 9 - *Provision of on-site amenity/natural green space and recreation ground, as well as children's and youth place space.***Comments on No. 9** – Dandara supports the provision of on-site amenity/natural green space as well as children's and youth play space. In this context strategic/semi-natural open space will be secured in the western parcel of the site and this will contribute to biodiversity net gains in the natural environment.

Dandara does not however support the provision of a "**recreation ground**" at the site. This is not considered necessary given the scale of the allocation proposals and equally the size/form of the site does not allow for playing pitches, etc. Accordingly, the provision for a "recreation ground" is not justified in line with the NPPF and it is recommended that this provision is deleted from the policy.

These facilities could be delivered as part of a wider scheme for the site as encompassing land within WDC to the south. Such a scheme would deliver the land requirements for a recreation ground and provide the critical mass for such a facility.

No. 10 - *Any development coming forward will need to consider any impacts on the adjacent land within the Wealden District Council area, and in terms of infrastructure provision with East Sussex County Council as well as Kent County Council.***Comments on No. 10** – Dandara supports this requirement.

No. 11 - *A suitable legal mechanism shall be put in place to ensure that the provision of public open space is tied to the delivery of the housing, at a suitable stage of the development, to be agreed at the planning application stage.***Comments on No. 11** – Dandara supports this requirement.

No. 12 - *Contributions are to be provided to mitigate the impact of the development, in accordance with Policy STR/RTW1.***Comments on No. 12** – Dandara supports this requirement.

3.16 Should the above matters be addressed this would enable the policy to be "justified" and "sound" in line with the NPPF.

4.0 RESPONSE TO LOCAL PLAN - EVIDENCE BASE

4.1 In this section, we address the salient issues for the site, having regard to the evidence base underpinning it. This is detailed on a topic-based approach as below:

a) Housing Trajectory

4.2 The Local Plan is supplemented by the Housing Trajectory contained within the Housing Supply and Trajectory Topic Paper (Feb 2021). The trajectory for allocated sites is provided at Table 9 (page 29) of the document.

4.3 For the Spratsbrook Farm site, the Trajectory proposes that 60 dwellings will be delivered per annum from 2035/36 – 2036/37.

4.4 We support the planned growth for the site, however as per earlier sections we consider that quantum of development at the site should be uplifted 170no. homes. The proposed annual delivery rates (60dpa) are broadly supported, and in this context, Dandara is able to achieve 75dpa as set out in previous representations.

4.5 Notwithstanding the above, it is however unclear to us as to why such a significant delay to the delivery timeframe is being proposed – as commencing from 2035/36.

4.6 Dandara has undertaken an array of technical/background work for the site including that appended to these representations. Matters which have been addressed include landscape, heritage, ecology, highways, access, drainage and infrastructure.

4.7 The above information confirmed that there are no site constraints to development and accordingly the development could commence from 2023/24. Furthermore, TWBC's Infrastructure Delivery Plan (March 2021) does not identify wider infrastructure schemes as a prerequisite to development at the site. Early delivery of the site will help to redress the Housing Delivery Test and 5-year Housing Land Supply and this is considered important given the potential for delays at other site allocations (due to infrastructure/landownership and other site issues).

4.8 In the light of the above, we would thereby propose the following amended "justified" and "sound" trajectory for the site.

Table 4: Revised Trajectory for Spratsbrook Farm

Year

2020/21

2021/22

2022/23

2023/24

2024/25

2025/26

2026/27

Total

Units

0

0

0

75

75

20

0

170

b) Green Belt

4.9 The Metropolitan Green Belt extends to c. 22% of the TWBC area. The extent of Green Belt is shown at Figure 6 of the Development Constraints Study (2016) and from this it is evident that Green Belt broadly surrounds the urban area of Tunbridge Wells.

4.10 The exceptional circumstances for allocating development in the Green Belt falls to be considered with reference to the Calverton Judgment (*Calverton Parish Council v. Nottingham City Council*, CO/4846/20014) (https://www.london.gov.uk/sites/default/files/ad_22_calverton_judgement.pdf) and the factors to be considered in demonstrating exceptional circumstances, are namely:

a) The acuteness/intensity of the objectively assessed need;b) The inherent constraints on supply/availability of land, prima facie suitable for sustainable development;c) The consequent difficulties in achieving sustainable development without impinging on Green Belt;d) The nature and extent of the harm to this Green Belt; ande) The extent to which the Green Belt may be ameliorated.

4.11 Items a) – c) are addressed within the wider round of evidence base including within the Housing Needs Assessment Topic Paper (Feb 2021) and Development Constraints Study (2016). It is evident that there is a compelling case for development to occur in the Green Belt at the urban edge of Tunbridge Wells given that it is the main town/tier 1 settlement of the Borough and the largest settlement in the wider West Kent area.

4.12 This section thereby focuses on items d) and e) above and these items are addressed within TWBC's wider Green Belt Review including the "Stage 3 - Green Belt Review - Assessment of Site Allocations (Nov 2020)".

4.13 The Stage 3 Review provides an assessment of the site characteristics in regard to the 5no. purposes of the Green Belt (set out in the NPPF). These are as follows:

1) Checking the sprawl of large built up areas; 2) Preventing neighbouring towns from merging; 3) Safeguarding the countryside from encroachment; 4) Preserving the setting and special character of historic towns; 5) Assisting in urban regeneration by encouraging the recycling of derelict and other urban land.

4.14 Only the eastern parcel of the site is proposed for Green Belt release and the Stage 3 report notes that *“the area to be released makes a Moderate contribution to checking the unrestricted sprawl of the large built up area, to the prevention of encroachment on the countryside and to preserving the special character and setting of Tunbridge Wells”*.

4.15 Furthermore, the Stage 3 report goes on to confirm that the impact of its release on the adjacent Green Belt (i.e. western parcel) will be Negligible. Harm resulting from the release of the site will be Low-Moderate.

4.16 The Landscape Concept Note (Define – **Appendix 1**) provides an independent critique of the Local Plan evidence. This however fundamentally agrees with *the nature and extent of harm to this Green Belt* as identified by TWBC.

4.17 Equally, Define has reviewed the “Potential Mitigation Measures” identified for the site in the Stage 3 Green Belt Review, as considered in the context of the extent to which the Green Belt may be ameliorated.

4.18 Potential for mitigation measures includes:

- The layout, form and mass of built development to have regard to the topography, trees, hedgerows and Ancient Woodland;
- The potential requirement for a buffer to development to the Scheduled Monument;
- The provision of a soft landscape buffer along the south-western boundary;
- Other potential mitigation measures could include the introduction of locally characteristic woodland or hedgerow planting to the north-west of Ramslye Farm (between the western and eastern elements of the site).

4.19 The Stage 3 Review goes on to note that these measures would help to reduce any potential visual influence of development on adjacent Green Belt land and would help to integrate development into the landscape. The Define Assessment (**Appendix 1**) confirms that these aspects of the scheme are deliverable at the site and accordingly will reduce the potential for Green Belt harm.

4.20 Additionally, the scheme will secure measures that would increase public access to the remaining Green Belt land (western parcel). These measures include:-

- Provision of links from the site to the existing PRow and pedestrian and cycle links to the adjacent Ramslye Estate;
- The ability to demonstrate a positive contribution to Biodiversity Opportunity Area targets; and the provision of publicly accessible open space and recreation.

4.21 In line with the NPPF (para 138), these measures would increase public access to remaining Green Belt land, thereby off-setting potential harm through compensatory improvements to the environmental quality and accessibility of the remaining Green Belt land.

4.22 The above context clearly demonstrates that there are exceptional circumstances for the Green Belt release of the site and the Local Plan is considered “sound” on this basis.

c) AONB

4.23 The eastern/development parcel of the site does not form AONB. In this regard, the development of the site can be considered in the context of the “setting” of the AONB which includes the western parcel (to be retained as Green Belt).

4.24 The assessment of the site within its AONB context is addressed within the “Landscape and Visual Impact Assessment of Proposed Allocation Sites within the High Weald AONB (Nov 2020)”. This report confirms that there are some characteristics that distinguish the western and eastern elements of the site. It notes of the contribution to local distinctiveness and intrinsic value of the western parcel and accordingly recommends its retention as open space. Dandara supports this assessment.

4.25 The report goes on to note that the eastern parcel lies outside the AONB, is influenced by adjacent housing to the north and east and subsequently has a substantially lower sensitivity to development. Accordingly, development within the eastern field is more consistent with the existing settlement pattern.

4.26 Furthermore, the potential landscape and visual effects for development have the potential to be mitigated by additional structural planting and through enhancements to the western parcel. The overall effects of development within this part of the site would be subject to detailed design, however if carried out sensitively in line with policy guidance, could have no residual significant effects.

4.27 Dandara accepts the findings set out in the evidence base in terms of AONB. The Define assessment (**Appendix 1**) demonstrates that the scheme is able to achieve a sensitive design response in an AONB setting. This will be achieved as follows through, *inter-alia*, the following:

- Retain the western parcel within AONB;- Utilise western parcel as open space;- Retain as far as possible trees/hedgerows lining A26 (east of site);- Introduce high quality replacement planting where trees are to be removed;- Ensure better connectivity to the countryside including enhancing PRoW routes;- Secure biodiversity enhancements including improved links between areas of designated woodland.

4.28 Accordingly, the development will be sensitively located and designed with the setting of the wider High Weald AONB.

5.0 CONCLUSION

5.1 The Reg 19 “Pre-Submission Local Plan” is broadly supported. These representations fully support the allocation of the site at Spratsbrook Farm, Tunbridge Wells and the land use implications of the allocation are robustly addressed in the evidence base through the Green Belt review and AONB assessment.

5.2 Nonetheless, it is considered that Spratsbrook Farm can deliver a greater quantum of development at the site as amounting to 170 no. dwellings – making an efficient and effective use of the site in line with the NPPF. This is considered against the housing need background for the Local Plan and the need to achieve and secure an increased buffer (20%) in the Plan. The uplift of development at the site will help address affordability issues in the area as well as the potential for unmet needs from neighbouring authorities (i.e. Sevenoaks and Wealden).

5.3 These representations recommend further amendments to the Local Plan with regard the site. In summary these include:

- Increased flexibility to respond to the actual need for self/custom build homes at the time the scheme comes forward should such provision be viable;- Alterations to the housing trajectory to bring the site forward for development earlier in the Plan period from 2023/24.

5.4 These representations further provide comments on the detailed requirements of the site allocation to seek to address the policy in terms of “soundness”. We trust our representations are helpful in this regard and we reserve the right to comment upon potential additional modifications at the Examination stage of the Local Plan.

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:

Dandara is seeking modifications be made to the Local Plan, in particular to policy AL/RTW16 (Land west of Eridge Road, Tunbridge Wells). Should such modifications not be made/submitted to the Inspector by TWBC, Dandara would seek to present its arguments at the relevant examination hearing sessions.

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	Jean & Peter Jenner [REDACTED]
Email Address	[REDACTED]
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Jean & Peter Jenner [REDACTED]
Comment ID	PSLP_1123
Response Date	03/06/21 10:33
Consultation Point	Policy AL/RTW 16 Land to the west of Eridge Road at Spratsbrook Farm (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	Peter & Jean Jenner
---------------------------------------	---------------------

Question 3

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

Question 3a

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

Policy AL/RTW 16 Land to the west of Eridge Road at Spratsbrook Farm

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.

We fully support the representation made on 2 June 2021 by Noreen O'Meara on behalf of Residents Against Ramslye Development.

Question 7

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

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

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	Mrs Emma Lester [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] Tunbridge Wells [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Mrs Emma Lester [REDACTED]
Comment ID	PSLP_1670
Response Date	04/06/21 09:44
Consultation Point	Policy AL/RTW 16 Land to the west of Eridge Road at Spratsbrook Farm (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	Emma Lester
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

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

Policy AL/RTW 16 Land to the west of Eridge Road at Spratsbrook Farm

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.

We are writing to express our support of the objection submitted by Residents Against Ramslye Development on 2nd June, in accordance with your instructions we have not re-submitted the whole document again.

Question 7

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

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

For office use only

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

Supporting Information File Ref No: SI_76

Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Natural England
Address	International House Dover Place ASHFORD TN23 1HU
Event Name	Pre-Submission Local Plan
Comment by	Natural England [REDACTED]
Comment ID	PSLP_1468
Response Date	04/06/21 13:41
Consultation Point	Policy AL/RTW 16 Land to the west of Eridge Road at Spratsbrook Farm (View)
Status	Processed
Submission Type	Email
Version	0.4
Files	PSLP_1444_Natural England_SI.pdf
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Natural England
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

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

Policy AL/RTW 16 Land to the west of Eridge Road at Spratsbrook Farm

[TWBC - Full representation attached as Supplementary Information]

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

Section 3, STR 8, Section 5, EN1, EN9, EN10, EN12, EN13, EN14 AND EN19 – see Comment Numbers PSLP_1444, PSLP_1459, PSLP_1460, PSLP_1462, PSLP_1489, PSLP_1463, PSLP_1464, PSLP_1465, PSLP_1466, PSLP_1467, PSLP_1468, PSLP_1469, PSLP_1470, PSLP_1472, PSLP_1478, PSLP_1480, PSLP_1481, PSLP_1482, PSLP_1483, PSLP_1484, PSLP_1485, PSLP_1486, PSLP_1487, PSLP_1488]

Question 4

Do you consider that the Local Plan:

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

Question 4a

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

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

Question 5

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

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

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

Appendix 2: Major development allocations within the High Weald AONB

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

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

AL/RTW 16 - Land to the west of Eridge Road at Spratsbrook Farm

Whilst only part of this site is allocated within the AONB itself, it is considered as major development by TWBC, which is adjacent to the AONB boundary with allocated green space/buffer zone allocated for use as recreational space. Although Natural England does not advise that this policy is considered unsound for the purposes of the NPPF tests, we advise that this site should be approached very sensitively, using a landscape-led approach, in line with our advice regarding major developments in the setting of the AONB (see 'Addressing development within the AONB and its setting' in Appendix 1).

Question 6

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

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

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

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

Question 7

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

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

Question 7a

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

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

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

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

Question 8

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

Appendix 3: Sustainability Appraisal

There are several alternative growth strategy options within the Sustainability Appraisal (SA) and the Council has chosen a growth strategy with significant negative landscape impacts. Natural England's

view is that the preferred approach should afford sufficient weight to environmental factors. This is supported by NPPF Paragraph 8 which states that economic, environmental and social objectives need to be pursued in mutually supportive ways to support net gains across each of these objectives. Paragraph 32 also states that (emphasis added):

‘Local plans and spatial development strategies should be informed throughout their preparation by a sustainability appraisal that meets the relevant legal requirements (The reference to relevant legal requirements refers to Strategic Environmental Assessment. Neighbourhood plans may require Strategic Environmental Assessment, but only where there are potentially significant environmental effects.’).

This should demonstrate how the plan has addressed relevant economic, social and environmental objectives (including opportunities for net gains). Significant adverse impacts on these objectives should be avoided and, wherever possible, alternative options which reduce or eliminate such impacts should be pursued. Where significant adverse impacts are unavoidable, suitable mitigation measures should be proposed (or, where this is not possible, compensatory measures should be considered). However, the SA appears to prioritise social and economic considerations over environmental ones as Section 6.2.19 states:

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

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

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

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

Given the provisions of paragraph 11 (and consequently paragraph 172), we consider that the weight afforded to protecting nationally designated landscapes has not been sufficiently considered as part of exploring alternative options and the environmental value of the AONB has been underestimated.

It is our view that significant impacts have not been avoided as far as possible and, as outlined in other sections, we advise that major development within the AONB has not been appropriately justified.

Given the above, we are concerned that the underpinning assessment and recommendations of the SA are not giving an appropriate level of consideration for the environmental benefits associated with alternative growth strategies, especially given the great weight that should be afforded to designated landscapes.

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

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

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

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

Finally, point 3.2.8 does not reflect the findings of the HRA and mitigation proposed for Ashdown Forest

SPA (see the HRA section below). We advise this section of the SA is amended to reflect the findings of the HRA.

Future Notifications

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_54a-b

Comment

Consultee	Ms Noreen O'Meara [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Residents Against Ramslye Development
Address	[REDACTED] Tunbridge Wells [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Residents Against Ramslye Development [REDACTED] [REDACTED]
Comment ID	PSLP_933
Response Date	02/06/21 08:48
Consultation Point	Policy AL/RTW 16 Land to the west of Eridge Road at Spratsbrook Farm (View)
Status	Processed
Submission Type	Email
Version	0.6
Files	Residents Against Ramslye Development whole submission redacted.pdf
Data inputter to enter their initials here	KJ
Question 1	
Respondent's Name and/or Organisation	Noreen O'Meara on behalf of Residents Against Ramslye Development
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

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

Policy AL/RTW 16 Land to the west of Eridge Road at Spratsbrook Farm (AL/RTW 18 in Regulation 18)

SHELAA Reference: Site 137

[TWBC: see also further comments on individual sections and policies - PSLP_914, 925, 926, 928, 929, 930, 931, 932, 933, 938. The whole representation form (personal details redacted has also been attached as it contains plans and images]

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.

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

This response is made on behalf of the 669 signatories on the petition submitted in response to Regulation 18 which was delivered to TWBC Planning Services in 2019 and the Facebook group 'Residents Against Ramslye Development' whose membership is currently 247 (names can be provided if required). We have noted guidance 4.3 and have encouraged the people opposed to the development of site 137/ Policy AL/RTW 16 'Land to the west of Eridge Road at Spratsbrook Farm' not to make separate responses repeating the same points as those made here; some however will no doubt have submitted individual responses.

Introduction

We consider this Policy to be unsound as it is not effective, justified or consistent with national policy. Specifically, while we welcome the decision to reduce the size of the site allocated to development from 15ha to 6ha, we consider the remaining site should be deemed unsuitable for the following reasons:

- . The case for exceptional circumstances required to remove the land from the Green Belt has not been made;
- . The site's contribution to the purposes of Green Belt has been incorrectly assessed and its contribution is far greater and thus the harm caused by its removal is far greater;
- . Insufficient weight has been given to the infrastructure implications of developing the site including but not limited to the capacity of the road network to support it and the availability of adequate primary healthcare services;

- . The landscape and visual value of the site is significantly greater than the Pre-Submission Local Plan attaches to it;
- . The development of the site would directly contravene many of the policies we support as set out in the Pre-Submission Local Plan including but not limited to STR 1, 2, 4, 5 and 8 and EN 4, 5, 9, 10, 12, 13, 18, 19, 20 and 21;
- . There are material errors and inconsistencies in the sustainability appraisal that makes the appraisal unsound and therefore the decision to make it a suitable site for development unsound; and
- . The Broadwater ward is disproportionally impacted accounting for c.500 of the c.1500 houses planned for RTW.

We set out below in more detail why we have come to the view that this Policy is unsound. We have drawn our evidence from a variety of sources and we show where there are errors and inconsistencies between the various supporting documents and assessments. We want to register our strong objection to any development on this site and we make the following points in support of our objection:

1 Green Belt designation: The land is Green Belt and it must not be released for development
The decision to declassify any Green Belt must meet the criteria set out in the National Planning Policy Framework (NPPF). In addition, the decision to declassify should be subject to significant analysis and challenge given the permanence of the decision – i.e. once it's gone it's gone. The expectation set out by government in the NPPF is that new Green Belt will not be designated, therefore the barriers to declassifying should be as high as they are for classifying new Green Belt.

Paragraph 136 of the NPPF says:

“Once established, Green Belt boundaries should only be altered where exceptional circumstances are fully evidenced and justified, through the preparation or updating of plans. Strategic policies should establish the need for any changes to Green Belt boundaries, having regard to their intended permanence in the long term, so they can endure beyond the plan period.”

Paragraphs 143 to 144 go on to say:

“Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. ‘Very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.”

We do not consider the local plan meets the thresholds set in the NPPF to release the site from the Green Belt. Section 5.101 states “The Development Strategy Topic Paper and Green Belt studies set out the exceptional circumstances and compensatory improvements to the remaining Green Belt to justify the changes to the boundary in this location”.

We do not consider that the case for the exceptional circumstances has been made to release the site from the Green Belt. We set out our reasons below covering:

- . a demonstrably incorrect Green Belt Study assessment of the harm;
- . the value the site makes to the setting of the High Weald AONB, High Rocks Hill Fort and Broadwater Down Conservation area has not been adequately reflected;
- . a planned excess of house building over and above the objectively assessed need; and
- . the release would be incompatible with several of the Pre-Submission Local Plan's policies.

Incorrect Green Belt Study assessment

The Development Strategy Topic Paper states in conclusion that this site is a “Sustainable location on edge of main settlement with connections to town and rural landscape. Can improve landscape approach to RTW”.

We do not agree with the assessment of the site as set out in the Green Belt Study 3. In particular we consider there is a clear and strong connection of the site to the rural landscape and countryside. Our conclusion is supported by the assessment made in the Green Belt Study 2 which concluded “The parcel is adjacent to the large built-up area but relates more strongly to the wider countryside”, and the conclusion of the visual impact assessment that states “The site has a strong rural character despite it's (sic) location adjacent to the settlement edge of Royal Tunbridge Wells.” We consider the assessment made in Green Belt Study 3 is incorrect and should be changed. There has been no

explanation or justification as to why it departs from the assessment made in the Green Belt Study 2 which concluded that releasing the site from the Green Belt would have a high detrimental impact rather than moderate to low as set out in Green Belt Study 3.

The Tunbridge Wells Green Belt Study Stage Two (TWGBSST) prepared in July 2017 assesses the degree of harm caused by the potential loss of this site (referenced as TW10 in the TWGBSST) as high (the second highest rating). It also assesses the contribution of this site to the NPPF criteria for Green Belt as relatively strong (the second highest rating) in three out of the four criteria assessed. The TWGBSST presents a strong evidence base to retain this site in the Green Belt. It seems to us that Green Belt Study 3 has merely sought to confirm a more convenient answer for the purposes of the local plan and cannot be justified rationally. On that basis we consider the removal of any of site AL/RTW 16 from the Green Belt cannot be justified and therefore the plan is unsound with respect to that aspect.

Using the published methodology, we consider this site's (RTW18 in the Green Belt study) contribution to purposes 1, 3 and 4 should be reassessed to "Strong". The site's contribution to "checking the sprawl of the built-up area" is clearly strong. The argument that because the boundary with the built urban area is defined mainly by gardens makes it more connected to the urban than the countryside does not bear serious scrutiny. It is clear (and the Green Belt Study 2 agrees) the site is much more connected with the countryside.

The site's contribution to purpose 3 "Assist in safeguarding the countryside from encroachment" is clearly greater than moderate because it is connected with the countryside and it is undeveloped.

The site's contribution to purpose 4 "Preserve the setting and special character of historic towns" should also be amended to reflect its visual prominence and is characteristic of medieval assart as well as contributing to the setting of the Scheduled Monument in the north west corner of the site and to the conservation area of Broadwater Down.

We also challenge the impact assessment as set out Green Belt Study 3 as we consider the methodology to be flawed. If we have understood the methodology correctly, most weight is given to the impact on adjacent Green Belt. In the case of this site, the adjacent land that is clearly connected to the countryside while being in the High Weald AONB is not Green Belt. If this methodology is taken to its logical conclusion, over the years the effect will be to continue to chip away at the remaining Green Belt until there is none left. We have set out above that the land at this site is clearly more connected to the countryside and the adjoining open fields and its loss will have a much greater impact than negligible.

The policy objective of Green Belt designation is to keep the land open. Any common-sense assessment of the land at this site will see that it is open, and in this case as set out in the visual impact assessment, the land has been open since the medieval period and as such must therefore make a strong contribution to the purposes of Green Belt. We therefore consider the overall harm of releasing this site from the Green Belt should be amended from Low-Moderate to Moderate-High.

Incorrect assessment of the landscape value of the site with respect to the High Weald AONB, Hill Fort and Broadwater Down Conservation Area

The Landscape and Visual Impact Assessment states the following in respect of this site "The site has a strong rural character despite its location adjacent to the settlement edge of Royal Tunbridge Wells. The undulating topography creates visual interest and affords some long, panoramic views from within the site, framed by woodland. These views include the settlement and spires of Royal Tunbridge Wells to the north and east, set within a wooded landscape. Views to the south are rural in character. The historic field pattern remains visible within the landscape and there is contrast between the open fields and the enclosure of the adjacent woodland." We agree with this assessment and do not consider the case has been adequately made that the removal of the southern part of the site can be justified given its contribution to the visual landscape. For example, the majority of the "undulation" is in the southern half of the site and its impact would be lost if it were developed.

In addition, we note that the Broadwater Down Conservation Area Assessment (CAA) states that "The Junction of Broadwater Down and Eridge Road is the west entry point into Tunbridge Wells. It makes the boundary between Kent and Sussex, and between town and country. Hargate Forest limits the southward expansion of development, and establishes a character of thickly wooded approaches to the town. As the ridge of Broadwater Down meets the Eridge Road views open out across the Grom

River valley to Nevill Park and beyond to the common at Bishops Down. The 1950s suburb of Ramslye lies almost unnoticed in the valley.” It would seem this assessment of both landscape value and the limit of the urban environment is at odds with the other assessments made. We consider the assessment made in the CAA to be more accurate and plausible than that made in Green Belt Study 3 and indeed more consistent with that made in Green Belt Study 2._

Excess building over and above the objectively assessed need

We do not consider that the case for exceptional circumstances can be made when the plan allows for building more dwellings than the objectively assessed need requires (notwithstanding our view that the methodology is deeply flawed). The decision to support some authorities (Sevenoaks) who have not met their objectively assessed need is laudable but when so much Green Belt in the TW Borough is being sacrificed, it merely moves the problem from one district's Green Belt to another._

Incompatibility with other policies

We consider the release of this site from the Green Belt is inconsistent with policy STR8 (Conserving and enhancing the natural, built, and historic environment). In particular, it has not been demonstrated how its release would be consistent with clauses 1, 2 and 5 of that policy. If we as local citizens are to be able to rely on these policies, it is of the utmost importance that the council adheres to all of its policies and manages the inevitable tensions in a transparent and robust way. We do not consider that given the high degree of harm to the Green Belt that would be caused by its release, that this site can ever be released in a way that is consistent with this policy and we therefore urge the council to withdraw this site from further consideration.

We also consider the release of the site would be incompatible with the following policies:

STR 2 Place Shaping and Design

STR 6 Transport and Parking

STR 7 Climate Change

STR 8 Conserving and Enhancing the Natural, Built, and Historic Environment

STR 9 Green Belt

EN 3 Climate Change Mitigation and Adaptation

EN 4 Historic Environment

EN 5 Heritage Assets

EN 9 Biodiversity Net Gain

EN 10 Protection of Designated Sites and Habitats

EN 11 Ashdown Forest Special Protection Area and Special Area 359 of Conservation

EN 12 Trees, Woodland, Hedges, and Development

EN 13 Ancient Woodland and Veteran Trees

EN 16 Landscape within the Built Environment

EN 18 Rural Landscape

EN19 The High Weald Area of Outstanding Natural Beauty

EN 20 Agricultural Land

EN 26 Sustainable Drainage Systems

some of which we consider in more detail in our comments on those policies, but most importantly they do not appear to have been adequately (or in some cases at all) considered in the proposal to remove the site from the Green Belt.

- 1 Heritage matters (adjacent to Conservation Area): additionally, the site includes a Scheduled Monument (with archaeological potential), and is adjacent to listed buildings and a historic farmstead.**

Historic England lists Scheduled Monument references 1002280 (prehistoric rock shelters and a multivallate hillfort at High Rocks, 309m ESE of High Rocks Inn) and 1003816 (prehistoric rock shelters and a multivallate hillfort at High Rocks, 309m ESE of High Rocks Inn) and consequently the prescribed

processes must be followed in relation to any development which might affect it. The Schedule of Monuments has only 19,854 entries (2016) and TWBC is urged to continue to support the protection of this site.

While we welcome the changes made from the draft local plan and acknowledge that the Pre-Submission Local Plan affords more protection to the Scheduled Monument and its setting, we consider the remainder of the site should also be considered as contributing to its setting. The plan as it stands does not adequately address the requirements set out in sections 189-202 of the National Planning Policy Framework regarding heritage assets. In particular, the requirement to take account of the contribution made by their setting and that any adverse impact on a Scheduled Monument should only be sanctioned in “wholly exceptional circumstances”. With respect to the northern part of the site there is however one issue that should be clarified: the usage of the undeveloped area. Para 5.103 of the Plan suggests that it should be used for ‘informal open space/recreation’, yet Requirement 5 talks of ‘an approved scheme of agriculture with public access’, which could be very different things. Both land use and access are important considerations in assessing the impact on the setting of the Hillfort.

In addition, section 187 b requires authorities to “predict the likelihood that currently unidentified heritage assets, particularly sites of historic and archaeological interest, will be discovered in the future.” It seems clear given the overall scale of the Hill Fort it would be very likely that there lies a wealth of so far unidentified historically significant archaeology in the fields surrounding the Hill Fort and they should all therefore be conserved in accordance with section 187 b. We do not consider the assessment or SHELAA has given sufficient weight to the likely undiscovered heritage value of the rest of the site. There is evidence from previous excavations for example that an historic routeway runs through the site ‘On the conclusion of the partial excavations of the Hillfort in 1961 James Money wrote, “*The Period II entrance was realigned and it appears to join up with an old trackway which leads away from the fort, through Ramslye Farm and over to Broadwater Down*”.

We also understand that where the site narrows between west and east halves of the site, there is evidence of flint and other artefacts from amateur finds.

Additionally, the site is adjacent to two listed buildings (Ramslye Old Farmhouse and Ramslye Farmhouse), and Ramslye Old Farmhouse is an historic farmstead adjacent to the same Mesolithic and Neolithic rock formations as the High Rocks at Ramslye Farm. In James Money’s book **Excavations at High Rock Hillfort 1954-1956** he concludes that “*outcrops of Sandstone in nearby areas including Ramslye Farm were once occupied by man due to its proximity to a watercourse, however on many sites the overhanging’s are no longer visible*”. We note the site constraints include a buffer for the listed Farmstead but nothing for the other listed building; we do not consider the current mitigations to be adequate in preserving their settings.

1 Highway matters: The existing road network cannot support a development of the size and nature proposed

We do not consider any development on this site can be consistent with Policy STR 6 Transport and Parking. The proposal to develop the site will add an unsustainable level of traffic to Eridge Road.

Data from the Tunbridge Wells Park and Ride Feasibility Study shows Eridge Road supports almost the same amount of traffic as Pembury Road, which are both significantly busier than other access roads (see table 2a below reproduced). We note that the Transport Strategy document uses different and older data as its evidence base than that used in the Regulation 18 consultation (see table 2 below reproduced). It is not at all clear why the plan would use this data which we understand is based on 2014 data from the DfT when the draft plan used data from 2016. This is particularly relevant when considering any site on the south side of RTW. The 2014 data shows an 8% differential between the A264 Pembury Road and the A26 Eridge Road, whereas the 2016 data shows a differential of only 3% (see table 2a).

Examination of the change in daily traffic flow from 2014 to 2016 would lead to the reasonable conclusion that the flow on the A26 Eridge Road is growing at a faster rate than the A264 Pembury Road and notwithstanding the exceptional circumstances of 2020. The estimate is that between 2014 and 2016 traffic on the A26 Eridge Road grew by 3%, whereas it declined by 1.8% on the A264 Pembury Road. On that basis, taking a simple extrapolation, the A26 Eridge Road could easily now have the highest traffic flow of all of the major Tunbridge Wells access roads.

Table 2: DfT Estimated Daily Traffic Flows, 2014 (used for Regulation 19 consultation)

[TWBC: our underlined indicates red font in attached full representation]

Road
 Link
 Cars, Taxis
 All Motor Vehicles
A264 Pembury Road
B2023 to Blackhurst Lane
20,233
24,669 (8% more than A26 Eridge Road)
 A267 Frant Road
 B2169 to A26
 11,071
 13,428
A26 Eridge Road
LA Boundary to A267
19,220
22,822
 A264 Langton Road
 A264 Mount Ephraim to A26
 7,523
 8,593
 A26 London Road
 A26 Mount Ephraim to Birchwood Avenue, Southborough
 14,797
 18,359

Table 2a: DfT Estimated Daily Traffic Flows, 2016 (used for Regulation 18 consultation)

Road
 Link
 Cars, Taxis
 All Motor Vehicles
A264 Pembury Road
B2023 to Blackhurst Lane
19,408
24,215 (3% more than A26)
(-1.8% since 2014)
A26 Eridge Road
LA Boundary to A267
19,746
23,496 (+3% since 2014)

The scale of development in the Broadwater ward (sites AL/RTW 11, 12, 13, 14, 15 and 16 totalling c.500 new dwellings) will put additional pressure on both the A26 and A267. The transport strategy

document states at 3.20 “East Sussex County Council (ESCC) has prepared a Local Transport Plan 3 2011-2026 (adopted 2012). The A26 and A267 connect Wealden District and the rest of East Sussex to Tunbridge Wells. These roads are heavily used by residents travelling to and from Tunbridge Wells to access jobs, services, healthcare and education. The roads have poor accident records”. However, we note that neither the transport strategy document nor the infrastructure delivery plan make any proposed improvements or traffic calming measures on either of those roads.

The RAC reports that in the Tunbridge Wells Borough, car ownership is 560 per 1000 population. On that basis, the c.500 new dwellings proposed in the ward, with the same occupancy rate as the current TW average (2.35 people) would add c.658 cars to the current traffic flow. In addition, we are aware of proposals for significant development in Crowborough which would further likely add to the daily traffic on the A26.

We do not consider the plan to be sound in respect of the development of this site when considered against transport and infrastructure policies. The data used is not the most up to date and given the poor accident rate on the road reported by East Sussex highways, the plan significantly overdevelops the area taking account of the existing road network and usage. Given this site is Green Belt and greenfield and many of the other sites in the Broadwater ward are not, we consider the site should be removed from the draft plan.

There is **no** existing road access to the site, only a private driveway to two houses, which is in fact in Wealden - we believe the Pre-Submission Local Plan is incorrect on this point - and a new access road would be required creating additional road safety issues on an already very busy road with poor visibility. The introduction of a roundabout for example (if indeed there is space without using Wealden land), would adversely affect the flow of traffic on the A26, creating the sorts of tailbacks already experienced on Pembury Road. We are disappointed by the lack of detailed consideration of the issues relating to the road and access. We consider the vague “TBC” for junction improvement schemes shows insufficient consideration has been given to this aspect of developing the site.

When considered against the evidence set out above, it is clear that the current road and parking infrastructure cannot support the level of intensive development proposed without some drastic form of intervention to divert existing and additional through traffic from the A26 to the A21 to the south of Tunbridge Wells.

Further consideration should also be given to the impact on the existing residents of the Ramslye estate. The estate is currently a relatively quiet, green environment. It benefits from public open spaces that are used by the community, which adds to its character and general feel. This has been amplified by the COVID-19 lockdown which has seen residents rely on the area for relaxation and exercise. The impacts of being able to access green space are being increasingly recognised, more so since this plan was started. <https://pubmed.ncbi.nlm.nih.gov/28882650/>

<https://post.parliament.uk/research-briefings/post-pn-0538/>

There is no firm policy to reduce car use from any new development, it is merely aspirational and based on the status of the site as urban as opposed to rural when in fact the site will be in excess of 1.5 miles from the retail centre of the town. As is the case with many semi-rural and suburban areas, many people are reliant on their cars even for short journeys.

1 Agricultural Land Classification: Grade 4, Urban

As noted in our response to the Regulation 18 draft local plan consultation the SHELAA has incorrectly graded the land as Grade 4, Urban when the correct classification is Grade 3a (in respect of the North West part of the site) and Grade 3b (in respect of the South East part of the site). We also note this error has been continued into the site assessment sheet and other documents. Had the site been correctly graded we consider the site would have been deemed unsuitable.

This Policy confirms the site consists of managed agricultural land and the site is an assart field.

[TWBC: for plan and legend see full representation attached].

An ALC of land at Ramslye Farm undertaken in October 2014 by Vaughan Redfern Agricultural and Rural Development on behalf of TWBC stated the site is a mix of subgrade 3a[1] and 3b. Grade 3a means it should be protected under the “Best and Most Versatile” (BMV) rules.

Note, this plan covering an area of 24.5 hectares extends beyond site 137, across the county border into Wealden.

[1] Subgrade 3a - good quality agricultural land

Land capable of consistently producing moderate to high yields of a narrow range of arable crops, especially cereals, or moderate yields of crops including: cereals; grass; oilseed rape; potatoes; sugar beet; less demanding horticultural crops.

FarmingUK recently reported:

“The government has been told to prioritise food security as new figures show Britain's self-sufficiency sits at just 64% - a number which has remained stagnant for years.

Today (Friday 21 August) marks the notional date in the calendar that would see the country run out of food if it relied solely on domestic produce.

The UK is only 18% self-sufficient in fruit, 55% in fresh vegetables and 71% in potatoes, according to new figures released.”

We consider it highly undesirable to release productive land such as this site to development in view of these facts and indeed contrary to the national interest.

If the correct classification had been used then we consider that developing this site would have been deemed unsuitable and clearly contravening policy EN 20 Agricultural land which states “Where development of agricultural land is required, applicants should seek to use areas of poorer quality agricultural land in preference to that of higher quality, except where this would be inconsistent with other sustainability objectives.” We do not consider it is appropriate to build on this actively farmed land, which has been ploughed and sown and looks to be providing a useful cereal crop, whereas sites such as AL/RTW 99, AL/RTW 114 and AL/RTW 166 have been graded as 3 and yet have not had a crop in living memory and are disconnected from the surrounding countryside and farmland by the road network. We consider there are other greenfield sites available that are not as productive and do not contribute to the land use objectives as much this site. We consider the assessment to release this agricultural land to be unsound as it cannot be justified especially given the error in classification.

1 Cross boundary

The sustainability appraisal concluded there are no cross boundary issues with Wealden District Council. We dispute this conclusion. In the TWBC FOI (ref: FO08223) response supplied in respect of this site it makes reference to “likely cross boundary issues” and we understand discussions with Wealden have taken place although conveniently it would appear no notes were taken.

1 Noise – road and air

We welcome the recognition of road noise as an issue to consider. The A26 already experiences high levels of road noise.

Noise from road traffic is the second most harmful environmental pollutant in Europe behind air pollution according to the World Health Organisation.

Noise and disturbance from flights arriving at and leaving from Gatwick is a known problem affecting the local area. Organisations such as Gatwick Area Conservation Campaign (GACC), Tunbridge Wells Anti-Aircraft Noise Group (TWAANG), Communities Against Gatwick Noise Emissions (CAGNE), Gatwick Obviously NOT (GON) and Plane Wrong have been working for many years to try to minimise Gatwick's impact. Flight paths were changed in 2014 (without consultation) and complaint numbers have risen significantly and consequently new groups have been established. Gatwick plans to substantially increase traffic by bringing its standby runway into daily use.

TWBC must fully consider the current problem as seen by residents and the scale of the problem if Gatwick is allowed to grow as planned taking account of any post pandemic structural changes to air travel. Notwithstanding the decline in air travel associated with the Covid pandemic we consider it sound to assume air traffic numbers will recover in the future and the problem will return.

From 24 hour Webtrak videos of planes crossing within audible distance of Ramslye (3km), it is calculated any new houses would be exposed to an average of 221 overflights a day, half of Gatwick traffic. From DOT calculations, World Health Organisation night noise limits would be exceeded for those living there. It would be dishonest to offer houses for sale in a location which is severely impacted by Gatwick, and will be even more so if Gatwick traffic increases by 40% as per the airport's plan.

[TWBC: see full representation attached for image of information taken from WEBTRAK website]

Landscape and Biodiversity Officer's assessment

Set out below is an excerpt from an email from TWBC's Landscape and Biodiversity Officer, obtained via TWBC FOI ref: FO08223. This email dated April 2019 details far more issues than the SHELAA for site 137 dated July 2019. Examples: "High Rocks to the north west is a Scheduled Ancient Monument and a SSSI (Site of Special Scientific Interest) [see Draft Local Plan Appendix 1: Biodiversity/ geodiversity sites within TW borough]]. A Public Right of Way extends east west just south of the site and Friezland Wood [see Appendix 1: Biodiversity/ geodiversity sites, Local Wildlife Sites (LWS) TW23] to the north is used for informal recreation...".

As the SHELAA was incomplete, either the site must be rejected as not suitable or it must be compared again to the SHELAA's for the sites listed above. The Policy made reference to many of the issues, but this cannot be relied upon as other sites had already been discounted based on the information documented on the SHELAA and therefore an accurate comparison had not been made.

[TWBC: see full representation for excerpt from TWBC's Landscape and Biodiversity Officer].

We note that Wealden District Council has carried out a thorough ecology survey of sites in its District. We are disappointed that TWBC has not commissioned its own survey given the obvious sensitivity of the site. Absent its own survey TWBC should put more weight than it has done on the Wealden survey to inform its evidence base.

Name of site

It is not clear why this site is named Spratsbrook Farm, as when an Ordnance Survey map is consulted, the name Spratsbrook Farm appears on the east of the A26, on the south side of Strawberry Hill Farm. There are buildings on the west of the A26, opposite the name Spratsbrook Farm, but this site borders Ramslye and can much more accurately be described as Ramslye Farm. The absence of 'Ramslye' from the site name means local people might have overlooked it when considering the draft local plan.

Conclusion

This site was concluded to be suitable because "it lies adjacent to the main urban area and is likely to be sustainable in this context. It is also adjacent to the A26 Eridge Road a key distributor road". We have provided much evidence to challenge the sustainability assessment which is too positive and TWBC's 2014 study shows the A26 is already a very busy road with only 3% less traffic than Pembury Road but the A26 could easily now have the highest traffic flow of all of the major Tunbridge Wells access roads.

Several sites large enough to accommodate significant housing were concluded to be unsuitable because they are in the High Weald AONB/Green Belt/there is a landscape impact, there is heritage impact and there is high traffic. Some of these sites have been incorrectly classified as AONB and rated too highly in terms of Green Belt value. This site has a Scheduled Ancient Monument and contributes to the setting of the Broadwater Down conservation area, yet other sites were dismissed for less significant heritage reasons. Traffic is already a major issue for the A26.

This site has been scored inconsistently and more favourably than other development sites. By failing to include sites not in the AONB, TWBC's policy in respect of RTW16 is unsound as it does not comply with the NPPF requirements to demonstrate the exceptional circumstances required to develop this site. We have set out a compelling and reasoned case to remove this site from the Pre-Submission Local Plan.

Section 6: Development Management Policies

We set out below some more detailed concerns where we consider the development of this site would be in direct conflict of the policies proposed in the Pre-Submission Local Plan.

As can be seen there are many policies (12 by our count but we accept there could be more). On that basis, given the seriousness and number of conflicts, we consider the plan to be unsound with respect to the proposal to develop on this site.

Policy EN 3 Climate Change Mitigation and Adaptation

No carbon audit for the plan has been carried out and TWBC has confirmed there is no intention to carry out any audit.

TWBC declared a climate emergency in 2019 with one of the aims being to achieve net-zero carbon emissions by the year 2030. Net-zero emissions have been stated as a priority at international, national and local government levels.

Given a lack of audit it is unclear how the council intends to mitigate and prevent large carbon expenditure. Given the importance of the subject, no plan should go ahead without solutions in place. The plan is aspirational but not deliverable (NPPF 16b), as the scale of the carbon problem has not been properly considered. It conflicts with the needs and wishes of the town in its declaration of a climate emergency (NPPF 16c, 25).

Policy EN 5 – Heritage Assets

We support this policy. We note the policy states “Proposals that affect a designated or non-designated heritage asset, or its setting, will only be permitted where the development conserves or enhances the character, appearance, amenity, and setting of the asset”. We do not consider any reasonable case has been made that explains how the development of site AL/RTW16 can comply with this policy given the existence of the Scheduled Monument on the site and the likely archaeological value of the surrounding area, as well as the adjacent conservation area, the historic farmstead and other listed properties.

Policy EN 9 - Biodiversity Net Gain

The policy states that development will only be permitted where it can be demonstrated that there will be a measurable long term net gain for biodiversity. The Biodiversity evidence base sets out a species list taken from the Kent and Medway Biological Records Centre (KMBRC) but it is woefully out of date and totally inadequate for site AL/RTW16. One notable omission on the KMBRC's list for this site is the skylark. Skylarks, which are on the International Union for Conservation of Nature's Red List of Threatened Species, nest every year on this site. They are ground-nesting birds, so developing the eastern part of the site and turning the western part of the site into an amenity area would result in the destruction of their habitat. No reliable assessment of net gain can be made by TWBC. TWBC ought to be consulting sources such as the RSPB (particularly given its nearby Broadwater Warren reserve) and its results from its Garden Birdwatch scheme and iRecord which allows local people to record wildlife sightings. Species missing from the KMBRC list include the following examples:

- Kingfisher
- Heron
- Sparrow Hawk
- Red and black lesser spotted Woodpecker
- Red and Green common Woodpecker
- Lapwing
- Buzzard
- Greenfinch
- Bullfinch
- Pheasants
- Mallard Ducks
- Moorhens
- Mandarin Ducks
- Swifts
- Swallows
- Coal tit
- Marsh tit
- Chaffinch
- Goldfinch
- Brambling

Yellow hammer

Dormice

Deer

RSPB Broadwater Warren website sightings in April and May included:

ring ousels

wood warbler

tree pipit

blackcaps

garden warblers

willow warblers

chiffchaffs

peregrine falcon

ravens

spotted flycatcher

common toad

common frog

smooth newts

comma butterfly

brimstone

orange tip

Holly blue

green hairstreak

peacock

small tortoiseshell

Beautiful Demoiselle

Azure Damselfly

Large Red Damselfly

Blue-tailed Damselfly

Emperor Dragonfly

Hairy Dragonfly

Downy Emerald

Broad Bodied Chaser

Four Spotted Chaser

Given its proximity to this site, it is likely many of these species will be present

We note also an absence of consideration of the flora on the site which includes bluebells that are protected and the common twayblade, a rare type of wild orchid.

Policy EN 10 - Protection of designated sites and Habitats

Natural environment: we consider any development of site AL/RTW16 is incompatible because of its proximity to Ashdown Forest SPA and SPAC. The site is only just outside of the 7km special protection zone at approximately 8km and therefore before any decision on its suitability can be made the requisite studies should be undertaken as per paragraph 6.166 of the Pre-Submission Local Plan. In addition, any development of this site would compromise the accessibility to important geological sites.

Policy EN 12 - Trees, Woodland, Hedges, and Development;

Policy EN 13 - Ancient Woodland and Veteran Trees

Any development of site AL/RTW16 would not be compatible with these policies because it would result in the loss of veteran trees which are outside of protected ancient woodland. On investigation, we identified at least two 'valuable' oaks i.e. >4.7m girth, and at least seven 'potentially interesting' oaks i.e. >3.2m girth. The policy says "development proposals shall not be allowed unless there are wholly exceptional reasons". No case has been made for the exceptional circumstances that necessitate their loss.

We do not consider the mitigation plan as set out in clause 6 of the place shaping policy to be sufficiently robust: "Regard shall be given to existing hedgerows and mature trees on-site, with the layout and design of the development protecting those of most amenity value, as informed by an arboricultural survey and landscape and visual impact assessment. The retention and enhancement of the trees along the Eridge Road is a priority". In order to give effect to the clause a clear system of penalties needs to be articulated that are punitive so as to ensure sufficient incentive to preserve the trees and hedgerows.

Consideration is not given to long term drainage issues and the effects of any change in soil water levels to the surrounding ancient woods and Scheduled Monument. It is likely that there will be increased water flow to these areas.

Policy EN 18 – Rural Landscape

Point 2 says "The development will be required to... not cause significant harm to the landscape setting". We consider any development of this site would cause irreparable harm to the landscape as site AL/RTW16 is visually prominent. Our assessment of the harm is supported by the sustainability assessment and therefore development of this site cannot be compatible with this policy.

Policy EN 19 – The High Weald Area of Outstanding Natural Beauty

While we note and welcome the decision to reduce the size of the development on site AL/RTW16 and exclude the portion that is in the High Weald AONB, we are still of the view that any development of this site would not be compatible with this policy because it simply cannot "conserve and enhance its landscape and scenic beauty". The site allocated for development contributes to the setting of the AONB and is visually prominent in the landscape.

Policy EN 20 – Agricultural Land

This policy requires a presumption of development in favour of poorer land. As we have set out elsewhere in these representations, site AL/RTW16 has been misclassified as Urban 4 when it is a mix of ALC 3a and 3b and therefore its development would not be compatible with this policy.

Policy EN 21 – Air Quality

Any development of site AL/RTW16, will result in significant additional traffic along an already very busy road, likely further reducing the air quality to unacceptable levels in that area.

It should be noted that the nearest air quality management station is 3 miles away. It is unclear how TWBC intends to measure and cope with any decrease in air quality before residents suffer both physical and mental health damage

Policy TP 1 - Transport Assessments/Statements, Travel Plans, and Mitigation

Transport and Parking

Any development of site AL/RTW16 cannot demonstrate "that the impacts of trips generated to and from the development are accommodated, remedied or mitigated to prevent significant residue impacts" because of the volume of traffic already using the A26 Eridge Road.

Transport Strategy Review: Context and Way Forward

See comments above:

- . Section 5: 4. Highway matters: The existing road network cannot support a development of the size and nature proposed
- . Section 6: Policy TP 1 – Transport Assessments, Travel Plans and Mitigation

“Policy Implementation: Ensure provision of new infrastructure through working with developers, submit bids for funding (e.g. Local Growth Fund) for infrastructure improvements to deliver growth, take balanced approach to parking standards in new development and parking provision in town centres, public realm improvements in town and village centres, work with businesses to reduce travel footprint grants to businesses to support active travel.”

Nobody is likely to disagree with these policy implementation statements, but they don't really offer tangible solutions.

The detail provided for each proposed development site should include specifics. Policy AL/RTW 16 simply says “Development shall accord with the following requirements: Vehicular access to be provided into the site from the A26 Eridge Road; 2. Pedestrian links from the site to be provided and improved to connect to the existing Public Rights of Way network in the vicinity of the site and to formally designate the informal footways as Public Rights of Way to increase and improve accessibility and informal recreation within and around this area; 3. The design and layout to take the form of a Low Traffic Neighbourhood, and shall ensure pedestrian and cycle permeability through the site, including the provision of cycle and pedestrian links into the adjacent Ramslye Estate and into the town centre and to the train station; 4. Improved public transport links are required to serve the development; TWBC has published thousands of pages of plans, reports and appendices, but we don't know what is proposed in terms of access roads for this site. TWBC's most recent attempt to promote active travel during the COVID-19 lockdown resulted in a failed attempt at a new cycle lane being installed along St John's Road. The installed bollards were eventually removed. The council has a history of failing to deliver active travel infrastructure.

We regret that taken together the site policy and the transport policy are neither precise enough nor prescriptive enough to ensure appropriate transport infrastructure will be put in place and funded by developers.

The footpath adjacent to the A26 Eridge Road is a very unpleasant place to walk, until the location of the speed camera is reached. HGVs thunder past, so it is not a footpath for the faint hearted. The 'best' time to walk is when traffic is queuing to get into TW (although of course you then have to contend with poor air quality/increased emissions created by stop-start traffic). There have almost certainly been more accidents on Eridge Road than reported and it is acknowledged that the road has poor safety record. It is semi-regular occurrence for large HGVs to get stuck under the Spa Valley railway bridge causing congestion on the Eridge Road.

Question 6

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

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.

Remove site 137/ AL/RTW 16 'Land to the west of Eridge Road at Spratsbrook Farm' from the plan.

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

Supporting Information File Ref No: SI_54a-b

Comment

Consultee	Ms Noreen O'Meara [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Residents Against Ramslye Development
Address	[REDACTED] Tunbridge Wells [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Residents Against Ramslye Development [REDACTED] [REDACTED]
Comment ID	PSLP_945
Response Date	02/06/21 08:48
Consultation Point	Policy AL/RTW 16 Land to the west of Eridge Road at Spratsbrook Farm (View)
Status	Processed
Submission Type	Email
Version	0.6
Files	Residents Against Ramslye Development whole submission redacted.pdf PSLP_945_RARD spreadsheet SI.pdf
Data inputter to enter their initials here	KJ
Question 1	
Respondent's Name and/or Organisation	Noreen O'Meara on behalf of Residents Against Ramslye Development
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

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

Policy AL/RTW 16 Land to the west of Eridge Road at Spratsbrook Farm

[TWBC: see also further comments on individual sections and policies - PSLP_914, 925, 926, 928, 929, 930, 931, 932, 933, 938. The whole representation form (personal details redacted has also been attached as it contains plans and images]

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 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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Remove site 137/ AL/RTW 16 'Land to the west of Eridge Road at Spratsbrook Farm' from the plan.

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)

Question 8

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

These comments are made primarily in respect of site 137 / AL/RTW 16 but they relate additionally to sites:

24 Land at Tunbridge Wells Garden Centre;
73 Land at Pembury Road South;

99 Land at Pembury Road;
114 Land at Sandown Park west of A21;
116 Land South of Pembury Road;
145 Turners Pie Factory;
146 Tunbridge Wells golf club Langton Road;
176 Former Plant and Tool Hire;
198 Land at Tunbridge Wells Telephone Engineering Centre;
267 Land at Showfields Road and Rowan Tree Road;
280 Land at The Midway Nevill Court;
384 Land at Great Bayhall;
411 Land at Sandown Park between Pembury Grange & A21; &
434 Tutty's Farm Hawkenbury.

(underlined sites are in Broadwater ward)

(also see Appendix: Submitted sites not included in the Pre-Submission Local Plan)

We wish to challenge the 'unsuitable' decisions for the sites listed above, either because the sustainability scores are inconsistent (sites 73, 99, 114, 116, 146, 411 and 434) or because no sustainability appraisal was even completed (sites 280 and 384).

We wish to challenge the content and conclusions contained within the Sustainability Appraisal, which as a consequence we consider will change the 'suitable' conclusion contained in the SHELAA in respect of site 137 / AL/RTW 16 to 'unsuitable'.

We consider many of the scores in the sustainability appraisal understate the negative impact of the development of this site. In addition, we do not consider the appraisal has been consistently carried out when compared to sites in similar positions with a similar level of sensitivity. On reading the detail, some other sites appear to have been appraised as unsuitable because a developer is no longer interested in the site (e.g. 459), whereas this site is considered suitable because a developer is still interested. This is not an appropriate way to develop a plan of this magnitude and developer interest should not be a contributory factor to making the case for exceptional circumstances required to release Green Belt or to develop adjacent to AONB designated land.

We attach a spreadsheet (below) which we submitted in response to Regulation 18 which compared the sustainability objective scores and issues to consider across a selection of sites which TWBC had deemed unsuitable. The spreadsheet showed there were number of unexplainable inconsistencies.

As part of our response to Regulation 19, we have reviewed the new site assessment sheets for the sites listed above and note some changes have been made e.g. the incorrect AONB classification has been 'reduced' to AONB setting but the corresponding Landscape score has however not been adjusted down. These site assessment sheets cannot be relied upon and used to determine the suitability of these sites either individually or when compared to this site.

We have not updated the spreadsheet but its message still stands (and the number of changes was minimal anyway). In terms of inconsistencies, we would draw your attention to the scores for:

Air: It is not clear how this score has been arrived at for this site. "Air quality is scored as negative overall because of the large size of the development and likelihood that new vehicles will utilise the A26 as a through route". "There is also a need to meet nitrogen dioxide reduction targets along the A26 in Royal Tunbridge Wells, which is identified as an Air Quality Management Area." We can see no reason why the score should not be --/--- because of the substantial use of private vehicles in the location and its proximity to the A26.

Biodiversity: It is not clear why this site is not scored at – rather 0/-. The site has protected species such as bats, dormice, adders and great crested newts. We note the draft local plan made reference to this site being a Biodiversity Opportunity Area and this reference appears to have been removed. It is not clear why that would be the case other than to justify the lower harm score. As well as providing habitat itself (through the presence of trees and hedgerows, the site provides wildlife corridors between Hargate Forest, Frieze Wood & Broadwater Warren. In addition, the site is only just outside the Ashdown forest 7km protection zone and we would expect a proper impact assessment to be carried out given the negative air quality score.

Education/Employment/Equality: It is not clear why these criteria have been more positively assessed than for sites 24, 73, 99, 116 and 176 for example. These sites are examples of a mix of sites that are either very close to this site (24 and 176) or have similar characteristics of being greenfield adjacent to the LBD (73, 99 and 116). This list of sites is not intended to be exhaustive, but illustrative of the inconsistent scoring. If anything we consider the site should be scored net negative for employment given the loss of very local employers at the Turners Pie Factory and Telephone Engineering sites (which we nonetheless support as Brownfield development sites).

Heritage: this score is too low. It does not adequately take account of the Scheduled Monument (Historic England) that is in part in the site and the role played in its setting, nor does it adequately reflect the role in the setting of the Broadwater Down conservation area as set out in the Conservation Area Assessment, along with other heritage constraints (listed buildings and historic farmstead).

Land use: as set out in our Regulation 18 response this site has been misclassified as Urban grade 4 when it is ALC Grade 3a and 3b and therefore its land use score should reflect this we consider it should be scored as --/- - - . We note site 114 (not allocated) for example is assessed as --/--- and that site is at best unused pasture land. Site 146 (not allocated) has already been developed as a golf course so it should score 0 or maybe - as loss of green space.

Landscape: For the reasons set out above we consider the landscape value of the site (including that part outside of the AONB) to be undervalued. It should therefore be scored consistently with other sites (30, 99 & 116) at - - - .

Services and facilities: It is not clear why this has been scored positively. We consider there will be an obvious increase in pressure on existing services and facilities that are already stretched, especially when considered with the other five sites identified for development in the Broadwater ward which will result in an additional c.500 dwellings.

Travel: It is not clear why this has been scored so positively in comparison to other sites, for example 24 and 176 (which are very close to this site) and 73, 99 and 116 (which are greenfield adjacent to the LBD). The site is on the borough/county boundary. Increased traffic is acknowledged, as is the borough's low bus usage, and the existing cycle lanes on other sites are listed as issues not positive factors in relation to active travel. Site 146 is on the A264 which gets 62% less traffic (9,034 vehicles per day based on 2016 data) than the A26 (23,496 vehicles per day based on 2016 data). Development here would give a fairer distribution of traffic and less congestion; this should score ++. Site 146 also has good existing access as it's to a golf course. There is some overlap here with services and facilities. [TWBC: see attached supporting information].

In our previous Regulation 18 representation we made reference to factual errors, some of which appear to still be present in the reissued SHELAA for site 137 / AL/RTW 16. Firstly, the size of the site is not 55.79 ha; c.15 ha is available in the borough (with the remaining area in Wealden (with no defined boundary on the site) which has deemed it unsuitable for development). Given the conclusion of the sustainability assessment and SHELAA, the land available to the borough for development is the eastern end only which is c.6.2 ha. The 'issues to consider' section still incorrectly grades the land as ALC Grade 4, Urban, when in fact the land is agricultural grade 3a and 3b – an assart field which is actively farmed.

We consider the proposal to remove this site from the Green Belt and to develop the land is misguided, and any objective and consistent assessment of the site with the corrections we have highlighted, coupled with the appropriate sustainability scores as set out above will result in the SHELAA assessment concluding the site is unsuitable.

Furthermore, the spreadsheet we have included shows a small selection of sites with reasonable scale which have been excluded. While all of these sites appear to have been excluded at least in part because they are in the Greenbelt and in the setting of the AONB they appear to be no more sensitive to development than this site and in some cases, as we have demonstrated, have fewer constraints. That being the case we consider that TWBC has failed in its duty to carry out an objective and thorough assessment and failed to demonstrate that all other sites have been exhausted before including this site in the Pre-Submission Local Plan (Regulation 18) and as such has not met the requirements of the NPPF.

This site does not meet the sustainability requirements and is therefore unsuitable for development.

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 S Sheldrake [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] ROYAL TUNBRIDGE WELLS [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Mrs S Sheldrake [REDACTED]
Comment ID	PSLP_46
Response Date	20/04/21 11:41
Consultation Point	Policy AL/RTW 16 Land to the west of Eridge Road at Spratsbrook Farm (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	KJ
Question 1	
Respondent's Name and/or Organisation	Susan Sheldrake
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

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

Policy AL/RTW 16: land to the west of Eridge Road at Spratsbrook Farm

Question 4a

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

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

Question 5

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

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

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

I am against building on the Ramslye Farm land-- it is unnecessary and the land is essential for crops and peoples' welfare

Question 7

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

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

For office use only

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

Comment

Consultee	Christopher Sims [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] Tunbridge Wells [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Christopher Sims [REDACTED]
Comment ID	PSLP_80
Response Date	02/05/21 12:14
Consultation Point	Policy AL/RTW 16 Land to the west of Eridge Road at Spratsbrook Farm (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	KJ
Question 1	
Respondent's Name and/or Organisation	Christopher Sims FRICS ACIArb
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.

Paragraphs 5.99 thru 5.103

Policy AL/RTW 16: Land to the west of Eridge Road at Spratsbrook Farm

Inset Map 16

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.

I consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to cooperate because:

- . Paragraphs 5.99 thru 5.103 do not provide any supporting statements to justify the rationale for proposing housing development on this site.
- . Clearly states that consultations will be required with other authorities, who should have been consulted before the plan was proposed.
- . States that road access on to Eridge Road will be required but provides no details of that road access will be positioned or calculations as to the impact on an already strained road network.
- . If implemented will dramatically place existing primary infrastructure under pressure.
- . Does not recognised that part of the site is (as shown on DEFRA records) an area of historic land fill. Any land contaminated with hazardous or toxic materials is potentially a serious cause of pollution, as well as a threat to human health; it can also migrate into watercourses, impacting not only on water quality, but also biodiversity. Contamination can derive from previous uses, such as industrial processes involving chemicals, intensive agriculture, or closed waste disposal sites where landfill gas and leachate are still present.
- . Will have a serious ad detrimental impact to the Green belt.
- . Will harm and permanently harm for future generations an AONB.
- . Is not supported by a resultant increase in public services required to support such housing development.

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 proposal should be abandoned altogether

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 proposal is fundamentally flawed, ill thought through, detrimental and takes no cognizance of reality in respect of historic land fill, the Green belt and the AONB.

Question 8

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

I hold the view that no sustainability appraisal of the economic, environmental and social effects of this proposal has been undertaken in respect of Land to the west of Eridge Road at Spratsbrook Farm from the outset of the preparation process, to allow decisions to be made that accord with sustainable development.

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 Marguerita Morton [REDACTED]
Email Address	[REDACTED]
Company / Organisation	St. John's Road Residents association
Address	[REDACTED] Tunbridge Wells [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	St. John's Road Residents association [REDACTED] [REDACTED]
Comment ID	PSLP_954
Response Date	02/06/21 14:49
Consultation Point	Policy AL/RTW 16 Land to the west of Eridge Road at Spratsbrook Farm (View)
Status	Processed
Submission Type	Web
Version	0.1
Question 1	
Respondent's Name and/or Organisation	Marguerita Morton
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

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

Policy AL/RTW16

How will the Council fulfil its goal by building on the Green Belt or AONB to help mitigate the effects of greenhouse gas if more and more housing is built on green open countryside. The Council should ensure that its plans and strategies including the Local Plan do not contribute to the degradation of the environment and/or increase CO2 emissions.

It should take into consideration a Tunbridge Wells Town Centre Action Plan before we know what opportunities there would be for building on previously developed land (PDL). Instead the Council

have only now commissioned a Report from Nexus to provide an update on the current work in relation to town centres and retailing.

This is in response to the continuing work on the emerging Pre-Submission Local Plan, the comments received through the Draft Local Plan Regulation 18 consultation at the end of last year and in recognition of the need to formulate a new corporate strategy for Royal Tunbridge Wells town centre following the demise of the Calverley Square project.

This research is taking place to help the work of a Cross-Party group on Town Centre Development in connection with an Economic Development Strategy and the Five Year Plan. It will also help to understand the longer term consequences of the Covid-19 pandemic on the economic health and welfare of Tunbridge Wells. The consequent loss of office accommodation and retail could bring advantages if we use this space wisely. We should build affordable and environmentally sound new housing units for the young and the elderly who are locked out of decent, affordable homes. By concentrating on the urban town centre, we could find enough residential provision that would negate the need to build on Green Belt land.

Question 4

Do you consider that the Local Plan:

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

Question 4a

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

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

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.

Delete the Allocation Site from the Local Plan.

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)?	<input type="checkbox"/> No, I do not wish to participate in examination hearing session(s)
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Question 8

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

EN 11- Net Gains for Nature: biodiversity

There is an abundance of wildlife, flora and fauna as evidenced in photos from residents. They would be at risk if the north east corner of the open field were to be built on that piece of land forming part of the larger habitat and providing a buffer from urban sprawl or encroachment.

EN14: Trees, Woodlands, Hedges and Development

Policies EN1 and EN14 will not allow development if it would damage or destroy one or more trees protected by a TPO. Furthermore, Para 170 NPPF states that planning decisions and policies should contribute to and enhance the natural and local environment. There will be a presumption in favour of the retention and enhancement of existing trees, woodland and hedgerow cover on site.

If a planning application does go forward providing for unavoidable loss of trees on site, the developer will be required to implement appropriate management measures. It will be necessary to obtain a tree survey in accordance with the current recommendations of BS5837. The tree survey information should include protection, mitigation and management measures including arboricultural site supervision where required.

AIR QUALITY

The Assessment says nothing about air quality due to its proximity to the A26 which is an AQMA zone and suffers moderate to severe air pollution during certain parts of the day, especially during morning and afternoon commuter travel hours. A new development is likely to add to this existing poor air quality and to traffic congestion at the Speldhurst Road access point as stated above.

CLIMATE CHANGE AND NEW CORPORATE STRATEGY FOR A TUNBRIDGE WELLS TOWN CENTRE ACTION PLAN

Tunbridge Wells Borough Council has passed a Motion that declared that the Council recognises global climate change and committed to reduce its carbon emissions towards becoming carbon neutral by 2030.

How will the Council fulfil its goal by building on the Green Belt to help mitigate the effects of greenhouse gas if more and more housing is built on green open countryside. The Council should ensure that its plans and strategies including the Local Plan do not contribute to the degradation of the environment and/or increase CO2 emissions.

We could mitigate against CO2 emissions by the increased use of Brownfield Sites. There are 37 sites registered on the 2020/21 Brownfield Site Register with a capacity of 805 homes, of these 3 are located in Green Belt, 4 in AONB and 1 partly within the Green Belt and AONB. If we had a Tunbridge Wells Town Centre Action Plan in place, we would know what opportunities there would be for building on previously developed land (PDL). Instead the Council have only now commissioned a Report from Nexus to provide an update on the current work in relation to town centres and retailing.

This is in response to the continuing work on the emerging Pre-Submission Local Plan, the comments received through the Draft Local Plan Regulation 18 consultation at the end of last year and in recognition of the need to formulate a new corporate strategy for Royal Tunbridge Wells town centre following the demise of the Calverley Square project.

This research is taking place to help the work of a Cross-Party group on Town Centre Development in connection with an Economic Development Strategy and the Five Year Plan. It will also help to understand the longer term consequences of the Covid-19 pandemic on the economic health and welfare of Tunbridge Wells. The consequent loss of office accommodation and retail could bring advantages if we use this space wisely. We should build affordable and environmentally sound new housing units for the young and the elderly who are/may be locked out of decent, affordable homes. By concentrating on the urban town centre, we could find enough residential provision that would negate the need to build on Green Belt or AONB land.

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	Rhian Taylor ([REDACTED])
Email Address	[REDACTED]
Address	[REDACTED] Tunbridge Wells TN4 [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Rhian Taylor ([REDACTED])
Comment ID	PSLP_1953
Response Date	04/06/21 10:17
Consultation Point	Policy AL/RTW 16 Land to the west of Eridge Road at Spratsbrook Farm (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	Rhian Taylor
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

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

Policy AL/RTW 16 Land to the west of Eridge Road at Spratsbrook Farm

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.

To whom it may concern,

Re site 137/policyal/rtw 16 – Land to the west of Eridge Road at Spratsfield Farm.

I'm a resident of xxx Friezland Road, Tunbridge Wells TN4 xxx

[TWBC: full address redacted for data protection purposes]

I fully support the representation submitted by residents against Ramslye Development on the 2nd June and the points raised in that document.

Question 7

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

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

For office use only

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

Comment

Consultee	James Vann [REDACTED]
Email Address	[REDACTED]
Address	- [REDACTED] Tunbridge Wells -
Event Name	Pre-Submission Local Plan
Comment by	James Vann [REDACTED]
Comment ID	PSLP_106
Response Date	09/05/21 23:49
Consultation Point	Policy AL/RTW 16 Land to the west of Eridge Road at Spratsbrook Farm (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	KJ
Question 1	
Respondent's Name and/or Organisation	James Vann
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

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

Policy AL/RTW 16: Land to the west of Eridge Road at Spratsbrook Farm

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.

Hello,

I live on Broadwater Down along the road from the potential development site. I have spent many hours walking and wandering around the beautiful fields and forests surrounding the Ramslye fields since I moved here last year - its been one of the few things that keeps me sane in a world that is becoming more and more insane... Surprisingly, I've never walked across those fields and thought to myself "you know what James, the only thing that would make this walk better is if there were 120 poorly built houses that all look the same with the same terrible monotonous architecture that seem to be being built almost everywhere at the moment". It seems pretty criminal that developments like this are allowed to be built on green belt land when there are so many potential brown field sites available. Is England going to become one giant 1984 like Persimmon housing estate by 2050 - a continuous repetition of the exact same houses that cost £50,000 to build but get sold as 'affordable housing' for £400,000 because they've been built in the South East. Keeps the shareholders happy though.

The problem is, its not just the site that would be developed. The surrounding land will all suffer and become remarkably less wild due to the encroachment of humans and all the dross that follows. As I'm writing this I'm wondering if anyone has actually emailed this address and been for this development. I can't understand who is actually the driving force behind it. Perhaps we should start building development sites in the back gardens of every Conservative party members gardens because, lets face it, if you're in that club you've probably got a 50 acre garden and probably own the fields surrounded so no-one can build there. Alas, the rest of us have to grasp every slither of countryside that has a tiny bit of open access to escape from reality and the reality is, more and more of it is disappearing. Look at HS2 for example, a train line no one asked for, no one really wants at the enormous expense to the taxpayer and also a colossal impact to all the countryside and forest being churned up to save people 30 minutes of travelling across the UK from their home(which definitely has a computer) to sit in a cubicle in London to look at another computer. Its almost like a satire. Although satires are normally funny.

Kind regards

James Vann

Just say no to building on the Ramslye fields.

Question 7

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

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

For office use only

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

Supporting Information File Ref No: SI_8

Comment

Consultee	Ms Bridget Fox [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Woodland Trust
Address	Kempton Way Grantham NG31 6LL
Event Name	Pre-Submission Local Plan
Comment by	Woodland Trust [REDACTED]
Comment ID	PSLP_1427
Response Date	04/06/21 16:31
Consultation Point	Policy AL/RTW 16 Land to the west of Eridge Road at Spratsbrook Farm (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	Woodland Trust
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy AL/RTW 16 Land to the west of Eridge Road at Spratsbrook Farm	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes

Is sound

Don't know

Complies with the Duty to Cooperate

Don't know

Question 4a

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

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

We previously expressed concerns at this site allocation (then coded AL/RTW 18) as it was adjacent to several areas of ancient woodland, namely:

• Three Acre Wood ASNW at TQ56733831 • The Woodland Trust site Friezland Wood ASNW at TQ56443831 • Ramslye Wood ASNW at TQ56543793

We note that the housing elements of the site are now well-distanced from Three Acre Wood (60m) and Friezland Wood (320m) with landscape buffers, in line with our recommended approach.

We still have some concerns about appropriate buffering for Ramslye Wood.

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.

Where development sites are adjacent to ancient woodland, we recommend that as a precautionary principle, a minimum 50 metre buffer should be maintained between a development and the ancient woodland, including through the construction phase, unless the applicant can demonstrate very clearly how a smaller buffer would suffice. A larger buffer may be required for particularly significant engineering operations, or for after-uses that generate significant disturbance.

Buffer zones can form part of the accessible natural green space required for future residents.

This will improve compliance with national policy by protecting the ancient woodland from loss or fragmentation and from harmful effects of pollution or encroachment on root areas. It will also make a positive contribution to requirements for net gain and nature recovery.

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 Woodland Trust is the UK's leading woodland conservation charity with specific expertise on the management and protection of ancient woodland.

Local Plan Regulation 19 representations in document order

**Comments on Section 5: Place
Shaping Policies: Royal Tunbridge
Wells: Policy AL/RTW 17: Land
adjacent to Longfield Road**

Supporting Information File Ref No: SI_148

Comment

Agent	Mr Jonathan Buckwell ()
Email Address	
Company / Organisation	DHA Planning Ltd
Address	Eclipse House Eclipse Park MAIDSTONE ME14 3EN
Consultee	Axiom Developments ()
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Axiom Developments ()
Comment ID	PSLP_2108
Response Date	03/06/21 11:33
Consultation Point	Policy AL/RTW 17 Land adjacent to Longfield Road (View)
Status	Processed
Submission Type	Email
Version	0.4
Files	DHA Planning for Axiom Developments-full representation.pdf
Data inputter to enter their initials here	KJ
Question 1	
Respondent's Name and/or Organisation	Axiom Developments Ltd
Question 2	
Agent's Name and Organisation (if applicable)	DHA 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 AL/RTW 17 Land adjacent to Longfield Road

[TWBC: the full representation attached has been divided between Policy STR/RTW1 (PSLP_2099), Vision and Strategic Objectives (PSLP_2104), Policies STR3 (PSLP_2106), STR9 (PSLP_2107), and AL/RTW17 (PSLP_2108).

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.

1.1 Introduction

1.1.1 These representations have been prepared by DHA Planning on behalf of Axiom Developments Limited (hereafter referred to as Axiom) in respect of the Tunbridge Wells Borough Council Regulation 19 Local Plan consultation.

1.1.2 These representations relate to land at Colebrooke Park, which Axiom is promoting for employment-generating development as part of the wider development plan review.

1.1.3 Based on the current national and local planning context, we consider this land to be suitable for development.

1.2 The Site

1.2.1 Our client has been promoting land at Colebrooke House for a business park within an attractive parkland campus setting. The site was promoted via the original Call for Sites process in 2016 (site 101) and representations were made at the previous Reg 18 consultation. The site boundary is shown in Figure 1.

1.2.2 The site lies outside of the current settlement boundary for Royal Tunbridge Wells and within both the High Weald Area of Outstanding Natural Beauty (AONB) and the Green Belt.

1.2.3 As a result of the recent A21 dualling project, the site benefits from direct access onto the A21 via the Fairthorne junction. This now provides the site with excellent access to the national road network, whilst also being well-located in relation to the existing employment areas along Longfield Road. The A21 improvements present an excellent opportunity for the site to make a substantial contribution to the local economy through development of the site.

1.2.4 The 8.5ha site comprises a large 19th century residential property set in parkland grounds. Whilst being habitable, the property is currently in need of repairs following a period of under-investment. Its value as a residential property has been substantially affected as a result of the A21 dualling works.

[TWBC: see full representation attached for Figure 1: Proposed allocation site boundary].

1.2.5 There is a unique opportunity to provide employment-generating development which makes the most of the existing characteristics of the site. For example, this could take the form of a high-quality business park, or other employment-generating use set within an established parkland setting and based around the existing 19th century Colebrooke House.

1.2.6 The site provides an opportunity to provide an attractive business location, accessible to the A21 as well as local businesses and services. A Vision Document has been prepared and was submitted with our Regulation 18 representations previously which shows that the site would be capable of delivering around 11,750 sqm of employment-generating floorspace, which would be capable of supporting between 885 and 1,437 jobs if in office use.

1.2.7 The Council's Economic Needs Study (ENS) demonstrates the need for good quality economic development land locally. This was also backed up by responses from stakeholders identifying Tunbridge Wells as a good office and industrial location. ENS paragraph 9.66 in particular identifies demand for offices, and especially higher quality Grade A accommodation in accessible locations, which is the type of development proposed at Colebrooke House. It would score well against all of the bullet points set out in ENS paragraph 10.29, i.e. excellent accessibility; public transport and parking availability; and it being an area with a critical mass of employment use and amenities which would be attractive to investors.

1.2.8 The development would have excellent strategic transport links to the newly upgraded A21 as well as providing opportunities to create and improve existing pedestrian, cycle and public transport links to North Farm, Tunbridge Wells and Tonbridge. Pedestrian, cycle and emergency access links could also be provided into the land to the west, which is also proposed for development as part of the Local Plan proposals.

1.2.9 In respect of deliverability, the site has no planning history of relevance nor a history of unimplemented permissions, and there are no known impediments to the sites being phased for potential development. There is an excellent opportunity to deliver a high-quality employment development scheme during the plan period.

1.3 Background

1.3.1 Tunbridge Wells Borough Council (TWBC) has produced a new Local Plan to guide future development within the borough. As the Council is now satisfied that it has a sound plan it proposes to submit the plan for Independent Examination following completion of this final round of consultation.

1.3.2 Once submitted, the Local Plan will be examined by an Inspector whose role is to assess whether the plan has been prepared in accordance with the Duty to Cooperate, legal and procedural requirements, and whether it is 'sound'. In this regard, the Government published a revised NPPF in February 2019, which provides that to be "sound" a local plan must be:

- Positively prepared – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
- Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- Effective – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in this Framework.

1.3.3 This submission comment on the plan having regard to these tests of soundness.

1.4 Legal Compliance

1.4.1 In terms of legal compliance, the main requirements for the early stages of Local Plan consultation are in relation to:

- planning for community engagement;
- the sustainability appraisal (including consultation with the statutory environment consultation bodies);

- identifying significant cross boundary and inter-authority issues; and
- ensuring that the plan rests on a credible evidence base, including meeting the Act's requirement for keeping matters affecting the development of the area under review.

1.4.2 The Council has undertaken public consultation at various stages. Furthermore, it has liaised with the development industry via Agents Forums and as such we raise no objection to this aspect of legal compliance.

1.4.3 From a wider perspective, we are concerned about the degree to which the Council has complied with the statutory framework for preparing a new plan, albeit we will reserve our position on this matter until all final consultation documentation and statements of common ground have been published.

1.5 Assessment of Soundness

1.5.1 The TWBC Draft Local Plan (herein referred to as 'the plan') sets out the spatial vision, strategic objectives, and overarching development strategy for the borough. It details overarching place shaping policies for each parish and settlement, as well as site specific allocations to deliver the strategy and detailed policies to be applied to all new development.

1.5.2 The plan will set the agenda for development across the borough to 2038 and replace the current Development Plan, which comprises the Local Plan 2006 (saved policies), the Core Strategy 2010, and the Site Allocations Local Plan 2016.

1.5.3 This representation comments on the following elements of the plan:

- Vision and Strategic Objectives;
- Development Strategy and Strategic Policies;
- Place Shaping Policies; and
- Development Management Policies.

Place Shaping Policies

1.5.17 The place shaping policies establish the spatial priorities for different areas in the borough, organised according to non-parish and parish areas. For each area, there is an overarching policy that development should adhere to and details are provided for individual allocated sites that will deliver the quantum of development proposed. The site-specific allocations provide both strategic and development management guidance.

Colebrooke Park

Evidence base

1.5.18 The site was assessed in the Strategic Housing and Employment Land Availability Assessment (SHELAA) as site 101. This noted that whilst the site is both the AONB and Green Belt, it is also located in a ward which has one of the highest levels of unemployment in the borough. The significant economic benefits which would arise from development in this location would outweigh any harms to these designations. It also benefits from a location on the A21 and has direct access to the Fairthorne Junction.

1.5.19 The SHELAA concluded that the site is suitable for economic development uses and would act as a natural extension to support economic growth. It is considered to be a valuable opportunity for employment uses in the longer term.

1.5.20 The SHELAA only concluded that it is not suitable for allocation at this time on the basis that the Local Plan already plans positively in employment land terms by providing over the minimum requirement in order to provide a range and choice of sites and premises. It therefore proposes removal of the site from the Green Belt as safeguarded land to meet future employment needs.

1.5.21 The Landscape Assessment undertaken by HDA on behalf of TWBC confirms that the site is "extremely well contained from its surroundings, with only boundary trees and fencing visible from publicly accessible viewpoints." It also confirms that "the enclosure of the site means that with the exception of the boundary woodland, the site has a limited contribution to the character and appearance of the wider landscape."

1.5.22 The study also recognises that there are some potential landscape and recreational opportunities arising from development on the site. In particular, there is the opportunity to provide pedestrian and cycle connections through the site to the public rights of way located to the north and west of the site.

There may also be the opportunity to allow public access to some of the facilities within the proposed business park.

1.5.23 HDA conclude that:

“With a positive and landscape-led approach to design, there is the opportunity to improve the management of features within the site, create new habitats and provide an attractive new campus style business park. This would allow a new evolution of the site as the proximity to the A21 means that its current use may be unsustainable in the long term. There are opportunities to benefit the local community through the development of the business park.”

The Employment Strategy for Tunbridge Wells

1.5.24 TWBC should be making the most of the opportunities presented by the A21 dualling improvements in terms of making Tunbridge Wells a more attractive business location and, therefore, attracting businesses currently based outside the Borough.

1.5.25 The Council's Economic Needs Study recognises that the A21 dualling as well as other recent highway infrastructure improvements in the North Farm area could further unlock potential future allocations for employment growth. We strongly support this view and urge the Council to get best value from these infrastructure improvements by allowing well-designed development in what is a clearly attractive and accessible location for businesses, such as at Colebrooke House. Whilst the ENS summary at 6.94 refers to the infrastructure improvements being a catalyst for further investment, this will only happen if the right sites are allocated. If sites aren't attractive to businesses, or are too slow to deliver, businesses will simply go elsewhere to the detriment of the local economy.

1.5.26 We attended the Tunbridge Wells Stakeholder Workshop referred to in the ENS and agree that the key findings included the lack of supply of land and premises acting as a disincentive to potential investors and constraining the growth of existing businesses (a point that we note has also been raised separately by Locate in Kent). The workshop identified the need to address local transport and congestion issues especially around North Farm (where significant improvements have been made) and workshop attendees identified the potential of the North Farm/A21 corridor for economic growth.

1.5.27 An allocation for development at Colebrooke House would be fully in line with the findings of the ENS and the Stakeholder Workshop. Furthermore, North Farm is already recognised as a well-established employment location. Allocating further development nearby increases the potential for business-to-business services further enhancing the local economy.

1.5.28 The Council's Economic Development Strategy 2018-2021 concludes, amongst other things, that:

(1) A shortage of sites and premises is a major constraint for local businesses and is also a barrier to inward investment from outside the Borough;(2) The shortage has been exacerbated due to the conversion of floorspace from office to residential under Permitted Development legislation, particularly in Royal Tunbridge Wells town centre;(3) The Council's Economic Needs Study recommends, amongst others, employment sites in areas close to main arterial roads (e.g. the A21) where accessibility to the highway network for business operations is quick;(4) Current weaknesses in Tunbridge Wells include traffic congestion in urban areas, a shortage of sites, and ageing office stock;(5) Current threats include limited opportunity for additional road capacity; out commuting, especially of the highly skilled; and pressure for residential development over employment uses; and(6) Opportunities for Tunbridge Wells include the new Local Plan process, as this can provide new employment allocations, therefore improving the amount of land available for economic development and ensuring that such land is located where it is attractive to the market.

1.5.29 NPPF paragraph 80 emphasises the need for planning policies to create conditions to allow businesses to invest, expand and adapt. This approach “should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future”.

1.5.30 Paragraph 81 then requires planning policies to set out a strategy “which positively and proactively encourages sustainable economic growth”, having regard to local economic development strategies.

1.5.31 New commercial development must meet the needs of the market by providing development opportunities in the right places to meet current and future demand. This should include the provision of commercial development around appropriate strategic road network junctions, amongst other locations.

1.5.32 If Tunbridge Wells is to reach its full economic potential, new business land and locations are required in order to meet currently unmet needs, allow existing businesses to relocate to expand, and to attract new businesses to the Borough.

1.5.33 It is currently proposed to meet the economic development needs of those businesses seeking a location near the strategic road network on a single site in Tunbridge Wells – the adjacent proposed AL/RTW17 allocation, where planning permission was granted for such development earlier in 2021. Whilst we agree that is a logical and appropriate site to develop for commercial floorspace, and understand that it meets quantitative requirements, it would be unwise to rely on a single site coming forward to meet the identified need, for the following reasons:

(1) If, for whatever reason, that site does not come forward in the manner envisaged, or indeed at all, there will be no other sites in Royal Tunbridge Wells on which that specific need can be met;(2) The Economic Needs Study and Office Market Review have identified that there is a need for employment floorspace close to the A21, a conclusion with which Axiom fully agree;(3) With development already permitted on the AL/RTW17 site, having more than one development site option in this area provides competition for the market, which assists affordability and therefore delivery. It also stops the Council's economic strategy being frustrated by a lack of choice;(4) NPPF paragraph 82 recognises the need for a variety of sites to be provided, noting that provision should be made to address the requirements of different sectors, including making provision "at a variety of scales and in suitably accessible locations"; and(5) A greater variety of allocated sites allows a greater range of employment buildings, sizes and types to be offered in a wider variety of locations. This makes it more likely that interested companies will find the space that they want within Tunbridge Wells Borough, assisting growth and boosting the local economy. The character of the Colebrooke House site is very different to that of the neighbouring AL/RTW17 site, enabling a very different type of office (or other employment-generating) campus to be provided. Local plans are very good at providing a wide range of housing sites and locations, providing choice in the market. By contrast, the number of options available to companies looking to expand or relocate is much smaller. This needs to be rectified.

1.5.34 To ensure the benefits of economic growth benefit everyone, new commercial provision should be well placed to serve a skilled workforce and to meet the needs of businesses. Whilst it is appropriate for some employment development to be provided in the most accessible locations such as town centres, new provision should also be made close to the strategic road network to meet the needs of businesses, discourage out commuting, reduce congestion on routes into the town centre and offer new opportunities for local people to live and work in the Borough.

1.5.35 Whilst it is recognised that there are other economic development proposals elsewhere in the Borough, including at Paddock Wood and Gills Green, these are locations with different characteristics to Colebrooke Park, which are likely to attract different types of business.

1.5.36 Paragraph 11 of the Executive Summary to the ENS identifies an Objectively Assessed Need for at least 14ha of employment land and this target is referred to throughout the Local Plan and in the Distribution of Development Topic Paper. However, the ENS goes on to recommend identifying a greater quantum of land in recognition of market interest and to provide a sufficient choice of sites for prospective occupiers and investors.

1.5.37 ENS paragraph 8.88 recommends that 20ha of new employment land should be allocated. It is recognised that the four employment land allocations set out in Table 5 would amount to an overall total of 26.5ha, in excess of the ENS target, and this level of ambition is certainly to be applauded.

1.5.38 However, whilst this level of provision is excellent in quantitative terms, it does not change our view that a proper choice of sites must be provided. Whilst we understand the logic behind pursuing a safeguarded land strategy at Colebrooke Park, and we do not object to that strategy, the unique circumstances of Colebrooke Park mean that we believe the Council should go one step further and identify it as being suitable for employment-generating development now.

The unique circumstances of Colebrooke Park

1.5.39 As discussed above, It is important that the market has a choice of economic development sites. Colebrooke House provides a different offer to that available on the neighbouring AL/RTW17 allocation, where development has already been permitted, in that it can provide a high-quality campus type development based on an existing property whilst retaining and improving a more intimate existing parkland setting. Despite being on adjacent land, that setting is of a very different character to the

more open and extensive AL/RTW17 site, and would be suitable for a range of different “campus” type uses.

1.5.40 The Regulation 18 draft plan included a policy proposing to allocate this site for development. We believe that the unique circumstances of Colebrooke Park mean that the benefits of allocating the site for development outweigh any disbenefits.

1.5.41 These circumstances include:

- **Development would provide a secure future use for a non-designated heritage asset:** As noted in the Council’s Landscape & Visual Impact Assessment, the site contains many significant features and is generally attractive, but its condition is in decline. The noise from the recently dualled A21 is a detractor across the site, and this proximity to the A21 means that its current residential use may be unsustainable in the long term. Appropriate development here could enlarge or reinstate lost grounds to the south of the house and reinforce the essence of the original park environment. In these circumstances, allocating the site for development could give it a new lease of life, whereas it is only likely to decline further if left as it is;

- **Development would make best use of a partly brownfield site:** NPPF paragraph 84 notes that “the use of previously developed land, and sites that are physically well related to existing settlements, should be encouraged where suitable opportunities exist.” Colebrooke House is, in part, previously developed land.

- **The site enjoys its own, almost private access:** Whereas AL/RTW17 relies upon highways access onto the more congested Longfield Road, Colebrooke House enjoys what is in effect almost a private, direct access onto the A21 via the little-used Fairthorne Junction.

- **The site has good links for non-motorised users:** The Colebrooke House driveway also provides direct access to the Non-Motorised Route between Pembury, Longfield Road and Tonbridge which was constructed as part of the A21 works to enhance pedestrian and cycle links locally. There is also a public right of way into the neighbouring AL/RTW17 site and the North Farm Industrial Estate beyond.

- **The site is barely visible from outside its boundaries:** The site is surrounded by well-established and mature trees which means there is no visibility into the site. Indeed, despite being adjacent to the busy A21, many people passing the site do not even realise that the existing house is there. The Landscape Study we submitted with our Regulation 18 representations (p38) confirms that if three storey buildings were developed on the site, these would not be visible from beyond the site boundaries.

[TWBC: for Figure 1: View from A21 towards the currently open land at proposed allocation AL/RTW17 and Figure 2: The well-screened Colebrooke House site, which is completely invisible from the A21 see full representation attached].

Conclusions

1.5.42 It is recognised that the PSLP seeks to allocate a significant amount of land for employment purposes in order to provide a choice of sites. Whilst we do not disagree that a choice of sites is available over the borough as a whole, we do however note that the choice of sites within Tunbridge Wells itself is somewhat limited, mainly to the adjacent proposed AL/RTW17 allocation.

1.5.43 Whilst we remain of the view that the site could be allocated for appropriate employment-generating development in the current plan for the reasons set out above, we DO NOT OBJECT to the proposal to designate the site as safeguarded land to meet future development needs. It is clear from the analysis above that the site is a suitable and very well-located opportunity for future employment-generating development.

1.5.44 As well as general E class business uses such as offices, and research and development, it is conceivable that the campus nature of the proposed development site could also be attractive to other forms of employment-generating uses – for example, further/higher education or care facilities and therefore we support flexibility to the employment uses associated with the safeguarding.

1.5.45 As is recognised at PSLP paragraph 4.131, the Council has historically used similar “safeguarded land” designations where land has been removed from the Green Belt to meet future development needs at a later point in the plan period.

1.5.46 We also support the point at paragraph 5.16 that removing the site from the Green Belt is in line with ensuring the long-term permanence of the Green Belt boundary. We agree with the conclusion

of the Council's Green Belt Study Stage 2 assessment that "the A21 would constitute a stronger boundary to the east".

1.6 Summary and Conclusions

1.6.1 In summary, this representation has been prepared on behalf of Axiom Developments Ltd in response to the Tunbridge Wells Borough Council Pre-submission Local Plan Consultation. The purpose being to provide comment on the Council's proposed development strategy ahead of Examination.

1.6.2 We generally support the Council's overall strategy and do not object to the proposal for the site to be removed from the Green Belt and safeguarded for future employment uses. However, for the reasons set out in these representations, we believe there are strong arguments in favour of allocating the land for development now.

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.

1.5.7 Response

1.5.8 We broadly support the general thrust of the vision and these objectives. In particular, we especially welcome the recognition that the planned increase in housing should also be matched by a proportionate expansion in employment and other supporting opportunities across the borough.

1.5.9 However, the vision and objectives could be more positive and set a framework whereby suitable development opportunities are actively embraced. As drafted, the message is clear that meeting need is somewhat enforced.

1.5.10 Indeed, we would suggest some minor modification to ensure that that the plan is positively prepared and fully aligned with the provisions of the National Planning Policy Framework ('NPPF'). Indeed, we consider that the vision should be modified to read.

'Growth in new homes, jobs, and supporting infrastructure to meet borough-wide needs will actively be pursued in full and in a manner that best complements the distinctive qualities of the borough'.

1.5.11 With the above modification, the objectives and vision will then be positively prepared.

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)?

Representation was set against Policy STR1 but relates to Policy AL/
RTW 17: Land adjacent to Longfield Road

Comment

Consultee	Lance Goodship [REDACTED]
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	Lance Goodship [REDACTED]
Comment ID	PSLP_289
Response Date	23/05/21 21:16
Consultation Point	Policy STR 1 The Development Strategy (View)
Status	Processed
Submission Type	Web
Version	0.2

Question 1

Respondent's Name and/or Organisation	Lance Goodship
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Question 3

To which part of the Local Plan does this representation relate?	Paragraph(s)
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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.

4.48, Policy STR 1, The Development Strategy, point 5)

Question 4

Do you consider that the Local Plan:

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

Question 4a

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

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

Question 5

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

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.

Local resident consensus represented by the 412 signatories of the petition (<https://www.change.org/Kingstanding>) do not believe that the nil detriment and safety requirement test to Longfield Road in national planning and transport policy can be fully achieved without the main entrance for the new business park to the north of North Farm/Kingstanding Way, Royal Tunbridge Wells, being connected directly to an A21 junction via a private road. In summary, residents disagree with point 5) under section 4.48 that the proposed design is 'well connected to the improved A21'.

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.

Section 4.48 point 5 should be changed to:

'Provides for a prestigious new business park to the north of North Farm/Kingstanding Way, Royal Tunbridge Wells, well connected to the improved A21 via a private road connected directly to the Longfield Road A21 junction or via a private road connected directly to the A21 junction near Half Moon Lane.'

Question 7

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

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

Question 7a

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

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

Only if required to provide any additional context or clarifications to the Inspector.

Question 8

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

A direct access private road to an A21 junction is possible via either of two existing gravel roads, one which connects to the A21 junction near Half Moon Lane and the other that connects to the North Farm A21 junction. Section 4.123 already provides Green Belt justification for building the business park on Green Belt land and if the existing gravels roads need to be widened into Green Belt land then there is no reason why the same justification cannot be used.

There is additional further justification related to Green Belt impact at section 5.99 related to the same business park proposal.

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_2185
Response Date	04/06/21 16:56
Consultation Point	Policy AL/RTW 17 Land adjacent to Longfield Road (View)
Status	Processed
Submission Type	Email
Version	0.5
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 AL/RTW 17 Land adjacent to Longfield Road

[TWBC: see attached full representation, which has been input against the following: Section 1 (PSLP_2164), Section 2 (PSLP_2168), Section 3 (PSLP_2169), Policies STR1 (PSLP_2170), STR2 (PSLP_2171), STR4 (PSLP_2172), STR5 (PSLP_2174), STR7 (PSLP_2175), STR8 (PSLP_2176), Section 5 (PSLP_2177), Section 5: Royal Tunbridge Wells (PSLP_2178), Policies AL/RTW1 (PSLP_2180), AL/RTW5 (PSLP_2181), AL/RTW7 (PSLP_2183), AL/RTW14 (PSLP_2184), AL/RTW17 (PSLP_2185), AL/RTW21 (PSLP_2187), STR/SO1 (PSLP_2188), AL/SO1 (PSLP_2190), Strategic Sites (PSLP_2192), STR/SS1 (PSLP_2193), STR/SS2 (PSLP_2195), STR/SS3 (PSLP_2196), STR/PW1 (PSLP_2199), AL/PW1 (PSLP_2200), STR/CA1 (PSLP_2201), AL/CRS1 (PSLP_2202), AL/CRS2 (PSLP_2203), AL/CRS3 (PSLP_2204), AL/CRS4 (PSLP_2205), AL/CRS6 (PSLP_2206), AL/CRS7 (PSLP_2207), STR/HA1 (PSLP_2208), PSTR/BE1 (PSLP_2209), PSTR/BI 1 (PSLP_2210), PSTR/BM1 (PSLP_2211), PSTR/FR1 (PSLP_2212), PSTR/GO1 (PSLP_2213), PSTR/HO1 (PSLP_2214), AL/HO1 (PSLP_2215), PSTR/LA1 (PSLP_2216), AL/LA1 (PSLP_2217), PSTR/PE1 (PSLP_2218), AL/PE4 (PSLP_2219), PSTR/RU1 (PSLP_2220), PSTR/SA1 (PSLP_2221), AL/SA1 (PSLP_2222), PSTR/SP1 (PSLP_2223), EN1 (PSLP_2224), EN3 (PSLP_2225), EN4 (PSLP_2226), EN5 (PSLP_2227), EN8 (PSLP_2228), EN9 (PSLP_2229), EN10 (PSLP_2230), EN12 (PSLP_2231), EN13 (PSLP_2232), EN14 (PSLP_2233), EN18 (PSLP_2234), EN19 (PSLP_2235), EN20 (PSLP_2236), EN25 (PSLP_2237), EN26 (PSLP_2238), H1 (PSLP_2239), H3 (PSLP_2240), H7 (PSLP_2241), ED1 (PSLP_2242), ED2 (PSLP_2243), ED3 (PSLP_2244), ED4 (PSLP_2245), ED5 (PSLP_2246), ED6 (PSLP_2247), Town, Rural Service, Neighbourhood, and Village Centres (PSLP_2248), Policies TP1 (PSLP_2249), TP2 (PSLP_2250), TP3 (PSLP_2251), TP4 (PSLP_2252), TP5 (PSLP_2253), TP6 (PSLP_2254), OSSR1 (PSLP_2255), Appendix 4 (PSLP_2256) and Evidence Base (whole Plan) (PSLP_2257)

Question 4a

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

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

Question 5

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

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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 direct reference to Public Footpath WB11.

Question 6

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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

Supporting Information File Ref No: SI_76

Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Natural England
Address	International House Dover Place ASHFORD TN23 1HU
Event Name	Pre-Submission Local Plan
Comment by	Natural England [REDACTED]
Comment ID	PSLP_1459
Response Date	04/06/21 13:41
Consultation Point	Policy AL/RTW 17 Land adjacent to Longfield Road (View)
Status	Processed
Submission Type	Email
Version	0.6
Files	PSLP_1444_Natural England_SI.pdf
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Natural England
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

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

Policy AL/RTW 17 Land adjacent to Longfield Road

[TWBC - Full representation attached as Supplementary Information]

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

Section 3, STR 8, Section 5, EN1, EN9, EN10, EN12, EN13, EN14 AND EN19 – see Comment Numbers PSLP_1444, PSLP_1459, PSLP_1460, PSLP_1462, PSLP_1489, PSLP_1463, PSLP_1464, PSLP_1465, PSLP_1466, PSLP_1467, PSLP_1468, PSLP_1469, PSLP_1470, PSLP_1472, PSLP_1478, PSLP_1480, PSLP_1481, PSLP_1482, PSLP_1483, PSLP_1484, PSLP_1485, PSLP_1486, PSLP_1487, PSLP_1488]

Question 4

Do you consider that the Local Plan:

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

Question 4a

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

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

Question 5

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Appendix 2: Major development allocations within the High Weald AONB

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

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

AL/RTW 17 - Land adjacent to Longfield Road Natural England recognises that a planning application for development at this site (19/02267/OUT), which Natural England objected to, on basis of major development within AONB, has been granted permission.

Question 6

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

Question 7

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

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

Question 7a

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

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

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

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

Question 8

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

Appendix 3: Sustainability Appraisal

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

'Local plans and spatial development strategies should be informed throughout their preparation by a sustainability appraisal that meets the relevant legal requirements (The reference to relevant legal requirements refers to Strategic Environmental Assessment. Neighbourhood plans may require Strategic

Environmental Assessment, but only where there are potentially significant environmental effects.’). This should demonstrate how the plan has addressed relevant economic, social and environmental objectives (including opportunities for net gains). Significant adverse impacts on these objectives should be avoided and, wherever possible, alternative options which reduce or eliminate such impacts should be pursued. Where significant adverse impacts are unavoidable, suitable mitigation measures should be proposed (or, where this is not possible, compensatory measures should be considered). However, the SA appears to prioritise social and economic considerations over environmental ones as Section 6.2.19 states:

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

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

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

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

Given the provisions of paragraph 11 (and consequently paragraph 172), we consider that the weight afforded to protecting nationally designated landscapes has not been sufficiently considered as part of exploring alternative options and the environmental value of the AONB has been underestimated.

It is our view that significant impacts have not been avoided as far as possible and, as outlined in other sections, we advise that major development within the AONB has not been appropriately justified.

Given the above, we are concerned that the underpinning assessment and recommendations of the SA are not giving an appropriate level of consideration for the environmental benefits associated with alternative growth strategies, especially given the great weight that should be afforded to designated landscapes.

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

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

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

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

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

Future Notifications

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

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

Comment

Consultee	Ms Bridget Fox [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Woodland Trust
Address	Kempton Way Grantham NG31 6LL
Event Name	Pre-Submission Local Plan
Comment by	Woodland Trust [REDACTED]
Comment ID	PSLP_1424
Response Date	04/06/21 16:31
Consultation Point	Policy AL/RTW 17 Land adjacent to Longfield Road (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	Woodland Trust
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy AL/RTW 17 Land adjacent to Longfield Road	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes

Is sound

Don't know

Complies with the Duty to Cooperate

Don't know

Question 4a

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

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

Question 5

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We previously expressed concerns at this site allocation (then coded as AL/RTW 12) as it included several areas of ancient woodland

- King's Standing (previously Unnamed) ASNW at TQ60734254
- Well Wood ASNW at TQ61114315
- Unnamed ASNW at TQ60474291
- Pilgrim's Wood ASNW at TQ60604322

We are pleased to see that all but one of these no longer appear to be affected. However, we still have concerns about the potential impact on King's Standing ASNW at TQ60734254.

Question 6

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We recommend redrawing the site boundaries to exclude Kings Standing Wood from land allocated for development.

Whether the ancient woodland is within or outside the development site, we recommend that as a precautionary principle, a minimum 50 metre buffer should be maintained between a development and the ancient woodland, including through the construction phase, unless the applicant can demonstrate very clearly how a smaller buffer would suffice. Buffer zones can form part of the accessible natural green space required for future residents.

This will improve compliance with national policy by protecting the ancient woodland from loss or fragmentation and from harmful effects of pollution or encroachment on root areas. It will also make a positive contribution to requirements for net gain and nature recovery.

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:

The Woodland Trust is the UK's leading woodland conservation charity with specific expertise on the management and protection of ancient woodland.

Local Plan Regulation 19 representations in document order

**Comments on Section 5: Place
Shaping Policies: Royal Tunbridge
Wells: Policy AL/RTW 18: Land at the
former North Farm landfill site, North
Farm Lane and land at North Farm
Lane, North Farm Industrial Estate**

Supporting Information File Ref No: SI_28

Comment

Consultee	Environment Agency [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Environment Agency
Address	[REDACTED] [REDACTED] WEST MALLING [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Environment Agency [REDACTED]
Comment ID	PSLP_479
Response Date	26/05/21 10:55
Consultation Point	Policy AL/RTW 18 Land at the former North Farm landfill site, North Farm Lane and land at North Farm Lane, North Farm Industrial Estate (View)
Status	Processed
Submission Type	Email
Version	0.5
Files	PSLP_462, 467, 471, 473-480, 484, 486 Environment Agency SI-1 Representation.pdf
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Environment Agency
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	Policy AL/RTW 18 Land at the former North Farm landfill site, North Farm Lane and land at North Farm Lane, North Farm Industrial Estate

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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Policy AL/RTW 18

This location contains or borders with ordinary watercourses that would benefit from establishing no-development buffer zones of at least 5m.

[TWBC: For general response please see Comment Number PSLP_462]

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

If you would like to attach a file in support of your comments, please upload it here. [PSLP_462, 467, 471, 473-480, 484, 486 Environment Agency SI-1 Representation.pdf](#)

Supporting Information File Ref No: SI_128

Comment

Agent	Miss Louise Darch ([REDACTED])
Email Address	[REDACTED]
Company / Organisation	Tetra Tech Planning
Address	5th Floor, Longcross Court 47 Newport Road Cardiff DF24 0AD
Consultee	([REDACTED])
Company / Organisation	Standard Life Investments UK Real Estate Fund
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Standard Life Investments UK Real Estate Fund (- [REDACTED])
Comment ID	PSLP_1965
Response Date	04/06/21 07:54
Consultation Point	Policy AL/RTW 18 Land at the former North Farm landfill site, North Farm Lane and land at North Farm Lane, North Farm Industrial Estate (View)
Status	Processed
Submission Type	Email
Version	0.4
Files	PSLP_1954-1970_TetraTech for Standard Life SI (not inclusive).pdf
Data inputter to enter their initials here	AT
Question 1	
Respondent's Name and/or Organisation	Standard Life Investment UK Real Estate Fund
Question 2	
Agent's Name and Organisation (if applicable)	Tetra Tech 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 AL/RTW 18 Land at the former North Farm landfill site, North Farm Lane and land at North Farm Lane, North Farm Industrial Estate

[TWBC: this representation has been input against Policies PSTR/RTW 1, ED 10, STR 1, ED 1, STR/RTW 1, AL/RTW 18, STR 5, EN 2, EN 7, TP 1 and TP 3 – see Comment Numbers PSLP_1954, PSLP_1959, PSLP_1960, PSLP_1961, PSLP_1963, PSLP_1965, PSLP_1966, PSLP_1967, PSLP_1968, PSLP_1969 and PSLP_1970]

Question 4

Do you consider that the Local Plan:

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

Question 4a

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

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

Question 5

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On behalf of Standard Life Investments UK Real Estate Fund, Tetra Tech Planning **object** to Policy AL/RTW 18 in respect of the open-ended nature of the current wording regarding the site allocation for "...renewable or sustainable energy, sport, recreation, or **leisure uses (including those that fall into associated sui generis use)**" (Tetra Tech emphasis added).

No definition of 'leisure' is provided either in the policy wording or supporting text. Based on the current Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020, the term 'leisure' could potentially cut across a range of use classes, theoretically comprising:

. Class C1 (hotels)

- Class E (b) (food & drink); (d) (indoor sport, recreation or fitness)
- Class F2(d) (indoor or outdoor swimming pools)
- Sui Generis* (including theatres, amusements, hostels, nightclubs, casinos, public houses, wind bars, or drinking establishments, drinking establishments with expanded food provision, hot food takeaways, venues for live music performance, cinemas, bingo halls and dance halls)

The current vagueness in terms of not defining the scope of 'leisure' uses permitted by the policy and the potential for resultant significant adverse impacts on designated town centres within the Borough by not defining a quantum / threshold for leisure use is a fundamental flaw. There is likewise an absence of any clear justification for an unrestricted leisure allocation within the Council's Leisure evidence base and the Strategic Housing and Economic Land Availability Assessment Site Assessment Sheets for Tunbridge Wells (January 2021).

At present, the site is, in theory, could be developed for unrestricted leisure use. As such, it is not considered the policy as it currently stands is 'positively prepared', 'justified', 'effective' nor 'consistent with national policy', and therefore is 'unsound' based on the requirements of the NPPF.

Question 6

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Proposed Modifications

The proposed modifications are to either:

- Define the scope of 'leisure' uses permitted by the policy allocation and define the quantum / threshold of leisure floorspace permitted; or**
- Clarify that the permitted leisure provision is to be an 'ancillary leisure use' within the policy wording**

Our suggested Policy AL/RTW 18 wording is:

"...renewable or sustainable energy, sport, recreation, or **ancillary** leisure uses (including those that fall into associated *sui generis* use)"

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

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- ☐ 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: Royal Tunbridge
Wells: Policy AL/RTW 19: Land to the
north of Hawkenbury Recreation
Ground**

Comment

Consultee	Andrew Fairfax Scrutton [REDACTED]
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	Andrew Fairfax Scrutton [REDACTED]
Comment ID	PSLP_378
Response Date	25/05/21 11:59
Consultation Point	Map 19 Site Layout Plan (View)
Status	Processed
Submission Type	Web
Version	0.5

Question 1

Respondent's Name and/or Organisation Andrew Fairfax Scrutton

Question 3

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

Question 3a

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

Policy AL/RTW 19: Land to the north of Hawkenbury Recreation Ground

Map 19: Site Layout Plan

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.

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 urge TWBC to stop the policy of selling off the land used by local football clubs and forcing their members to have to drive across the Town to Hubs for the following reasons:

- 1 Sports Hubs vs Local facilities add unnecessary traffic on Tunbridge Wells' roads. This policy is regressive and is counter to national and local policies regarding preventing pollution and protecting the environment.
- 2 Sporting facilities are essential to local communities and should be easily accessible to residents, rather than purely those that can afford to drive to the hubs some distance away.
- 3 Hawkenbury Village is already well served for sporting facilities, with the Hawkenbury Rec, with its football pitches and Astroturf. In addition, Hawkenbury hosts Forester's Football Club with its recently granted long lease for football pitches.
- 4 The roads and parking in Hakenbury Village were already overstretched before the 100's of new homes built in the Holyfield's and other developments. The recent residents parking zone has not increased the available areas for residents to park but just caused additional problems for friends and carers visiting them.
- 5 The junction at Halls Hole Road and Bayhall does not have the capacity to take an influx of thousands of extra cars arriving or leaving simultaneously from a stadium event. The access issue is not resolvable by changing the junction to a roundabout or road widening. The Bayhall Road is not only the access road for residents of Hawkenury Village, but a major road artery for those accessing Tunbridge Wells from the South. When, as is often the case, there are road works else in the town, and extra traffic is on Bayhall Road, the Traffic can back up to the HallsHole Road/Bayhall Road junction from the crossroads between Bayhall and the B2023 Pembury Road. This in turn can cause gridlock on the crossroads and access to Pembury Road/A21.
- 6 Many of the residents on the roads around the proposed site do not have driveways and rely on limited on-street parking,.Given the National rules banning the sale of petrol and diesel cars in nine years. Hawkenbury residents will be reliant on the electric charging points required in these streets to charge their vehicles to carry out their businesses and livelihoods. With this in mind, it will not be appropriate to have hundreds of non-residents cars using the limited on-street parking in the evenings and weekends caused by overspill from carparks.
- 7 If a stadium is to be built somewhere in the Borough, it should be in an area with good road links and the capacity to take peak influxes of thousands of extra cars, not in a village with congested roads and parking.

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	Barry John Richardson ([REDACTED])
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	Barry John Richardson ([REDACTED])
Comment ID	PSLP_1355
Response Date	04/06/21 16:42
Consultation Point	Policy AL/RTW 19 Land to the north of Hawkenbury Recreation Ground (View)
Status	Processed
Submission Type	Web
Version	0.3
Question 1	
Respondent's Name and/or Organisation	Barry John Richardson
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.	
AL/RTW19	
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 . It is not justified 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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It will have negative environmental impact

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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Closure of satellite facilities including the TW Football Club (Culverden Stadium) and concentrating everything into a single Sports Hub will mean the increased pollution from vehicles and traffic congestion around narrow roads and lanes. The infrastructure is not capable of supporting such a scheme. It will deny local people easy access to the existing facilities.

The area features an AONB, a Local Wildlife Site (TW21), an MGBB1 Sensitive Area, Agricultural Land Grade 3, Ancient Woodland and Hedgerows, a Public Right of Way (WB43) and Public Access Land High Wood. An important Local Amenity and home to wildlife. The scheme will have a detrimental effect on the ecology and is far from the cry 'to help nature'.

The scheme will have a huge impact on local residents. It will give increased noise disturbance, Dark Skies Issues and air pollution to a peaceful community with many elderly residents. This poorly researched scheme poses a serious threat to a wonderful environment.

Question 7

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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

Supporting Information File Ref No: SI_97

Comment

Agent	David Murray-Cox [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Turley
Address	[REDACTED] [REDACTED] Reading [REDACTED]
Consultee	[REDACTED]
Company / Organisation	Bellway Homes Strategic
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Bellway Homes Strategic [REDACTED]
Comment ID	PSLP_1751
Response Date	04/06/21 12:23
Consultation Point	Policy AL/RTW 19 Land to the north of Hawkenbury Recreation Ground (View)
Status	Processed
Submission Type	Email
Version	0.5
Files	PSLP_1747-1748, 1750-1756, 1758_Turley for Bellway Homes_Representation_Redacted.pdf
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Bellway Homes Strategic
Question 2	
Agent's Name and Organisation (if applicable)	Turley
Question 3	

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

Policy

Question 3a

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

Policy AL/RTW 19 Land to the north of Hawkenbury Recreation Ground

[TWBC: for further comments by Bellway Homes Strategic, please see Comment Numbers PSLP_1747-1748, PSLP_1750-1756, PSLP_1758]

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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TUNBRIDGE WELLS PRE-SUBMISSION LOCAL PLAN – REPRESENTATIONS ON BEHALF OF BELLWAY

We write on behalf of our client, Bellway Homes Strategic, in relation to the Pre-Submission draft Local Plan for Tunbridge Wells Borough which is currently subject to public consultation. This letter provides the background to Bellway's interest in the Borough and sets out representations on their behalf.

BACKGROUND

Bellway has a legal interest in the land to the north and south of High Woods Lane (Mouseden Farm) on the eastern edge of the built up area of Tunbridge Wells/Hawkenbury which it is promoting for residential led development. The site is separated by High Woods Lane. The area south of High Woods Lane is currently in agricultural use and bordered to the east by woodland, to the south by existing sports uses and to the west by existing residential development. The area north of High Woods Lane is also within agricultural use, with further agricultural uses/woodland to the east and an indoor bowls club and allotments to the west.

The adopted Proposals Map indicates that both parts of the site are within the Green Belt and AONB.

On the basis of the Proposals Map published as part of this consultation indicates that the southern part of the land (south of High Woods Lane) is to be designated under Policy RTW1923 with that area to adjoin the 'Proposed Limited to Built Development'. The northern part of the land promoted by Bellway is not subject to any other proposed allocations. The draft Proposals Map appears to indicate that both parts of the site will continue to be located within the Green Belt and AONB.

Allocation Policy AL/RTW30

The Council's Site Allocations DPD (July 2016) identifies, via Policy AL/RTW30, land adjacent to Hawkenbury Recreation Ground, Royal Tunbridge Wells for sports pitches and other outdoor recreation facilities.

Application 17/03232/FULL

In 2017 Tunbridge Wells Borough Council itself submitted an application in relation to the land south of High Woods Lane. This application (17/03232/FULL) proposed the following development:

“Change of use of part of land to expand existing recreational facilities through provision of additional sports pitches, together with associated access, car parking provision, 'ball stop' fencing, changing room facilities and other works”

Application 17/03232/FULL was granted on 20th December 2017 and the permission is subject to a standard condition that development shall be begun before the expiration of 3 years from the date of the decision. The permission is also subject to a number of conditions which require details to be approved prior to the commencement of development.

It is clear from the application form that the Borough Council, as applicant, did not control the land required to deliver the abovementioned development.

In the period since permission was granted, we understand that the Borough Council has made no attempts (through any procedural mechanism) to acquire the land. Furthermore, the Borough Council's website does not indicate that any submissions have been made to discharge pre-commencement conditions.

Application 21/00300/FULL

Despite the fact that the Applicant continued to have no control over the land, an application was submitted in January 2021 and then granted in April 2021 for the following development:

“Change of use of land to expand the existing recreational facilities through the provision of additional sports pitches, together with associated access, car parking provision, 'ball stop' fencing, changing rooms and ground works”

The application was granted despite the fact that there were numerous outstanding concerns (for example in relation to highways matters) as well as a lack of any information which showed the actual form of built structures and any information to assess the impact of the development on the AONB and Green Belt and no Flood Risk Assessment (despite the site being larger than 1 hectare in size.

Policy AL/RTW19

This Policy allocates the land to the north of Hawkenbury Recreation Ground for development as follows;

“This site, as defined on the Royal Tunbridge Wells Policies Map, is allocated for new and enhanced sport and recreation provision as part of a new stadia sports hub, to include standing/seating for supporters, other ancillary structures, and increased parking provision”

As we have already noted, the proposed allocation wording is inconsistent with the development which TWBC has permitted under reference 21/00300/FULL which relates to:

“Change of use of land to expand the existing recreational facilities through the provision of additional sports pitches, together with associated access, car parking provision, 'ball stop' fencing, changing rooms and ground works”

Despite the site having been allocated in July 2016 and then permission having been granted in 2017, **we understand that the Borough Council has made no attempts (through any procedural mechanism) to acquire the land.** Furthermore, the Borough Council's website does not indicate that any submissions have been made to discharge pre-commencement conditions.

In addition, we note that TWBC has no control over this site and therefore no opportunity to implement this scheme.

The deliverability of this allocation is also doubtful as the Policy states that the “development is dependent on the football stadium relocating from the current Culverden Stadium subject to allocation Policy AL/RTW 20”. Not only does TWBC therefore need to acquire the land north of Hawkenbury Recreation Ground, but it also requires the relocation of the football stadium from the Culverdon Stadium site. However as things stand, that is not feasible, as the Council has granted permission for its own scheme at site AL/RTW 19 which does not provide for a stadium.

This proposed allocation relates to the southern part of the land promoted by Bellway. As the draft Local Plan acknowledges, this area does benefit from planning permission granted in 2017 for

recreational facilities. No submissions have been made to discharge the conditions of that permission. Despite numerous objections and a lack of information, the LPA granted permission again in April 2021. Moreover, the land is subject to an option in favour of Bellway for a number of years. The fact that this site and land to the north is subject to an agreement with a national housebuilder (who is promoting the site for residential development and recreation use) is clear indication that the allocation of this site for solely recreational purposes (as envisaged in Policy AL/RTW 19) is undeliverable without being facilitated through a comprehensive site development policy including an element of housing to the north.

In addition, as we explain elsewhere, the Council's own evidence, namely that undertaken by LUC overstates the contribution (and therefore harm) that releasing the area proposed for recreational purposes under allocation AL/RTW 23 makes to the Green Belt. This area forms part of parcel TW6a. The contribution of Parcel TW6a as a whole has been overstated, however as the Turley Outline Landscape, Visual and Green Belt Advice Note demonstrates, the southern part of the land promoted by Bellway makes a lesser contribution in its own right.

Furthermore, we refer to the SHELAA analysis of site 53 which found that it was (in part) a suitable, sustainable and logical site for development. Those specific references were to the southern part of the site promoted by Bellway and so relate to the area proposed for designation under Policy AL/RTW 23. Those conclusions were made in a document which considers the suitability of sites for housing and economic purposes and so must be read as relating to such forms of development, rather than recreational uses.

Although the Council has published a number of documents in support of the draft Local Plan in relation to open space and sports facilities, as far as we can establish, none of those refer to the necessity or appropriateness of allocating the site AL/RTW 23 for recreational purposes.

It appears as though this site is proposed for allocation simply because of an allocation in 2016 and a planning permission granted in 2017 yet no thought has been given as to how it will actually be delivered and in reality, the LPA has granted permission for a different scheme to that which is envisaged by the draft Local Plan.

The allocation under Policy AL/RTW 19 is therefore fundamentally unsound and undeliverable.

Bellway is capable of facilitating the delivery of the sports pitches within the wider site promoted via these representations in conjunction with residential development at the site. Bellway would be willing to enter into dialogue with the Council as to how this site could be delivered whilst providing the sports pitches. Bellway would be willing to then transfer the recreation and sports facilities to the Borough Council.

As these representations advocate, the emerging Local Plan should be revised to include a policy which seeks to facilitate the recreation and sports facilities at this site, provided in conjunction with and facilitated by, residential development at the wider site. Bellway would be willing to engage with the LPA regarding the wording of any such policy.

SUMMARY

These representations set out **significant concerns** regarding the draft Local Plan for Tunbridge Wells Borough. In summary, the level of housing required to address issues of affordability and does not provide any realistic opportunities to make a meaningful contribution to meeting affordable housing needs. Whilst the Council claims that the housing supply represents a buffer over the planned requirement, this is based on extremely optimistic assumptions and short lead in times before the key sites deliver. In the case of Paddock Wood the Plan then relies upon very high delivery rates.

A more diverse and greater range of sites are required to address affordability, provide affordable housing and to help ensure that the housing requirement is achievable.

The Plan also provides a disproportionately low level of new housing at Tunbridge Wells despite the sustainability of this settlement, in comparison to other, less sustainable locations. This is borne out by the selection of the Tudeley Village site as a location for a new garden village in a remote location where the extent of measures to support sustainable travel is extremely unclear. Alternative options are available which would direct development to the most sustainable settlement (i.e. Tunbridge Wells) and which are in sustainable locations.

This conclusion is supported by the Council's own evidence which demonstrates the availability and suitability, sustainability and logic of alternative sites on the edge of Tunbridge Wells (including the land promoted by Bellway which is subject to these representations).

The Council's own evidence has overstated the contribution that certain sites, including the land promoted by Bellway which is subject to these representations) makes to the Green Belt. When the land is assessed in a more robust manner (and when assessed independently rather than as part of wider Broad Areas), the contribution is significantly reduced.

The southern part of the land promoted by Bellway (i.e. the land south of High Woods Lane) is subject to a planning permission for recreational uses. That application was submitted by the Borough Council, despite it having no interest in the land. In contrast, Bellway has a legal interest in the land and is promoting this area, as part of a wider site, for residential development. Bellway would be willing to work with the Borough Council to explore opportunities for bringing forward the approved recreational facilities in the area, which residential development on the site could help deliver.

Whilst the Council is pursuing (by allocating and seeking planning permission) land outside of its control for sports and recreation uses, it is concurrently planning to release a number of sites which are already within those uses for residential development which the Council does own. As a matter of general principle this approach appears unjustified.

As it is currently drafted the Local Plan is unsound. It relies on unsustainable and undeliverable solutions to housing needs and is partly premised on releasing the Council's own land for housing whilst proposing land it does not own for compensatory sports and recreation purposes. These fundamental issues of unsoundness are compounded by a lack of documentary evidence to explain why the Council has selected the approaches and proposed allocations in the emerging Local Plan.

Bellway would be willing to enter in to dialogue regarding the land north and south of High Wood Lane and the extent to which this site could deliver housing (delivering the greater range and diversity of sites) in a sustainable location. Bellway would be willing to discuss the manner in which such housing could assist in delivering additional recreational facilities in the area.

[TWBC: for full representation, please see supporting documents]

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

If you would like to attach a file in support of your comments, please upload it here. [PSLP 1747-1748, 1750-1756, 1758 Turley for Bellway Homes Representation Redacted.pdf](#)

Comment

Consultee	Lady Elizabeth Akenhead [REDACTED]
Email Address	[REDACTED]
Company / Organisation	British Horse Society
Address	[REDACTED] [REDACTED] TONBRIDGE [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	British Horse Society [REDACTED] [REDACTED]
Comment ID	PSLP_1530
Response Date	04/06/21 12:13
Consultation Point	Policy AL/RTW 19 Land to the north of Hawkenbury Recreation Ground (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	British Horse Society
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

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

Policy AL/RTW 19 Land to the north of Hawkenbury Recreation Ground

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 justified

Question 5

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While the policy is generally supported, the word "potential" should be removed from requirement 5 of the policy. This is particularly important because the site lies adjacent to a public bridleway and the vehicular access to it is over the bridleway. If no new bridle routes are created within the site to compensate for the damage the additional vehicular use will do to enjoyment of the bridleway for equestrians, the result will be an effective reduction in an already inadequate bridleway resource in this part of the borough.

Similarly, in paragraph 5.116 last sentence, merely exploring improved horse (and other non-motorised user) links is not good enough; there should be a requirement to provide them.

Question 6

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Delete "potential" from requirement 5 in the policy.

Para 5.116, delete "explored" and insert "provided".

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:

To ensure that horse riders (who are mainly women and children) are not discriminated against and that there are improvements to compensate equestrians for the additional vehicular use of the bridleway

Question 8

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

The modifications proposed above are necessary in order to justify the scores for health, equality and travel.

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	Andrew Fairfax Scrutton [REDACTED]
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	Andrew Fairfax Scrutton [REDACTED]
Comment ID	PSLP_379
Response Date	25/05/21 11:48
Consultation Point	Policy AL/RTW 19 Land to the north of Hawkenbury Recreation Ground (View)
Status	Processed
Submission Type	Web
Version	0.1
Question 1	
Respondent's Name and/or Organisation	Andrew FairfaxScrutton
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
AL/RTW 19	
Question 4	
Do you consider that the Local Plan:	
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Question 4a	

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I urge TWBC to stop the policy of selling off the land used by local football clubs and forcing their members to have to drive across the Town to Sports Hubs for the following reasons:

- 1 Hawkenbury Village is already well served for sporting facilities, with the Hawkenbury Rec, with its football pitches and Astroturf. In addition, Hawkenbury hosts Forester's Football Club with its recently granted long lease for football pitches.
- 2 The roads and parking in Hakenbury Village were already overstretched before the 100's of new homes built in the Holyfield's and other developments. The recent residents parking zone has not increased the available areas for residents to park but just caused additional problems for friends and carers visiting them.
- 3 I object to Tunbridge Wells using CPO's on greenbelt areas. The proposed site in Hawkenbury is adjacent to Sherbourne sheltered housing. It does not adequately consider the already congested roads and traffic junctions and the inability to protect the residents from the noise it will create, including late into the night
- 4 Sports Hubs vs Local facilities add unnecessary traffic on Tunbridge Wells' roads. This policy is regressive and is counter to national and local policies regarding preventing pollution and protecting the environment.
- 5 Sporting facilities are essential to local communities and should be easily accessible to residents, rather than purely those that can afford to drive to the hubs some distance away.
- 6 The junction at Halls Hole Road and Bayhall does not have the capacity to take an influx of thousands of extra cars arriving or leaving simultaneously from a stadium event. The access issue is not resolvable by changing the junction to a roundabout or road widening. The Bayhall Road is not only the access road for residents of Hawkenury Village, but a major road artery for those accessing Tunbridge Wells from the South. When, as is often the case, there are road works else in the town, and extra traffic is on Bayhall Road, the Traffic can back up to the Halls Hole Road/Bayhall Road junction from the crossroads between Bayhall and the B2023 Pembury Road. This in turn can cause gridlock on the crossroads and access to Pembury Road/A21.
- 7 Many of the residents on the roads around the proposed site do not have driveways and rely on limited on-street parking, given the National rules banning the sale of petrol and diesel cars in nine years. Hawkenbury residents will be reliant on the electric charging points required in these streets to charge their vehicles to carry out their businesses and livelihoods. With this in mind, it will not be appropriate to have hundreds of non-residents cars using the limited on-street parking in the evenings and weekends caused by overspill from carparks.

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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	Dr Janet Sturgis [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Hawkenbury Allotment Holders' Association
Address	[REDACTED] Tunbridge Wells [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Hawkenbury Allotment Holders' Association (Dr Janet Sturgis - [REDACTED])
Comment ID	PSLP_54
Response Date	22/04/21 10:37
Consultation Point	Policy AL/RTW 19 Land to the north of Hawkenbury Recreation Ground (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	KJ
Question 1	
Respondent's Name and/or Organisation	Hawkenbury Allotment Holders' Association
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

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

Policy AL/RTW 19: Land to the north of Hawkenbury Recreation Ground

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.

RE: Policy AL1 RTW 19:

2 Access...

Proposals should include localised widening and highway improvement as required

3 Improvement...

To facilitate the additional flow of traffic

A HAAHA's Historical Background in the Area

1. HAAHA's origins: The 'Marlpits site' at the corner of Halls Hole Road and High Woods Lane was leased to the Council for allotments by Mr B H Collins, owner of the Dunorlan estate, on 29th September 1891. It was then designated by the Council as being a Statutory Site, which meant that any change of use could be imposed only with the agreement of the Secretary of State.

2 HAAHA's unique status: It is the largest and only allotment site in RTW administered by a Committee of volunteers. We manage approximately 313 plots held by 202 tenants.

3 Hawkenbury Allotments was recently named *Designated Green Space 223*

B HAAHA's Response

Proposals to localised widening and highway improvements as required to facilitate the additional flow of traffic

- . We are concerned that these proposals could affect those of our ploholders who for many years have regularly parked alongside our hedge bordering the east side of High Woods Lane. Many of these individuals are elderly with some mobility issues and would be unable to manage accessing their plots from the parking areas off *HALLS HOLE ROAD* which we have recently created.
- . Examination of the spaces for parking on the new sports ground plan suggests they are entirely inadequate. With **22** youngsters on the two teams playing on **six** pitches, there is a potential of **132 parental cars** arriving to transport the youngsters on tournament days.
- . We suggest this due to long experience of the consequent extensive parking along Forest Road, Frant Road and Saint Marks Road on days of rugby tournament at the rugby ground at the top of Frant Road. And there are many more young footballers than rugby players in the town.
- . We recognise the need for upgraded facilities for young footballers, but the current proposals appear not only inadequately designed for youngsters but likely to have a negative effect on elderly allotment holders.

Question 7

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

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

For office use only

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

Comment

Consultee	Dr Janet Sturgis [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Hawkenbury Allotment Holders' Association
Address	[REDACTED] Tunbridge Wells [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Hawkenbury Allotment Holders' Association (Dr Janet Sturgis - [REDACTED])
Comment ID	PSLP_394
Response Date	25/05/21 15:51
Consultation Point	Policy AL/RTW 19 Land to the north of Hawkenbury Recreation Ground (View)
Status	Processed
Submission Type	Email
Version	0.6
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Dr Janet Sturgis, Hawkenbury Allotment Holders' Association
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

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

Policy AL/RTW 19 Land to the north of Hawkenbury Recreation Ground

Paragraph Numbers: 2, 4, 6

Question 4

Do you consider that the Local Plan:

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

Question 4a

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

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

Question 5

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

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

Hawkenbury Allotment Holders' Association (HAHA) Historical Background in the Area

HAHA's origins lie in the establishment by Tunbridge Wells Borough Council on 29th September 1891 of the 'Marlpits' allotments site at the corner of Halls Hole Road and High Woods Lane. The land was leased for allotments by Mr B H Collins, owner of the Dunorlann estate. It was then designated by the Council as a **Statutory Site**, which meant that any change of use could be imposed only with the agreement of the Secretary of State.

It is now the largest allotments site within the borough and is unique in being administered by a Committee of volunteers since 1991. They currently manage 313 plots held by 202 tenants.

Hawkenbury Allotments was recently named *Designated Green Space 223*.

I – together with our elected Committee and significant numbers of allotment holders – maintain that our long experience of the parking situation in Halls Hole Road and High Woods Lane gives us a unique insight into the potential problems which will result if the current plans for parking in the new football ground are carried out.

Because as time has gone by since 1895, when virtually all plotholders arrive on foot and were resident within Hawkenbury, it is now the case that the vast majority now arrive by car.

While we have been forced to create (very limited) parking space off via our two entrances off Halls Hole Road, there is no possibility of doing so from High Woods Lane, as there are working plots right up to the perimeter hedge. Many plotholders are elderly, may have mobility issues and need nearby parking.

The advent of the numbers of parents etc who will arrive with the youngsters coming for training and even more so for matches will far outstrip the very limited spaces provided in the draft plan. This will cause a massive overflow affecting a much greater area than High Woods Lane; but that is our principal concern.

Our claim is supported by evidence of the effect on Forest Road, St Marks Road etc whenever there is a match at the rugby pitch near the junction of Forest Road and St Marks Road. Both roads are filled with cars until the match finishes. Yet Forest Road can accommodate a far greater number of cars than the dozen or so that would fill High Woods Lane.

Because the numbers of youngsters who play football far outweigh those who play rugby, we predict the effect will be far greater.

Question 6

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

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Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Question 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

We suggest that removing the two very small pitches and using them for parking would go some way toward addressing the problem. Just because children are small does not mean they would accept being relegated to the tiny pitches that are designated for their use.

Question 7

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

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

Question 7a

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

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

I believe that I have 30 years' unique experience relating to the problem I have identified relating to specific detail of **Policy AL! RTW 19**

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	Ian Kirkham [REDACTED]
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	Ian Kirkham [REDACTED]
Comment ID	PSLP_792
Response Date	01/06/21 11:30
Consultation Point	Policy AL/RTW 19 Land to the north of Hawkenbury Recreation Ground (View)
Status	Processed
Submission Type	Web
Version	0.3
Question 1	
Respondent's Name and/or Organisation	Ian Kirkham
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy AL/RTW 19	
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 . It is not justified 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.

See Question 6 comments

Question 6

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We oppose the sports hub/football stadia/centre of excellence scheme proposed for Hawkenbury as part of the Draft Local Plan. Many residents are unaware of the scale of the development and decisions taken by those living far away from the impact of the scheme on Hawkenbury. It is notable that TWBC failed to include the relocation of TWFC as part of the recent change of land use application, while the Local Plan says "Development is dependent on the football stadium relocating from the current Culverden Stadium subject to allocation Policy AL/RTW 20" which seems like a strategic release of information designed to mislead the public and especially residents directly affected.

The demand for pitches is lower than claimed by TWBC. With many pitches historically being underused across the town, why the need for another six in Hawkenbury?

Noise and foul language from the existing pitches in Hawkenbury Rec can be heard on High Woods Lane now, so it is reasonable to expect this will worsen as the new site is much closer. The relocation of TWFC will be even worse.

The likely introduction of floodlighting for evening sports will have a detrimental effect on residents and wildlife and while being subject to further planning, it is without doubt that this will be granted and yet was missing from the recent application.

The Kent FA assesses the likely delivery of the scheme as 3 out of 4 on their website despite local consultation still not having been concluded. Their site displays that a partnership with TWBC exists. This has not been disclosed fully.

The eventual widening of High Woods Lane alluded to in the planning report will mean a significant change in outlook for those living closest. The revised statistics suggest increased traffic at 80 cars/190

trips, far in excess of what the present infrastructure can tolerate. We oppose the associated destruction of ancient hedgerows.

Closing playing fields over the wider Tunbridge Wells area to facilitate development at those locations by relocating sports provision to a single quiet location in close proximity to predominantly older residents, in a semi-rural area with poor traffic links, is wrong when more suitable sites are available.

TWBC consider this strategy will protect this land from development by Bellway homes and suggest that the threat of government intervention to allow such development can only be avoided if the land is turned over for sports provision. The truth of the matter is that threat of development to meet the housing targets set by government will be for those not-so-affordable homes aimed at commuters and foreign investors (the YouTube channels already uploaded by developers support this claim) and not for the local community need. The supposed threat is born of greed and not local need for housing. The land should be protected and retained for agricultural use. The proposition is to enable TWBC to develop existing green space elsewhere in the Borough for financial gain and will ruin an AONB currently being farmed by a leaseholder with a running 10-year contract. To lose this open space would be a bad outcome for Hawkenbury.

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	Carol Lawrence [REDACTED]
Email Address	[REDACTED]
Address	## ## ##
Event Name	Pre-Submission Local Plan
Comment by	Carol Lawrence [REDACTED]
Comment ID	PSLP_5
Response Date	26/03/21 12:31
Consultation Point	Policy AL/RTW 19 Land to the north of Hawkenbury Recreation Ground (View)
Status	Processed
Submission Type	Email
Version	0.4
Data inputter to enter their initials here	KJ
Question 1	
Respondent's Name and/or Organisation	Carol Lawrence
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

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

Policy AL/RTW 19 (Land to the north of Hawkenbury Recreation Ground)

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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I am writing on behalf of my parents whom live in Hawkenbury Hawkenbury already has so much traffic as a cut through ,Hawkenbury is village not an inner city or trading estate,we should be thinking about the planet and green areas not grey concrete and bright lights and noise ,TW has lost its Royal appeal the council are happy to waste our money on projects like millions spent on the Calverley Park I feel sad to think of other money that has been misused money that we the general public pay.

People are losing their jobs worrying about paying their bills and mortgages the council should be helping reducing bills and helping existing business to stay open.

Hence Hawkenbury does not need this sports arena.

[TWBC: further response received 07 April 2021]:

I writing again regards the above

I grew up in Hawkenbury a peaceful and wonderful community a village with 2 shops and one little church which still remain.

Hawkenbury has become a short cut for all types of traffic why would anyone want more traffic and more road pollution ,we should be preserving our green spaces not filling them with man made material and bright lights and crowds of people ,Hawkenbury isn't an industrial estate or an inner city just a village .

I feel sad having lived in RTW all my life,sad hearing the amount of OUR money that the council has wasted on projects that we don't need or want,please leave the land to stay as a farmers field full of life and nature

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	Jackie Nelson [REDACTED]
Email Address	[REDACTED]
Address	
Event Name	Pre-Submission Local Plan
Comment by	Jackie Nelson [REDACTED]
Comment ID	PSLP_280
Response Date	23/05/21 11:36
Consultation Point	Policy AL/RTW 19 Land to the north of Hawkenbury Recreation Ground (View)
Status	Processed
Submission Type	Web
Version	0.2
Question 1	
Respondent's Name and/or Organisation	Jacqueline Nelson
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy AL/RTW 19 Land to the north of Hawkenbury Recreation Ground	
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

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 am particularly concerned about the plan for a sports hub/concentrating sporting facilities/football pitches in one place rather than distributed across the town and borough close to where people live and want to use them. This will mean more traffic, pollution, noise, disruption, cost at a time when we should be building local communities, protecting our green spaces and spending money most effectively.

By building this football centre of excellence/stadium/sports hub you will be destroying green belt land, an area of outstanding natural beauty, a popular place where many, many people walk every day (High Woods Lane), the environment around the Sherborne sheltered housing and Cleve Avenue. Floodlighting and noise from use of the pitches will destroy this peaceful space.

You will be making the traffic and parking situation unbearable around Hawkenbury which will bring pollution and health and safety issues. These have been noted by your own transport team. There is insufficient public transport or cycle routes to the area.

You will have to get CPOs for farmer's field(s) and private road - which will go against the wishes of the local farming community. It is an area subject to flooding which will exacerbate this issue for local residents, walkers, joggers etc.

Question 6

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Keep the football/sports pitches local to the communities that use them and use some money to improve them.

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	Mr Brian Lippard [REDACTED]
Email Address	[REDACTED]
Company / Organisation	RTW Civic Society
Address	[REDACTED] ROYAL TUNBRIDGE WELLS [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	RTW Civic Society [REDACTED]
Comment ID	PSLP_1533
Response Date	03/06/21 11:58
Consultation Point	Policy AL/RTW 19 Land to the north of Hawkenbury Recreation Ground (View)
Status	Processed
Submission Type	Email
Version	0.6
Data inputter to enter their initials here	KJ
Question 1	
Respondent's Name and/or Organisation	Brian Lippard, Vice Chairman, RTW Civic Society
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
	Policy AL/RTW 19 Land to the north of Hawkenbury Recreation Ground
Question 4	
Do you consider that the Local Plan:	
Is sound	No

Question 4a

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

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

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 Society has no problem with the introduction of a sports hub near the town centre providing it has sufficient on-site parking and provision of suitable access for traffic, cyclists and pedestrians so that there will be minimal adverse impact on nearby residents. Our opinion is that the current plan does not meet these two conditions and hence we wish to lodge a formal objection.

Parking

Para 1.5 of the supporting document "Site Options Analysis for a Sports Hub" dated July 2020 states that there are insufficient football pitches available in the borough and that the demand for women's and girls' football would double over the period of the Local Plan. No specific mention was made as to the number of pitches required but the proposed number of a total of nine on the site (three already present plus six new ones) would be consistent with this assessment and projection of need.

Planning consent was granted in 2017 and renewed in April 2021 via Planning Application RTW 21/00300. The supporting document "Traffic Statement" from a firm of consultants calculated that 11 parking spaces would be sufficient if all the pitches were used simultaneously. We pointed out that the consultants hadn't considered the possibility of mini football festivals being held. Wateringbury (near Maidstone) hold one annually and have 500 juniors using four pitches simultaneously and have at least 150 cars which need parking. It is interesting to note Condition 8 attached to the approved application which states there must be "a management plan for the use of the paying pitches in order to limit pressure on the car parking facilities". The reason given was "Development without provision of adequate accommodation for the parking of vehicles is likely to lead to parking inconvenient to other road users".

AL/RTW 20 Land at Culverden Stadium, indicates that the Tunbridge Wells Football Club (TWFC) will have to vacate this site. AL/RTW 19 states that TWFC will be expected to move to the Hawkenbury site. From talking to one of their committee members, we understand that they expect to have 500 spectators attend some of their matches, especially for an important league or cup game. Some away supporters would probably come by coach but we would suggest that that the on-site parking currently proposed would be significantly insufficient.

These three documents referred to above are inconsistent with each other. The Site Options states that there will be a very strong demand for football pitches. This is used as a justification in the Local Plan for such a large number of pitches with the expectation of much usage. However, the Planning Application effectively admits the proposed parking is insufficient. Further, the Local Plan intends TWFC to move to Hawkenbury without providing sufficient on-site parking or indicating where extra parking would be provided.

Access

Point 5 of AL/RTW 19 states "The provision of improved cycle, pedestrian and potential bridal linkages within and beyond the site linking up with other Public Rights of Way, in particular with linkages to the

wider town and via High Woods Lane to Pembury, as set out in the Local Cycling and Walking Infrastructure Plan.”(LCWIP)

Despite being updated in March 2021, the LCWIP does not show these. No cycle routes from Pembury or TW town centre to the site are shown. Neither are pedestrian routes. Two walking routes are shown from the town centre but these both terminate at Forest Road.

If 111 parking spaces really are going to be sufficient then it is questionable whether there will be the need to widen High Woods Lane or improve other road junctions to cater for the sports hub.

As indicated before, we suspect that 111 spaces will be far too few. If this is the case then two-way access will be needed all the way from Halls Hole Road to the sports hub parking site so that latecomers who find the parking already full can turn round and leave. No doubt they will look to park on the access road so either double yellow lines will have to be painted, and enforced, or a third lane on these access roads will need to be provided to cater for this parking.

Point 4 of AL/RTW 19 says that “an overspill area of parking should be included”. The recent Planning Application made no mention of this. Hence we are forced to conclude that these two documents are incompatible with each other.

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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Policy AL/RTW 19 needs to be rewritten. It is impossible for us to provide wording now as the council needs to decide whether it will stick rigidly with 111 on-site parking spaces and not move TWFC to the site or whether it will insist that TWFC moves to Hawkenbury and does a detailed analysis of how many spaces this would require.

We suggest that at the same time, the council gives consideration as to whether it will or definitely will not allow mini football festivals on the site.

Policy AL/RTW 19 and the LCWIP need to be brought into line so that, either cycle and pedestrian routes from the town centre and from Pembury to the sports hub are clearly shown or the Policy specifically states they cannot be provided.

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:

Although we have only covered parking and access to the Hawkenbury sports hub, we expect there will be other objections from sports clubs, in particular Rusthall. We think a discussion with the Inspector is necessary so that TWBC can give us all a proper understanding of why the Local Plan contains what it does. We are mindful of the probable unstated requirement of retaining the same acreage of playing fields within the area if some existing ones are converted into housing. This has the potential of forcing new sports fields onto places where there is no demonstrable need.

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	Scott Bartlett ()
Email Address	
Company / Organisation	Tunbridge Wells Football Club
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Tunbridge Wells Football Club (Scott Bartlett -)
Comment ID	PSLP_1293
Response Date	04/06/21 13:59
Consultation Point	Policy AL/RTW 19 Land to the north of Hawkenbury Recreation Ground (View)
Status	Processed
Submission Type	Web
Version	0.1
Question 1	
Respondent's Name and/or Organisation	Scott Bartlett Tunbridge Wells Football Club
Question 3	
To which part of the Local Plan does this representation relate?	Policy
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:

<input type="checkbox"/>	It is not effective
<input type="checkbox"/>	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.

The impact of potentially moving Tunbridge Wells Football Club from its home at the Culverden Stadium would have an impact on Hawkenbury with increased traffic also the idea of having a stadium surrounded by 11-a-side football pitches would not work with traffic and congestion this would cause on match days. There has been no official meeting to discuss this proposal and how the potential financial effect.

Question 6

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The idea of a sports hub makes sense for local sports without the relocation of TWFC and the cost of a new stadium.

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)

Comment

Consultee	Ms Bridget Fox [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Woodland Trust
Address	Kempton Way Grantham NG31 6LL
Event Name	Pre-Submission Local Plan
Comment by	Woodland Trust [REDACTED]
Comment ID	PSLP_1429
Response Date	04/06/21 16:31
Consultation Point	Policy AL/RTW 19 Land to the north of Hawkenbury Recreation Ground (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	Woodland Trust
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy AL/RTW 19 Land to the north of Hawkenbury Recreation Ground	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes

Is sound

Don't know

Complies with the Duty to Cooperate

Don't know

Question 4a

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

Do you consider that the Local Plan is not sound because: . It is not 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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We previously expressed concerns at this site allocation (then coded AL/RTW 23) as it was adjacent to High Wood ASNW (TQ60283870)

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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Where development sites are adjacent to ancient woodland, we recommend that as a precautionary principle, a minimum 50 metre buffer should be maintained between a development and the ancient woodland, including through the construction phase, unless the applicant can demonstrate very clearly how a smaller buffer would suffice. A larger buffer may be required for particularly significant engineering operations, or for after-uses that generate significant disturbance.

Buffer zones can form part of the accessible natural green space required for future residents.

This will improve compliance with national policy by protecting the ancient woodland from loss or fragmentation and from harmful effects of pollution or encroachment on root areas. It will also make a positive contribution to requirements for net gain and nature recovery.

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 Woodland Trust is the UK's leading woodland conservation charity with specific expertise on the management and protection of ancient woodland.

Local Plan Regulation 19 representations in document order

**Comments on Section 5: Place
Shaping Policies: Royal Tunbridge
Wells: Policy AL/RTW 20: Land at
Culverden Stadium, Culverden Down**

Comment

Consultee	Scott Bartlett ([REDACTED])
Email Address	[REDACTED]
Company / Organisation	Tunbridge Wells Football Club
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Tunbridge Wells Football Club (Scott Bartlett - [REDACTED])
Comment ID	PSLP_1299
Response Date	04/06/21 14:13
Consultation Point	Map 20 Site Layout Plan (View)
Status	Processed
Submission Type	Web
Version	0.1
Question 1	
Respondent's Name and/or Organisation	Scott Bartlett Tunbridge Wells Football Club
Question 3	
To which part of the Local Plan does this representation relate?	Policy
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 justified

Question 5

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The impact on moving Tunbridge Wells football Club away from the Culverden would have a massive effect on the local wildlife with the family of deer that currently live in the grounds and surrounding area. There is also the financial impact on the club having to move with no discussion so far offered from 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)? . 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

Supporting Information File Ref No: SI_97

Comment

Agent	David Murray-Cox [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Turley
Address	[REDACTED] [REDACTED] Reading [REDACTED]
Consultee	[REDACTED]
Company / Organisation	Bellway Homes Strategic
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Bellway Homes Strategic [REDACTED]
Comment ID	PSLP_1752
Response Date	04/06/21 12:23
Consultation Point	Policy AL/RTW 20 Land at Culverden Stadium, Culverden Down (View)
Status	Processed
Submission Type	Email
Version	0.5
Files	<u>PSLP_1747-1748, 1750-1756, 1758_Turley for Bellway Homes Representation Redacted.pdf</u>
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Bellway Homes Strategic
Question 2	
Agent's Name and Organisation (if applicable)	Turley
Question 3	

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

Policy

Question 3a

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

Policy AL/RTW 20 Land at Culverden Stadium, Culverden Down

[TWBC: for further comments by Bellway Homes Strategic, please see Comment Numbers PSLP_1747-1748, PSLP_1750-1756, PSLP_1758]

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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TUNBRIDGE WELLS PRE-SUBMISSION LOCAL PLAN – REPRESENTATIONS ON BEHALF OF BELLWAY

We write on behalf of our client, Bellway Homes Strategic, in relation to the Pre-Submission draft Local Plan for Tunbridge Wells Borough which is currently subject to public consultation. This letter provides the background to Bellway's interest in the Borough and sets out representations on their behalf.

BACKGROUND

Bellway has a legal interest in the land to the north and south of High Woods Lane (Mouseden Farm) on the eastern edge of the built up area of Tunbridge Wells/Hawkenbury which it is promoting for residential led development. The site is separated by High Woods Lane. The area south of High Woods Lane is currently in agricultural use and bordered to the east by woodland, to the south by existing sports uses and to the west by existing residential development. The area north of High Woods Lane is also within agricultural use, with further agricultural uses/woodland to the east and an indoor bowls club and allotments to the west.

The adopted Proposals Map indicates that both parts of the site are within the Green Belt and AONB.

On the basis of the Proposals Map published as part of this consultation indicates that the southern part of the land (south of High Woods Lane) is to be designated under Policy RTW1923 with that area to adjoin the 'Proposed Limited to Built Development'. The northern part of the land promoted by Bellway is not subject to any other proposed allocations. The draft Proposals Map appears to indicate that both parts of the site will continue to be located within the Green Belt and AONB.

Policy AL/RTW 20: Land at Culverden Stadium, Culverden Down

As noted above, allocation AL/RTW 19 is "dependent on the football stadium relocating from the current Culverden Stadium subject to allocation Policy AL/RTW 20".

We note point 3 of Policy AL/RTW 20 and the requirement that “Implementation of planning permission granted for the development of this site shall occur only once the provision of the alternative sporting facility is operational, or will be operational in time for the start of the following football season”. As we explain elsewhere there is no such scheme/permission and the Council does not control the AL/RTW 19 site.

We understand that the Culverdon Stadium site is owned by the Borough Council and that it is pursuing the redevelopment of this site for residential purposes whilst proposing the development of land which it does not control, for sports and recreation purposes.

SUMMARY

These representations set out **significant concerns** regarding the draft Local Plan for Tunbridge Wells Borough. In summary, the level of housing required to address issues of affordability and does not provide any realistic opportunities to make a meaningful contribution to meeting affordable housing needs. Whilst the Council claims that the housing supply represents a buffer over the planned requirement, this is based on extremely optimistic assumptions and short lead in times before the key sites deliver. In the case of Paddock Wood the Plan then relies upon very high delivery rates.

A more diverse and greater range of sites are required to address affordability, provide affordable housing and to help ensure that the housing requirement is achievable.

The Plan also provides a disproportionately low level of new housing at Tunbridge Wells despite the sustainability of this settlement, in comparison to other, less sustainable locations. This is borne out by the selection of the Tudeley Village site as a location for a new garden village in a remote location where the extent of measures to support sustainable travel is extremely unclear. Alternative options are available which would direct development to the most sustainable settlement (i.e. Tunbridge Wells) and which are in sustainable locations.

This conclusion is supported by the Council's own evidence which demonstrates the availability and suitability, sustainability and logic of alternative sites on the edge of Tunbridge Wells (including the land promoted by Bellway which is subject to these representations).

The Council's own evidence has overstated the contribution that certain sites, including the land promoted by Bellway which is subject to these representations) makes to the Green Belt. When the land is assessed in a more robust manner (and when assessed independently rather than as part of wider Broad Areas), the contribution is significantly reduced.

The southern part of the land promoted by Bellway (i.e. the land south of High Woods Lane) is subject to a planning permission for recreational uses. That application was submitted by the Borough Council, despite it having no interest in the land. In contrast, Bellway has a legal interest in the land and is promoting this area, as part of a wider site, for residential development. Bellway would be willing to work with the Borough Council to explore opportunities for bringing forward the approved recreational facilities in the area, which residential development on the site could help deliver.

Whilst the Council is pursuing (by allocating and seeking planning permission) land outside of its control for sports and recreation uses, it is concurrently planning to release a number of sites which are already within those uses for residential development which the Council does own. As a matter of general principle this approach appears unjustified.

As it is currently drafted the Local Plan is unsound. It relies on unsustainable and undeliverable solutions to housing needs and is partly premised on releasing the Council's own land for housing whilst proposing land it does not own for compensatory sports and recreation purposes. These fundamental issues of unsoundness are compounded by a lack of documentary evidence to explain why the Council has selected the approaches and proposed allocations in the emerging Local Plan.

Bellway would be willing to enter in to dialogue regarding the land north and south of High Wood Lane and the extent to which this site could deliver housing (delivering the greater range and diversity of sites) in a sustainable location. Bellway would be willing to discuss the manner in which such housing could assist in delivering additional recreational facilities in the area.

[TWBC: for full representation, please see supporting documents]

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

If you would like to attach a file in support of your comments, please upload it here. [PSLP 1747-1748, 1750-1756, 1758 Turley for Bellway Homes Representation Redacted.pdf](#)

Comment

Consultee	Mr M Booker [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Culverden Residents' Association
Address	[REDACTED] Tunbridge Wells [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Culverden Residents' Association [REDACTED] [REDACTED]
Comment ID	PSLP_721
Response Date	01/06/21 08:20
Consultation Point	Policy AL/RTW 20 Land at Culverden Stadium, Culverden Down (View)
Status	Processed
Submission Type	Email
Version	0.5
Data inputter to enter their initials here	KJ
Question 1	
Respondent's Name and/or Organisation	Culverden Residents' Association
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

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

Policy AL/RTW 20 Land at Culverden Stadium, Culverden Down

Question 4

Do you consider that the Local Plan:

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

Question 4a

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

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

Question 5

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Culverden Residents' Association is resolutely opposed to any housing development in the area which would **worsen** the current traffic situation. Any increase in vehicle use through new development on top of existing excessive traffic would place an intolerable environmental and health burden on our residents. In present circumstances, development at site AL/RTW20 is therefore **unjustified**.

We also have serious concerns about the layout of dwellings on this sensitive site. The whole of the Culverden Ridge is of significant landscape importance and maintains an unbroken natural profile. The northern edge of this site is formed by rather thin tree cover at the top of the escarpment highly visible from the AONB and elsewhere. This deciduous tree cover becomes very thin over the winter months.

Question 6

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This proposed allocation would be capable of being made sound in the following way:

- 1 Reynolds Lane would need to be severed to prevent rat-running through traffic past the site on Culverden Down. The consequent reduction in traffic levels in Culverden through this and other measures as below would then enable the additional traffic generated by this site to be reasonably accommodated.

- 1 Owing to the landscape sensitivities of the site, any allocation should be subject to a Landscape and Visual Impact Assessment to inform locations and building heights, which should be strictly controlled.
- 1 There should be a condition within the allocation policy that the tree cover on the northern boundary on the escarpment would be strengthened with mature specimens.
- 1 Sec 106 contributions should be sought for:
 - . Introduction of a Low Traffic Neighbourhood in Culverden
 - . Provision of a safe and accessible walking route from Rusthall to the primary and secondary schools in Culverden via Woodside Rd Rusthall, where an improvement scheme to overcome the gradient at Stills Green has been designed for TWBC
 - . Some appropriate tree planting on selected streets in Culverden.

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)

Supporting Information File Ref No: SI_28

Comment

Consultee	Environment Agency [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Environment Agency
Address	[REDACTED] [REDACTED] WEST MALLING [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Environment Agency [REDACTED]
Comment ID	PSLP_480
Response Date	26/05/21 10:55
Consultation Point	Policy AL/RTW 20 Land at Culverden Stadium, Culverden Down (View)
Status	Processed
Submission Type	Email
Version	0.5
Files	PSLP_462, 467, 471, 473-480, 484, 486 Environment Agency SI-1 Representation.pdf
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Environment Agency
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
	Policy AL/RTW 20 Land at Culverden Stadium, Culverden Down
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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Policy AL/RTW 20

Note that woodland parcels to the east and north are mixed deciduous and wet woodland priority habitats, any landscape management scheme here ought to preserve and enhance the unique habitat qualities which occur here. There may be opportunity for boardwalk style pedestrian routes.

[TWBC: For general response please see Comment Number PSLP_462]

Question 7

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Comment

Consultee	Ms Bridget Fox [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Woodland Trust
Address	Kempton Way Grantham NG31 6LL
Event Name	Pre-Submission Local Plan
Comment by	Woodland Trust [REDACTED]
Comment ID	PSLP_1428
Response Date	04/06/21 16:31
Consultation Point	Policy AL/RTW 20 Land at Culverden Stadium, Culverden Down (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	Woodland Trust
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
	Policy AL/RTW 20 Land at Culverden Stadium, Culverden Down
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes

Is sound

Don't know

Complies with the Duty to Cooperate

Don't know

Question 4a

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

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

Question 5

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We previously expressed concerns at this site allocation (then coded AL/RTW 21) as it was adjacent to an area of unnamed ancient woodland ASNW at TQ57604077.

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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Where development sites are adjacent to ancient woodland, we recommend that as a precautionary principle, a minimum 50 metre buffer should be maintained between a development and the ancient woodland, including through the construction phase, unless the applicant can demonstrate very clearly how a smaller buffer would suffice. A larger buffer may be required for particularly significant engineering operations, or for after-uses that generate significant disturbance.

Buffer zones can form part of the accessible natural green space required for future residents.

This will improve compliance with national policy by protecting the ancient woodland from loss or fragmentation and from harmful effects of pollution or encroachment on root areas. It will also make a positive contribution to requirements for net gain and nature recovery.

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 Woodland Trust is the UK's leading woodland conservation charity with specific expertise on the management and protection of ancient woodland.

Local Plan Regulation 19 representations in document order

**Comments on Section 5: Place
Shaping Policies: Royal Tunbridge
Wells: Policy AL/RTW 21: Land at
Colebrook Sports Field, Liptraps Lane**

Supporting Information File Ref No: SI_97

Comment

Agent	David Murray-Cox [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Turley
Address	[REDACTED] [REDACTED] Reading [REDACTED]
Consultee	[REDACTED]
Company / Organisation	Bellway Homes Strategic
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Bellway Homes Strategic [REDACTED]
Comment ID	PSLP_1753
Response Date	04/06/21 12:23
Consultation Point	Policy AL/RTW 21 Land at Colebrook Sports Field, Liptraps Lane (View)
Status	Processed
Submission Type	Email
Version	0.5
Files	<u>PSLP_1747-1748, 1750-1756, 1758_Turley for Bellway Homes Representation Redacted.pdf</u>
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Bellway Homes Strategic
Question 2	
Agent's Name and Organisation (if applicable)	Turley
Question 3	

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

Policy

Question 3a

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

Policy AL/RTW 21 Land at Colebrook Sports Field, Liptraps Lane

[TWBC: for further comments by Bellway Homes Strategic, please see Comment Numbers PSLP_1747-1748, PSLP_1750-1756, PSLP_1758]

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.

TUNBRIDGE WELLS PRE-SUBMISSION LOCAL PLAN – REPRESENTATIONS ON BEHALF OF BELLWAY

We write on behalf of our client, Bellway Homes Strategic, in relation to the Pre-Submission draft Local Plan for Tunbridge Wells Borough which is currently subject to public consultation. This letter provides the background to Bellway's interest in the Borough and sets out representations on their behalf.

BACKGROUND

Bellway has a legal interest in the land to the north and south of High Woods Lane (Mouseden Farm) on the eastern edge of the built up area of Tunbridge Wells/Hawkenbury which it is promoting for residential led development. The site is separated by High Woods Lane. The area south of High Woods Lane is currently in agricultural use and bordered to the east by woodland, to the south by existing sports uses and to the west by existing residential development. The area north of High Woods Lane is also within agricultural use, with further agricultural uses/woodland to the east and an indoor bowls club and allotments to the west.

The adopted Proposals Map indicates that both parts of the site are within the Green Belt and AONB.

On the basis of the Proposals Map published as part of this consultation indicates that the southern part of the land (south of High Woods Lane) is to be designated under Policy RTW1923 with that area to adjoin the 'Proposed Limited to Built Development'. The northern part of the land promoted by Bellway is not subject to any other proposed allocations. The draft Proposals Map appears to indicate that both parts of the site will continue to be located within the Green Belt and AONB.

Policy AL/RTW21 Land at Colebrook Sports Field, Liptraps Lane

We note that this policy includes the following requirements:

"4 Planning permission shall only be granted for development on the playing pitch area of this site subject to planning permission having been granted for a suitable alternative sporting facility at another

site 5. Implementation of planning permission granted for the development on the playing pitch area of this site shall occur only once the provision of the alternative sporting facility is operational, or will be operational in time for the start of the following football season”

As we explain elsewhere there is no such scheme/permission and the Council does not control the AL/RTW 19 site.

We understand that the Liptraps Lane site is owned by the Borough Council and that it is pursuing the redevelopment of this site for residential purposes whilst proposing the development of land which it does not control, for sports and recreation purposes.

SUMMARY

These representations set out **significant concerns** regarding the draft Local Plan for Tunbridge Wells Borough. In summary, the level of housing required to address issues of affordability and does not provide any realistic opportunities to make a meaningful contribution to meeting affordable housing needs. Whilst the Council claims that the housing supply represents a buffer over the planned requirement, this is based on extremely optimistic assumptions and short lead in times before the key sites deliver. In the case of Paddock Wood the Plan then relies upon very high delivery rates.

A more diverse and greater range of sites are required to address affordability, provide affordable housing and to help ensure that the housing requirement is achievable.

The Plan also provides a disproportionately low level of new housing at Tunbridge Wells despite the sustainability of this settlement, in comparison to other, less sustainable locations. This is borne out by the selection of the Tudeley Village site as a location for a new garden village in a remote location where the extent of measures to support sustainable travel is extremely unclear. Alternative options are available which would direct development to the most sustainable settlement (i.e. Tunbridge Wells) and which are in sustainable locations.

This conclusion is supported by the Council's own evidence which demonstrates the availability and suitability, sustainability and logic of alternative sites on the edge of Tunbridge Wells (including the land promoted by Bellway which is subject to these representations).

The Council's own evidence has overstated the contribution that certain sites, including the land promoted by Bellway which is subject to these representations) makes to the Green Belt. When the land is assessed in a more robust manner (and when assessed independently rather than as part of wider Broad Areas), the contribution is significantly reduced.

The southern part of the land promoted by Bellway (i.e. the land south of High Woods Lane) is subject to a planning permission for recreational uses. That application was submitted by the Borough Council, despite it having no interest in the land. In contrast, Bellway has a legal interest in the land and is promoting this area, as part of a wider site, for residential development. Bellway would be willing to work with the Borough Council to explore opportunities for bringing forward the approved recreational facilities in the area, which residential development on the site could help deliver.

Whilst the Council is pursuing (by allocating and seeking planning permission) land outside of its control for sports and recreation uses, it is concurrently planning to release a number of sites which are already within those uses for residential development which the Council does own. As a matter of general principle this approach appears unjustified.

As it is currently drafted the Local Plan is unsound. It relies on unsustainable and undeliverable solutions to housing needs and is partly premised on releasing the Council's own land for housing whilst proposing land it does not own for compensatory sports and recreation purposes. These fundamental issues of unsoundness are compounded by a lack of documentary evidence to explain why the Council has selected the approaches and proposed allocations in the emerging Local Plan.

Bellway would be willing to enter in to dialogue regarding the land north and south of High Wood Lane and the extent to which this site could deliver housing (delivering the greater range and diversity of sites) in a sustainable location. Bellway would be willing to discuss the manner in which such housing could assist in delivering additional recreational facilities in the area.

[TWBC: for full representation, please see supporting documents]

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

If you would like to attach a file in support of your comments, please upload it here. [PSLP 1747-1748, 1750-1756, 1758 Turley for Bellway Homes Representation Redacted.pdf](#)

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_2187
Response Date	04/06/21 16:56
Consultation Point	Policy AL/RTW 21 Land at Colebrook Sports Field, Liptraps Lane (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 AL/RTW 21 Land at Colebrook Sports Field, Liptraps Lane

[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

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

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

Public Rights of Way

The County Council requests direct reference to Public Footpath WB9. The site provides an opportunity to provide links across the wider PRoW network, alongside connections to the Tunbridge Wells Circular Walk.

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.

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

Comment

Consultee	[REDACTED]
Email Address	[REDACTED]
Company / Organisation	Southern Water Services Plc
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Southern Water Services Plc [REDACTED]
Comment ID	PSLP_1209
Response Date	03/06/21 15:31
Consultation Point	Policy AL/RTW 21 Land at Colebrook Sports Field, Liptraps Lane (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	Southern Water
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy AL/RTW 21 Land at Colebrook Sports Field, Liptraps Lane	
Question 4	
Do you consider that the Local Plan:	
Is legally compliant	Yes

Is sound	Yes
Complies with the Duty to Cooperate	Yes

Question 4a

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

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

Question 5

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

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Southern Water is the statutory wastewater undertaker for Tunbridge Wells. Our assessment has revealed that Southern Water's underground infrastructure crosses this site. This needs to be taken into account when designing the site layout. Easements would be required, which may affect the site layout or require diversion. Easements should be clear of all proposed buildings and substantial tree planting.

Question 6

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In consideration of the above, we recommend the following criterion for Policy AL/RTW 21

Layout is planned to ensure future access to existing wastewater infrastructure for maintenance and upsizing purposes.

Question 7

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

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Local Plan Regulation 19 representations in document order

**Comments on Section 5: Place
Shaping Policies: Royal Tunbridge
Wells: Policy AL/RTW 22: Land at
Bayham Sports Field West**

Supporting Information File Ref No: SI_97

Comment

Agent	David Murray-Cox [REDACTED]
Email Address	[REDACTED]
Company / Organisation	Turley
Address	[REDACTED] [REDACTED] Reading [REDACTED]
Consultee	[REDACTED]
Company / Organisation	Bellway Homes Strategic
Address	- - -
Event Name	Pre-Submission Local Plan
Comment by	Bellway Homes Strategic [REDACTED]
Comment ID	PSLP_1754
Response Date	04/06/21 12:23
Consultation Point	Policy AL/RTW 22 Land at Bayham Sports Field West (View)
Status	Processed
Submission Type	Email
Version	0.5
Files	<u>PSLP_1747-1748, 1750-1756, 1758_Turley for Bellway Homes Representation Redacted.pdf</u>
Data inputter to enter their initials here	HB
Question 1	
Respondent's Name and/or Organisation	Bellway Homes Strategic
Question 2	
Agent's Name and Organisation (if applicable)	Turley
Question 3	

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

Policy

Question 3a

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

Policy AL/RTW 22 Land at Bayham Sports Field West

[TWBC: for further comments by Bellway Homes Strategic, please see Comment Numbers PSLP_1747-1748, PSLP_1750-1756, PSLP_1758]

Question 4a

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Question 5

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BACKGROUND

Bellway has a legal interest in the land to the north and south of High Woods Lane (Mouseden Farm) on the eastern edge of the built up area of Tunbridge Wells/Hawkenbury which it is promoting for residential led development. The site is separated by High Woods Lane. The area south of High Woods Lane is currently in agricultural use and bordered to the east by woodland, to the south by existing sports uses and to the west by existing residential development. The area north of High Woods Lane is also within agricultural use, with further agricultural uses/woodland to the east and an indoor bowls club and allotments to the west.

The adopted Proposals Map indicates that both parts of the site are within the Green Belt and AONB.

On the basis of the Proposals Map published as part of this consultation indicates that the southern part of the land (south of High Woods Lane) is to be designated under Policy RTW1923 with that area to adjoin the 'Proposed Limited to Built Development'. The northern part of the land promoted by Bellway is not subject to any other proposed allocations. The draft Proposals Map appears to indicate that both parts of the site will continue to be located within the Green Belt and AONB.

Policy AL/RTW22 Land at Bayham Sports Field West

We note that this policy includes the following requirements:

"3. Planning permission shall only be granted on this site subject to planning permission having been granted for a suitable alternative sporting facility at another site;

- 1 *Implementation of planning permission granted for the development of this site shall occur only once the provision of the alternative sporting facility is operational, or will be operational in time for the start of the following football season"*

As we explain elsewhere there is no such scheme/permission and the Council does not control the AL/RTW 19 site.

We understand that the Bayham Sports Field West site is owned by the Borough Council and that it is pursuing the redevelopment of this site for residential purposes whilst proposing the development of land which it does not control, for sports and recreation purposes.

Loss of other Sports Facilities

It is perverse that at the same time as TWBC is proposing the allocation of the land south of High Woods Lane for sports use (despite the fact that it does not have any control over the site), it is concurrently proposing the release of other, existing sports facilities.

This is highlighted particularly by the fact that the proposed allocation AL/RTW 19 is said to be "dependent on the football stadium relocating from the current Culverden Stadium subject to allocation Policy AL/RTW 20".

In addition, we note that the draft Local Plan proposes that Land at Colebrook Sports Field, Liptraps Lane and Land at Bayham Sports Field West be allocated for residential development under Policies AL/RTW 21 and 22 respectively.

Our understanding is that the Borough Council is the freehold owner of these other sites.

It therefore appears as though whilst the Borough Council is seeking to release (at least) three parcels of land in its ownership from sports / recreation for residential development, it is seeking to use a further area of land which it does not own or have any other interest in to compensate for those losses.

SUMMARY

These representations set out **significant concerns** regarding the draft Local Plan for Tunbridge Wells Borough. In summary, the level of housing required to address issues of affordability and does not provide any realistic opportunities to make a meaningful contribution to meeting affordable housing needs. Whilst the Council claims that the housing supply represents a buffer over the planned requirement, this is based on extremely optimistic assumptions and short lead in times before the key sites deliver. In the case of Paddock Wood the Plan then relies upon very high delivery rates.

A more diverse and greater range of sites are required to address affordability, provide affordable housing and to help ensure that the housing requirement is achievable.

The Plan also provides a disproportionately low level of new housing at Tunbridge Wells despite the sustainability of this settlement, in comparison to other, less sustainable locations. This is borne out by the selection of the Tudeley Village site as a location for a new garden village in a remote location where the extent of measures to support sustainable travel is extremely unclear. Alternative options are available which would direct development to the most sustainable settlement (i.e. Tunbridge Wells) and which are in sustainable locations.

This conclusion is supported by the Council's own evidence which demonstrates the availability and suitability, sustainability and logic of alternative sites on the edge of Tunbridge Wells (including the land promoted by Bellway which is subject to these representations).

The Council's own evidence has overstated the contribution that certain sites, including the land promoted by Bellway which is subject to these representations) makes to the Green Belt. When the land is assessed in a more robust manner (and when assessed independently rather than as part of wider Broad Areas), the contribution is significantly reduced.

The southern part of the land promoted by Bellway (i.e. the land south of High Woods Lane) is subject to a planning permission for recreational uses. That application was submitted by the Borough Council, despite it having no interest in the land. In contrast, Bellway has a legal interest in the land and is promoting this area, as part of a wider site, for residential development. Bellway would be willing to work with the Borough Council to explore opportunities for bringing forward the approved recreational facilities in the area, which residential development on the site could help deliver.

Whilst the Council is pursuing (by allocating and seeking planning permission) land outside of its control for sports and recreation uses, it is concurrently planning to release a number of sites which are already

within those uses for residential development which the Council does own. As a matter of general principle this approach appears unjustified.

As it is currently drafted the Local Plan is unsound. It relies on unsustainable and undeliverable solutions to housing needs and is partly premised on releasing the Council's own land for housing whilst proposing land it does not own for compensatory sports and recreation purposes. These fundamental issues of unsoundness are compounded by a lack of documentary evidence to explain why the Council has selected the approaches and proposed allocations in the emerging Local Plan.

Bellway would be willing to enter in to dialogue regarding the land north and south of High Wood Lane and the extent to which this site could deliver housing (delivering the greater range and diversity of sites) in a sustainable location. Bellway would be willing to discuss the manner in which such housing could assist in delivering additional recreational facilities in the area.

[TWBC: for full representation, please see supporting documents]

Question 7

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If you would like to attach a file in support of your comments, please upload it here. [PSLP 1747-1748, 1750-1756, 1758 Turley for Bellway Homes Representation Redacted.pdf](#)

Comment

Consultee	Mrs Lynn Conquer [REDACTED]
Email Address	[REDACTED]
Address	- Royal Tunbridge Wells -
Event Name	Pre-Submission Local Plan
Comment by	Mrs Lynn Conquer [REDACTED]
Comment ID	PSLP_30
Response Date	07/04/21 15:57
Consultation Point	Policy AL/RTW 22 Land at Bayham Sports Field West (View)
Status	Processed
Submission Type	Email
Version	0.2
Data inputter to enter their initials here	KJ
Question 1	
Respondent's Name and/or Organisation	Mrs Lynn Conquer
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	

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

Policy AL/RTW 22: Land at Bayham Sports Field West

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.

I was horrified to only just discover of the Councils intention to dispose of this lovely green area for yet more development.

I only found out as it popped up on my sons computer through the Kent Online website.

This side of town is already being overdeveloped and the proposed access for this site is ridiculous.

The road is highly dangerous and cars come tearing down at such high speeds despite residents complaints. The site is also waterlogged and provides a natural habitat for lots of birds and wildlife. There are plenty of brown sites to be utilised before taking sites like this and there is also the effect of the pandemic which will undoubtedly leave lots of office sites empty which can be converted to housing.

This is a short sighted plan to make the Council some money when what they should really be looking at is all the money that could be saved.

[TWBC: further comments added on 07 April]:

Thank you for your email.

Yes, I would like this to be added to official comments for this application and have since thought of further comments I would like to add, which I presume I can do?

Will residents adjacent to this land be informed directly and if so when will this be?

Thank you for your help.

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	Mr Martin Lord [REDACTED]
Email Address	[REDACTED]
Address	[REDACTED] Tunbridge Wells [REDACTED]
Event Name	Pre-Submission Local Plan
Comment by	Mr Martin Lord [REDACTED]
Comment ID	PSLP_1914
Response Date	04/06/21 15:02
Consultation Point	Policy AL/RTW 22 Land at Bayham Sports Field West (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	Martin Lord
Question 3	
To which part of the Local Plan does this representation relate?	Policy
Question 3a	
Please state which paragraph number(s), Policy Number, or Policies Map (Inset Map number(s)) this representation relates to.	
Policy AL/RTW 22 Land at Bayham Sports Field West	
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:

Question 5

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I have no doubt the plan is strictly speaking – legal. But it's not sound from a moral or sense point of view because:

- 1 Overcrowding in the area – the locality is already overcrowded. There have been large and new substantial developments recently at nearby Hawkenbury and Benhall Mill Road. This is already placing a strain on the local infrastructure, including the roads.
- 2 Vehicle access to the new development will be via Bayham Road – which is served by Forest Road. Forest Road is already far too busy – and with a 40 mph speed limit. More traffic will put even more strain on the road. Incidentally, the 40 mph speed limit needs to be reviewed – this is out of touch with other speed limits in this residential area.
- 3 The pedestrian access via the crematorium is just not on – this needs to be a peaceful, reflective environment for families attending funerals etc – not a rat run for new housing.
- 4 More generally, the new development – and the continual movement in and out of it by people and vehicles - will defeat the need for a quiet and reflective environment at the adjoining crematorium. This must be preserved for families and friends to show their last respects to their loved ones. The development will also butt onto the cemetery and headstones – this is important for families who've lost loved ones – and who will want to visit and reflect at their graves regularly. This isn't the way to treat our deceased relatives and their friends and families.
- 5 It is difficult to see how vehicle access could be achieved as shown on the plan without taking away some of the land from the crematorium – and some of the memorials that are currently there – this isn't acceptable.
- 6 I note the development is contingent on finding alternative sports facilities – such alternative though must not lead to over-use/overcrowding at any new facility – for example, by simply cramming the Bayham Sports users at another, already well used, facility. This is likely if a new site isn't found.

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.

NONE!

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